Stokes Files Another Suit For Divorce

Announces Second Action During Trial of First; Failure to Eliminate Son as Corespondent Cause

Names Wealthy Oil Man

May Try to Consolidate Two Cases; Nurses Testify to Activities of Cousin "Hal"

The announcement that W. E. D. Stokes, former proprietor of the Hotel Ansonia, had instituted a new divorce action against Helen Elwood Stokes was made yesterday at the trial of his divorce suit and her separation suit before Justice Finch in the Supreme Court. Mr. Stokes instituted his new suit because of Supreme Court Justice Ford's refusal to permit him to amend his complaint in his original action to eliminate W. E. D. Stokes jr., his son by a former marriage, as corespondent.

In this new case Edgar T. Wallace, a wealthy oil man, now married and living in San Francisco, is mentioned as corespondent. It is alleged that he and Mrs. Stokes acted indiscreetly in September, 1917, at 13 East Thirty-fifth Street. It is understood that an effort will be made to consolidate the two actions.

Miss Sarah Jeanette Gates, a trained nurse, was a new witness yesterday. She nursed Mr. Stokes during an attack of influenza. Miss Gates testified that she heard the altercation that took place between Mr. and Mrs. Stokes at their home early on the morning of New Year's Day, 1918, which was caused by the presence in the house of Dr. Hal C. Billig, a dentist, cousin of Mrs. Stokes's mother. Mrs. Stokes had gone out New Year's Eve.

Billig Obliged to Leave Home

"At about 2 a. m.," said Miss Gates, "I heard the plaintiff saying: 'Helen, is that you? I thought you were coming home at 11:50.' Then Mrs. Stokes answered, 'We were invited out to supper.'

"I saw Mr. Stokes return to his bedroom after that. A few minutes later I was aroused by hearing him exclaim indignantly: 'What the hell are you doing here? I thought you had gone to the hotel.'" Shortly after Mr. Billig left the house, said the nurse.

Miss Gates also gave testimony similar to that given on Tuesday by Mrs. Juliette Groeger, who acted as nurse to the two children of Mr. and Mrs. Stokes, to the effect that she saw Mrs. Stokes in her room attired in her underwear, while Mr. Billig also was present.

She testified further that on one occasion Mrs. Stokes adjusted her garter with the door of her room open, so that the nurse could see her, and that Mr. Billig was sitting with Miss Gates at the time. The witness admitted listening in on conversations. Miss Gates will be cross-examined to-day.

Mrs. Groeger was cross-examined yesterday by Martin W. Littleton, counsel for Mrs. Stokes. She was asked about testimony she gave that in Denver, while Mrs. Stokes was living at the home of her mother, she saw Mr. Billig in the defendant's room while the latter was déshabille.

Billig Was Fully Dressed

"I was in Mrs. Stokes's room with her, assisting her in getting dressed," said Mrs. Groeger. "The door was closed. She had on her underclothing, shoes and stockings. Mr. Billig opened the door. She said, 'Wait a moment,' but Mr. Billig walked right in and shut the door behind him."

"Was Mr. Billig fully dressed?" asked Mr. Littleton.

"Yes," replied the witness.

"What did Mrs. Stokes say? What was said by either of them?"

"Nothing. She went over to the closet and got something to cover her—a light kimono. Then I left her and went to my room."

Justice Finch asked Mrs. Groeger what it was that fixed the time of this occurrence in her mind. She said it was the first time she had seen Mr. Billig enter the room of Mrs. Stokes when she was not fully dressed. The justice asked the witness whether she thought there might be undue intimacy between Mrs. Stokes and Mr. Billig. Mrs. Groeger said, "I thought they were kind of affectionate for cousins."

The witness said that one day she saw the two playing cards, while Mrs. Stokes was sitting up in bed and Mr. Billig was sitting on a chair beside the bed.

Mrs. Groeger testified that sometimes when Mrs. Stokes went out for a walk she would lock the door of her room to make her husband believe she was asleep.

Mrs. Groeger admitted that she still was receiving $55 a month from Mr. Stokes. She said that Mr. Stokes agreed to pay her this when she was leaving the employ of Mrs. Stokes and that she was in bad health and expected to leave the state. She said she was told it was necessary for Mr. Stokes to have her on hand to testify at the present trial. The trial will be continued to-day.

Brother Claims Body of Central Park Suicide

Has Remains of McCurdy, Found Dead With Secretary, Forwarded to Philadelphia

The body of Willis McCurdy, personnel manager of the American Surety Company, who was found shot to death with his young woman secretary, Alice Snowden, in Central Park on Tuesday morning, was claimed at the Morgue last night by McCurdy's brother, Irwin P. McCurdy, of 940 South Cecil Street, Philadelphia.

Mr. McCurdy placed the remains in charge of R. Delaney, an undertaker, of 69 Eighth Avenue, with instructions for shipment to the family home in Philadelphia. Friends of the McCurdys in Astoria had already made tentative arrangements for burial pending approval of Mrs. McCurdy, who has gone to her parents in Philadelphia, taking her eight-year-old daughter Frances with her.

The home of the McCurdys, at 537 First Avenue, Astoria, remained closed all yesterday. There were many callers at the apartment house, but none was admitted to the McCurdy home.

Grand Jury Records Opened To Attorney for Colonel Porter

Permission to inspect the minutes of the March, 1920, grand jury was granted yesterday to Martin W. Littleton, counsel for Colonel Augustus Drum Porter, former Deputy Police Commissioner, who was indicted for alleged neglect of duty. The right to inspect the minutes was granted by Judge Otto Rosalsky, in the Court of General Sessions, after an argument on the motion made by Mr. Littleton.

Joab H. Banton, Acting District Attorney, consented to the inspection of the minutes by Mr. Littleton. After inspection Mr. Littleton said he would move for a dismissal of the indictment.

Three-Year-Old Goes Subway Riding--Lost? Not Much, He Says

Parks Kiddie Car at Tube Entrance, Lands at Times Square, Struts About Rialto Until Man Takes Him to Children's Society Rooms

George Francis Mahoney jr., who is three years and eight months old, issued a statement last night denying that he had been lost. His kiddie car had been and still was, he said, but he wasn't. He just went for a ride in the subway. His mother and the police and everybody who thought he was lost are mistaken, George says.

It was Tuesday afternoon that the notion struck George to go for a subway ride. He had taken one last summer, and it ended at Aunt Nellie's in New Milford, N. J., which George found to be a most entertaining place.

His mother, who lives in Fifteenth Street, between Seventh and Eighth avenues, Brooklyn, had taken George to the butcher's Tuesday and something about the butcher reminded George of New Milford. He turned his kiddie car around and straddled right out of the shop.

Parks Kiddie Car

As his mother had told him not to cross the street alone George turned aside resolutely first at one crossing and then at the next, which brought him face to face with an entrance to the Fourth Avenue subway. There was a pleasant, expansive expression to the subway entrance and George went in, lugging his kiddie car.

The man inside told him kiddie cars weren't allowed, so George laboriously toiled up the stairs with it and parked it on the sidewalk. Then he went in again.

"Two ladies were just going in to get on a car that was there," he said, "so I walked between them and got on the car too. I sat between them on the car until the guard talked into the telephone and then I got up to watch him.

"He said, 'You're a good fellow,' and I said, 'You're a good fellow, too.' After that we were friends, but when the two ladies got out, I got out too."

It was at Times Square that George got out and in his opinion it beats New Milford, N. J., all hollow.

"I had a real good time," he said. "I walked around and around, like this"—— George illustrated his Rialto manner by pursing his lips importantly, inflating his chest and stalking stiff legged around the dining-room table. "I didn't cross any crossings, though, until a man said to me: 'You're a good fellow, where are you going?'"

Might Take Another Ride

"I said: 'You're a good fellow, too. I'm just going for a walk, but if you'll take me across the crossings I can walk further.' So we were friends and he did, and we walked a long way, and when we got there they fed me and then mama came and got me."

George's Times Square friend took him to the Children's Aid Society in Seventeenth Street, which found his mother by consulting the police who, by that time, were hunting the kidnappers who were thought to have captured George. It was 10:30 o'clock Tuesday night before George got home.

"You're never going alone in the subway again, though, Georgie, are you?" asked his mother.

"Oh, I don't know," replied George Francis Mahony jr., assuming his Times Square manner, "I might."

Sweeping Changes In State Narcotic System Predicted

Act Embodying Essentials of Fearon-Smith Bill Assured, Says Dr. Prentice, of New York Co. Medical Group

Repeal of the Whitney anti-drug act, abolition of the State Narcotics Commission and enactment of a law embodying all the essential features of the Fearon-Smith bill are practically assured, in the opinion of representatives of the New York County Medical Society and other supporters of the last-named measure.

Dr. Alfred C. Prentice, of 226 West Seventy-eighth Street, a member of the New York society's legislative committee, who attended the hearing on narcotic bills at Albany Tuesday, made the following statement yesterday:

"An almost unanimous sentiment developed at the hearing which seemed to demand repeal of the Whitney act. Of all the speakers, only two were in favor of the retention of the law. They were Commissioner Herrick and Judge Cornelius J. Collins, who drafted the Whitney act.

"If the Whitney law is repealed some provision of law must be made to enable the State of New York to enforce its police power over the illegal traffic in narcotic drugs and to provide for the treatment of narcotic drug addicts at public expense. The Fearon-Smith bill has been carefully drawn as a constructive measure, containing the necessary provisions to make the state law coördinate with the Federal Harrison law and to provide for the treatment of addicts at public expense.

"It is to be expected that, as a result of the hearing, the joint committee will report out a bill providing for repeal of the Whitney law and containing the essential provisions of the Fearon-Smith bill, namely, prohibiting the prescribing or dispensing by physicans of narcotics to addicts and providing for the necessary care of addicts at public expense.

"If such a measure becomes a law it will insure preventing drug addicts securing narcotic drugs legitimately. The illegal traffic in narcotic drugs then becomes strictly a problem of enforcement of law by the police and the courts."

Opponents of the Fearon-Smith bill charged at the hearing that the efforts to enact it were the result of a conspiracy to increase the business of narcotics sanitariums by forbidding physicians to prescribe drugs for addicts.

Oppose Tax Exemption On Mortgage Incomes

Committee Report Says It Would Be to the Detriment of Other Securities

From a Staff Correspondent

ALBANY, March 9.—Declaring that the plan to exempt mortgage incomes from state and Federal income taxes to relieve the housing situation by encouraging investments in building loans holds no promise for relief, the Davenport Joint Legislative Committee on Taxation and Retrenchment to-day issued a report opposing such legislation.

The report says it would be futile to exempt mortgage interest from state income tax alone, and that it would be necessary to obtain the same exemption under the Federal income tax law to make the plan of any value at all. Such a step, the report says, would be fraught with dangerous results, as it would throw about $30,000,000 of tax-exempt securities into the market, to the detriment of securities not enjoying similar exemptions.

It is the opinion of the committee that the state should take a step in the opposite direction, and tax incomes from state, municipal and Federal bonds. Among other recommendations contained in the report is one urging the abolition of the present personal property tax. It is claimed this law does not function satisfactorily, and that seps could be taken to obtain the revenue now obtained from this source through the state income tax law.

O'Ryan Becomes Truckman

27th Division Commander Is Elected to Corporation Board

The United States Trucking Corporation, of whose directors ex-Governor Smith became chairman last January, elected General John F. O'Ryan a director yesterday.

The following officers of the corporation were reëlected: Chairman of the board, Alfred E. Smith; president, James J. Riordan; vice-presidents, George W. Daniels, J. E. Reardon, W. J. McCormack, Howard H. Logue, E. R. Lowe and Gardner Pattison; treasurer, Louis J. Hunter; assistant treasurer, Arthur L. Rae; secretary, W. L. Whittlesey; assistant secretary, Oscar Brunner.

Board of directors: Alfred E. Smith, chairman; George W. Daniels, John R. Fitzpatrick, Henry J. Fuller, George F. Getz, Louis J. Hunter, W. L. Whittlesey, Howard H. Logue, William J. McCormack, Gardner Pattison, Daniel L. Reardon, James E. Reardon, James J. Riordan and S. M. Schatzkin.

Bedtime Stories

Peter and Jumper Get a Great Fright

By Thornton W. Burgess

The bravest may be put to flight
By wholly unexpected fright.
—Peter Rabbit.

Peter Rabbit went back to look for his cousin, Jumper the Hare. He found him not far from the great windfall under which they had been so sure Buster Bear had spent the winter. Peter hastened to apologize to Jumper for having doubted him. "I've seen Buster Bear," said he, "and it is true that his coat is just as it always has been, as black as black can be. And he told me that you were right about where he spent the winter. He said he hasn't been near the great windfall since early last fall. And he said, too, that he doesn't intend to come near it. Why do you suppose he doesn't intend to come near it, Jumper?"

Jumper shook his head. "I give it up," said he. "I haven't the least idea. There is a mystery, a great mystery, about that windfall, and I don't like mysteries. Did Buster say that he was afraid to go near it?"

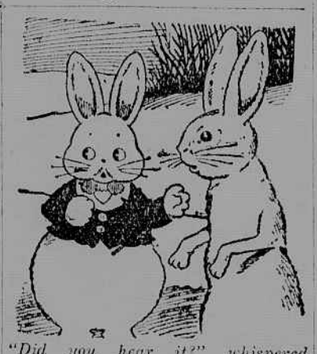
"No," replied Peter. "No, he didn't say that. But now you speak of it, he acted as if he thought he would be better off if he kept away. And he advised me to keep away from it, too. He said I would be likely to live longer if I did. Now what do you suppose he meant by that?"

Again Jumper shook his head. "I——" he began. "What's that?" He jumped and ran back a few steps, then sat up to stare at the great windfall with startled eyes. Peter did exactly the same thing. There they sat staring at the great windfall.

"Did you hear it?" whispered Jumper.

Peter nodded. "I certainly did," he whispered back. "There it is again!" Once more they ran a few steps, and then sat up to stare at that old windfall.

For a few minutes they heard nothing. It was as still as it can be only in the heart of the Green Forest when not even a leaf moves. They could hear the beating of their own hearts. Then from that great windfall came a sound that there was no mistaking. It was a deep, grumbly-rumbly growl, such a growl as they had never heard save from the throat of Buster Bear. It was followed by a whine, and that whine was just such a whine as they never had heard, save from the throat of Buster Bear. Yet they knew Buster Bear wasn't in there. They knew that Buster Bear was over near the pond of Paddy the Beaver. Peter had left him there only a little while before and had come straight to this place as fast as his legs could bring him, and that is rather fast.



"Did you hear it?" whispered Jumper

Truly there was something wrong with that great windfall. Buster Bear wasn't under it, yet Bear growls and whines were coming from it. Do you wonder that Peter and Jumper were sadly frightened and once more took to their long heels? But they didn't go far. They went only far enough to feel safe. Then they sat up to stare at that old windfall again. They were still frightened, very much frightened, but curiosity was greater than their fear at that distance.

For a time all was still again. It was still for so long that they began to wonder if they could really have heard those growls and whines. If either had been alone he would have been sure that imagination had played him a trick. But both had heard the same sounds, or thought they had. So they stared and stared and waited.

Suddenly there was a sharp snort, followed by a deep "Woof, woof!" from that great windfall. Peter and Jumper took to their heels.

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The next story: "The Stranger in Brown."

Tartoue Says Wife Had Two Other Husbands

Artist, in Answer to Suit for Separation, Charges She Was Not Divorced When He Married Her

He Alleges Intimidation

Asserts She Abused Him, Causing Him Damage and Impairing His Health

Pierre Tartoue, portrait painter, answered the separation suit of Mrs. Claudia Windsor Tartoue, formerly of California, in the Supreme Court yesterday by denying her allegations of cruelty and charging that Mrs. Tartoue was already the wife of two other men when she married the defendant, and that she had not been divorced from either. The couple were married in October, 1919, and the artist alleged that his wife abandoned him on November 10, 1920.

Mr. Tartoue said that besides fraudulently representing that she was never married before the plaintiff also gave false information about her age, for instead of being twenty-four years old, as she is alleged to have stated in her application for her marriage license, she was thirty years old. Relying upon these representations, Mr. Tartoue said he married the plaintiff.

Alleges Two Other Marriages

Since then, it is alleged by the defendant, he has learned that his wife married Louis Roth on January 6, 1906, at Pendleton, Ore., and that on June 26, 1912, she became the wife of George Jackson Busch at New Westminster, B. C. The artist asked for an explanation from his wife upon learning of these alleged facts, but Mrs. Tartoue, her husband said, refused to explain.

"But she abused and attempted to intimidate the defendant," Mr. Tartoue continued in his answer, "and told him she would ruin his career as an artist by creating a public scandal in action for separation which she would institute. She said she would make scandalous accusations against the defendant, charging him with concocting and participating in fraudulent schemes of extortion, and further charging him with inducing her to participate in such schemes, and that upon the defendant's refusal to accede to the demand of the plaintiff that he remain quiet and continue to live with her the plaintiff left the home of the defendant."

Denies Threat to Kill

Mr. Tartoue expressed the belief that after his wife left him she caused the publication of certain scandalous statements about him, which have caused him damage, and because of which his health has become impaired and he has been unable to engage in his profession as an artist.

Mr. Tartoue denied the charges of his wife that he humiliated her, assaulted her, threatened to disfigure her with vitriol, that he threatened to kill her, or that he drove her from his home, all of which are alleged by Mrs. Tartoue in her suit for separation.

Slayer-Suicide Identified; 4-Day Bride Disappears

Discharged Soldier Who Killed Merchant and Self Married Brooklyn Woman Saturday

Arthur W. Dawson is the name of the man who shot and killed Morris Bealkin, a merchant of 26 Greenwich Street, Tuesday evening, later shooting and killing himself when cornered by the police after a chase.

Edward L. Dawson, of 133 Amity Street, Brooklyn, brother of the dead man, positively identified his body at the morgue and verified police information that he had been married last Saturday to a Brooklyn woman, whose name the police informant did not reveal. Dawson had been living with his bride at 1072 Bergen Street, Brooklyn, for the last four days. Mrs. Dawson remained at that address until yesterday morning, when she disappeared and did not return. The police believe she is with her parents, whose address is at present unknown.

Dawson also was identified by Sergeant Frank B. Hastings, of Fort Wood, Bedlow's Island, where he was dismissed from the service five days ago. He received an honorable discharge.

Sergeant Hastings told the police that Dawson had been in the army six years and that for some time past he had been talking of his intention to get married as soon as he received his discharge. Nothing known by any of the dead man's former comrades furnished the slightest clew to his motive in killing Bealkin.

Weather Report

Sun rises... 6:17 a.m. Sun sets... 5:57 p.m.
Moon rises. 6:28 a.m. Moon sets. 7:08 p.m.

Local Official Forecast.—Fair and colder to-day; fair to-morrow; fresh west winds.

Local Official Record.—The following official record from the Weather Bureau shows temperatures during the last twenty-four hours, in comparison with the corresponding date of last year:

	1921.	1920.		1921.	1920.
3 a. m...	58	25	3 p. m...	61	39
6 a. m...	60	27	6 p. m...	60	38
9 a. m...	61	29	9 p. m...	58	37
12 noon...	63	36	11 p. m...	58	37

Highest, 64 degrees, at 1 p. m.; lowest, 55, at 5:40 p. m.; average, 58; average same date last year, 32; average same date for thirty-three years, 38.

Humidity

8 a. m.... 94 | 1 p. m.... 87 | 8 p. m.... 98

Barometer Readings

8 a. m.. 29.98 | 1 p. m.. 28.86 | 8 p. m.. 29.70

General Weather Conditions

WASHINGTON, March 9.—Pressure is low over a narrow belt extending from the Gulf of St. Lawrence southward to the east Gulf of Mexico, and it is low and falling rapidly over the north Rocky Mountain region. The pressure is high in other parts of the country.

Rains were general within the last twenty-four hours in the states east of the Mississippi River, and snow was falling Wednesday night along the northwest border. Fair weather prevailed in other regions.

The temperature continued abnormally high during Wednesday in the Atlantic states, and it has risen decidedly over the plains states and the north Rocky Mountain region.

The weather became much cooler during Wednesday in the Gulf states, the Ohio Valley and the region of the Great Lakes.

The outlook is for fair weather Thursday and Friday in the states east of the Mississippi River, except that rain is probable Thursday morning along the south Atlantic coast and snow Thursday night or Friday in the upper lake region.

The temperature will be lower Thursday in the Atlantic states, and it will rise somewhat in the Ohio Valley and the region of the Great Lakes.

Forecasts by Districts.—Eastern New York—Fair Thursday, colder in south portion; Friday fair.

Southern New England—Fair and colder Thursday; Friday fair.

Eastern Pennsylvania, New Jersey, Delaware, Maryland—Fair and colder Thursday; Friday fair.

Western Pennsylvania, western New York—Fair and somewhat warmer Thursday; Friday cloudy.