

Price Dispute Between Sheet Metal Makers Laid Before Arbitrator

NO LAWYERS AND NO OATH

New York, May 25.—The first case in the new Tribunal of Arbitration was tried yesterday in a room of the Lawyers' Club at 115 Broadway. It was presented to the arbitrator in one hour and fifteen minutes instead of three days which it was estimated it would take in a court of law. The costs to the disputants will be not more sts to the disputants will be not more than \$10, depending upon what sum the club charges for the use of the room. The result of the experiment will be apparent today, when Jesse M. Barry more and Benjamin H. Lee, the "litt reappear before Alexander the judge-arbitrator, and an-the result of their negotiations.

failure to reach an agreement Their feave the case to the arbitrator t The amount of money involved decide. in the dispute is only \$130.

After hearing Barrymore and Lee and sitting opposite each other, Mr Rose, who is a lawyer, told the two that the dispute was one which could just as well be adjusted between them and advised them to think it over. Otherwise, he said, he would decide the her, asked : case in accordance with the evidence

presented and as agreed to by the two when they brought their dispute before the arbitration tribunal. replied. Barrymore and Lee are in the sheet metal manufacturing business at Cooper Square. Barrymore contends \$100,000 Verdict to that Lee failed to live up to an agreement made between the two as to the

amount Lee, as the purchaser of metal goods manufactured by Barrymore, was

goods manufactured by Barrymore, was to pay for these goods. Barrymore said Lee agreed verbally to give him 25 per cent of the selling price. Lee denied this, asserting that he was to pay Bar-rymore "a fair market value," based on the price of scoole ther. Lee said on the price of goods that, Lee said, would be bought elsewhere at \$1 per item cheaper than from his business associate. Lee claims Barrymore owes him a refund and Barrymore claims Lee violated whatever agreement was failed.

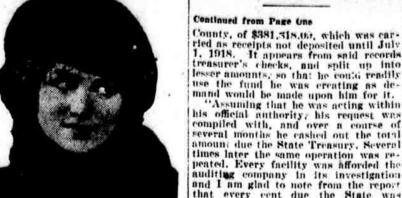
In the opinion of Mr. Rose, the case resolves itself down to the question as to what constitutes a "fair market in the absence of any written agreement between the disputants. He hereupon told Barrymore and Lee that they could best conserve their inter-ests by trying to adjust the matter themselves, each placing himself in the position of the other and report back to him this afternoon.

"Neither one of you is perfectly right, remember that," admonished the "You are both to blame beeques neither of you made an agree-ment. I hope you will wipe out this difference which is due to a misunder-standing between two honest men. If you cannot do this, I will decide this on its merits.

CONTRACTS FOR PURCHASE OF MUSCLE SHOALS INVALID

Do Not Give Exclusive Options,

Daugherty's Opinion Washington, May 25.-(By A. P.)-An opinion by Attorney General Daug-herty, submitted to Secretary Weeks and forwarded today to the House Min-has an action created so much atten-tary Committee, holds that the contract tion. Two years ago, on a visit to tary Committee, holds that the contract tion. Two years ago, on a visit to executed by the government with the his nephew, Andrew Gump, the Aus-Alabama Power Company is "invalid" tralian multi-millionaire, made the ac-with respect to the provision which the power company officials contend gives time, according to his admissions on



GLADYS WALTON

Movie actress, who yesterday was granted an interlocutory decree of divorce from Frank R. Liddell on grounds of non-support. She promised the Judge she would not go to Mexico and marry again

GLADYS WALTON DIVORCED

ounty treasurer. Will Steer Clear of Mexican Marriage, Film Star Tells Judge Los Angeles, May 25,-Gladys Walton, motion-picture actress, known in private life as Mrs. Gladys Liddell. use as he saw fit.

was granted an interlocutory divorce yesterday from Frank R. Liddell, on the grounds of non-support. Judge J. W. Summerfield, announcing the finding to "You won't go to Mexico now and get married, will you?"

should say not," the actress the Auditor General was "playing poli-

Widow Jilted by Bim

Continued from Page One

0

high," but it might have been "Heaven eyes," though seven high is considered to do it. Kephart's only statement is that he has no comment to make before a very satisfactory hand in some games. As quickly as possible, Mr. Hoovey rushed his client, through a side door (of the courtroom, that is), and all further attempts to interview him

Are They Happy-Sure!

The entrance to Mrs. Zander's apartment was already blocked when the reporter reached there. It was apparent that the plaintiff's loyal friends had hastened to congratulate her, but there seemed some mystery about such remarks as "We'll get it now," and "I'm adding the interest, too," which were heard here and there in the crowd. and Mrs. Zander, it was said, was not at home, but the reporter caught through

a window a glimpse of a stout man with a black mustache. This man came to the window in response to an order in a woman's voice, "Carlos, please pull down that blind." A futile attempt also was made to see and interview Andrew Gump. nephew of the defendant. As the re-

State. (The trial of the breach of promise

case of Zander vs. Gump has been one of the most famous legal battles in history. Not since the famous case of

Dated

Unable to Find Entries

John A. Bell, president of

Fylm versus Van Pepsodine (See Northwestern Reporter, 42 p. 82712) rash books show the receipt from E. D. Friebertshnuser, treasurer of Allegheny that this amount was deposited in the Farmers and Mechanics' National Bank. Philadelphia, and that July 3, 1918, this deposit was recalled and again the stand, he was attentive to ed until July 12, 1918. July 12, 1918, a de-On one occasion he inscribed her fan. "My Heaven Eyes." After his return posit was made in the Commonwealth Trust Company, Harrisburg, of \$200,-After his return to Melbourne, or Sydney, or wherever it was, they corresponded. One of Mrs. Zander's letters of that period was 000. The receipts not deposited, name-ly, \$381.818.09, thereafter were reduced by this deposit. "July 24, 1918, the Commonwealth introduced as evidence. After address-ing him as "Dearest Bimbo," Mrs. Trust received another check from E. D. Friebertshauser for \$98,953.70 drawn against the Carnegie Trust Com-Zander wrote, "You remind me o some huge rock in the sea of industry." "You remind me of Thirteen Was Unlucky Day pany, as evidenced by the canceled check we inspected in the office of the When Mr. Gump returned to this country last December, he renewed his-ourtship of Mrs. Zander with great ervor. Finally he proposed and was treasurer of Allegheny County. This check was numbered 454, dated July 8, 1918, and stamped paid by the Carnegie fervor. 1 accepted. Trust Company, the bank on which it was drawn November 9, 1918. How-ever, July 24, 1918, the date this check accepted. They were to have been married on April 13, but although the bride waited for an hour and a half. Ir. Gump did not appear. He was discovered by Mr. and Mrs. was recorded as received, a check for \$1\$1,\$18,09 was deposited to the credit of the Commonwealth Trust, thus ac-counting for the first amount of \$381,-Gump some days later. He claimed to have found a diary in which the plaintiff had made entries suggesting that his wealth had, in some way, influenced her decision to marry him and he wanted, he said, to be loved for himself alone. Mr. Gump was unable to produce this diary at the (Continued on Page 31, Column 3) BLOW AIMED AT MACKEY

Pinchot Lead Is 18,090; **Only 16 Districts Out**

OFFICIAL returns from fifty-one districts missing in three of the ther sixteen countles showed Gifford Pinchot last night had a majority of 18,090 over . Attorney General George E. Alter for the Republican The total vote is Pinchot. 512, 139, and Alter, 494.047. Official

returns were completed in Berks, Delaware and Northampton Counties. These counties showed the following figures : ALTER PINCHOT

Berks 2000 Delaware 14045 6528every cent due the State was 16739 Northampton , 1151 4654 The report brought definitely into the Countles continue to turn in majorities for Robert E. Pattison,

open some of the whispered reports that flew about the State when Mr. Bell was mentioned as the successor to Sen-ator Crow. It was rumored that the Jr., over Charles D. McAvoy for the Democratic nomination for Lieutenant Governor. Fifty counties give Pattison a lead of 16,435. The enate seat was on the auction block." totals are: Pattison, 59,591 and McAvoy 43,159.

> Colonial Trust Company, which he signed 'Carnegie Trust Company, by John A. Bell, president.

> "The explanation of this procedure was, as stated by him, that from time to time the State Treasurer would have the said blank checks filled in and deposited to the credit of the Common-

filled in equalings the amount of the original Allegheny County Treasurer's checks substituted therefor,

The uncovering of these transac-tions provides the most sensational chapter of the accountants' report. the Carnegie Trust Company, we find It gives the lie, Mr. Lewis contends, to the politicians who, before the pri-maries, made the boast that State finances were absolutely sound and that no record to show that these checks were deposited to the credit of the Commonwealth on this date or any prior or subsequent date. In this case we were also informed by Mr. Bell that similar blank checks were requested What implicit confidence Mr. Bell had and received by the State Treasurer. in Kephart to give him blank checks to fill out as he saw fit can ce explained

public hearing on June 1. Mr. Bell goes so far as to say that he did it because Kephart asked him Trust Company and were regularly charged against the account of the treasurer of Allegheny County in the

that he has the hearing. It is for them to explain who had the free use of State money ranging in amounts as high as \$372,000 at one ranging time and extending over the period be-tween June 20, 1918, and April 30, 1921, with an incurrent interest loss to the State of some \$11,300.

Report Is Sensational

The fourth section of Main & Co.'s report deals with the tactics of Kep-hart in how he handled \$1,653,079,55. It includes an item of \$720,123.02 mentioned in Section 3 of the report, but of the total amount only \$1,263,904.16 is involved in the Bell-Kephart check manipulation. The Treasurer of Ailegheny County

Audit Spotlight

paid.

Glares on Bell

'Assuming that he was acting within

kept a non-interest-bearing account in Mr. Bell's trust company. He drew checks for taxes against that account and forwarded the checks to the State Treasurer. Kephart got them, and in-stead of depositing them to the credit of the State and collecting the funds from Bell's trust company he turned the Allegheny County checks over to Bell

and took the blank checks from Bell in return, the report shows. Using the blank checks as he saw fit. porter approached the Gump home. there was a loud cry from within. It was a man's voice, excitedly calling, With the state from time to time by filling out the blanks and depositing them to the credit of the

Auditors' Explanation

The auditors explain as follows how the seven different groups of State funds were handled in these manipulations : "Group 1, \$480,771.88. "June 20, 1018, the State Treasurer's

wealth



Yerkes Foils Writ

matter while waiting for the constable. Mr. Hannum jumped in an automobile and started out for a writ to prevent Squire Yerkes from imposing a fine. The only judge he could find in a hurry was Judge Broomal, of Chester. The judge signed a decree ordering Yerkes But while Mr. Hannum was hustling about in his legal moves, Sapp, the constable, suddenly got better and appeared against Dr. Kennedy, who waiting the return of his counsel,

said he was positive that the rear light physician's machine was out of the Dr. Kennedy said he had looked at lamp before entering the borough and found it lighted. He admitted, ever that it was out when he reachest

with the law," said Yerkes, addressing Dr. Kennedy, "and a man of your char-

sudden action of the Spuire caused amazement.

Yerkes Then "Explains"

"I discharged the doctor," he said later. "because I believe he was telling the truth. I'm not afraid of the Key stone Automobile Club and they're n going to run Millbourne Hannum anticipated that I was go-

ing to fine and acted too quickly." When Deputy Sheriff Howard arrived at Verkes' office with the writ he found that he had all his trouble for naught.

were discharged.

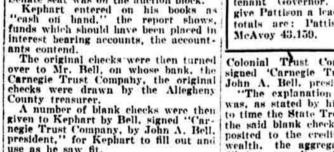
REV. DR. LEINBACH NAMED

Becomes Chairman of Armenian

The Rev. Dr. Paul Seibert Leinbach has been unanimously elected chairman of the executive staff of the Philadelphia Committee for Armenian Relief Dr. Leinbach was a member of the American Relief Commission to the Near East in 1919. He was born in Womelsdorf, Pa., in 1874, and is a graduate of Franklin and Marshall Col-

lege, Heidelberg University and the Theological Seminary at Lancaster.





the aggregate of said checks "On examination of the records on

"Checks numbered 585 and 587, ng-gregating \$7357.30, were properly de-posited February 14, 1919, to the credit of the Commonwealth in the Colonial only by the two men who figured in the transactions when they have a

Carnegie Trust Company. Said checks Millbourne. bore the proper indorsement stamp used "I believe that you tried to comply

by the Treasury Department. Rubber Stamp Used

"Check 608 was simply indorsed Commonwealth of Pennsylvania, S. M. Kephart, State Treasurer." The rubber stamp ordinarily used for the indorse-ment of checks, bearing the quotation This check is received in lieu of cash

due the Commonwealth and must be paid in New York or Philadelphia exchange, with rebate, did not appear on this check. The check was stamped Paid by the Carnegie Trust Company. September 19,1919. The records of the Carnegie Trust Company did not show that this check actually was cashed or charged to the account of the treasurer of Allegheny County on this date. "Commencing April 30, 1919, and until July 31, 1919, deposits were made

to the credit of the Commonwealth. which were apparently intended to be the undeposited portion of the funds referred to in this group other than checks 585 and 587, aggregating \$7357.30; Said deposits were as follows:

 Date
 of
 Deposit
 Amount

 April
 30, 1910
 \$20, \$55, 22

 May
 0, 1919
 \$20, \$55, 22

 May
 13, 1919
 \$25, 000, 90

 May
 13, 1919
 \$25, 000, 00

 May
 21, 1919
 \$20, 000, 00

 May
 21, 1919
 \$20, 000, 00

 July
 31, 1919
 \$20, 000, 00

 July
 31, 1919
 \$25, 408, 32

"The results of the practices referred to in this report may be briefly set forth follows:

"First. Certain funds of varying graduate amounts, aggregating in totals \$1.653,-079.55, received from the Treasurers of Allegheny County from June 20, 1018, to September 30, 1920, were not de-posited to the credit of the Common-worldh in multitude immediately on

the right of exclusive purchase of the government's interest in the steam power plant at Gorgas, Ala.

The contract negotiated by the War Department with the Air Nitrates Corporation of New York, a subsidiary of the American Cyanamid Company, under which nitrate plant No. 2 was con-structed at Muscle Shoals, Ala., also is held "invalid" by the attorney general with regard to the option of exclusive purchase claimed by the corporation in the event the plant is disposed of by

the government to private enterprises. THEATRICAL MEN FETED

Fred G. Nixon-Nirdlinger Entertains at Tenth Annual Meeting

Theatrical managers enjoyed a soclable time last night at the Cafe in Riviera, on the East River drive, Fairmount Park, as the guests of Fred G. Nixon-Nirdlinger. The gathering was the tenth annual dinner of the Theatrical Managers' Association, of which Mr. Nixon-Nirdlinger is presi-

Some of the managers became per-formers for the evening. Abe Sablosky singing "My Sweet Hortense," with other solo selections by Harry Jordan. Thomas M. Love, Mr. Nixon-Nird-linger, Harry A. Smith, Abe Einstein, Lew Sablosky and George Metzler. Other music was furnished by Isidore Senator's Band. Some of the managers became per-Senator's Band.

Besides those named the diners ineluded J. Fred Hastman, Frank W. Buehler, Al Horgerle, John McGuirk, Charles C. Wanamaker, M. W. Taylor, amuel F. E. Nirdlinger, George Young, Burley, Joseph Dougherty, Cohen, William Goldenberg, rt Mellugh, Clinton Richardson and E. D. Patterson.

TO HONOR FIRMS ANNUALLY

Plans for Pioneers' Celebration The Chamber of Commerce has under

consideration a proposal for an annual purpo celebration in honor of the firms in control. continuous business 100 years or more to include each year the ad-ditional firms reaching this distinction. These celebrations would be similar to the one held this week, which has been widely mentioned in the newspapers of the country. This comment outside Philadelphin is looked upon in business will take place Saturday and Sunday negle Trust Company January 21, 1919. widely mentioned in the newspapers of the interests of the city as well as the trade of Philadelphia concerns, The proposal also has been made to be chamber that a list of all firms in basiness 100 years or more be re-corded on a tablet to be placed in the Philadelphia building at the Sesqui-Centennial in 1926.

AUTO KILLS BOY

Lad Hurrying Home Runs in Front

of Car on Tioga Street Crossing Tioga street at Ormes

street shortly before 10 o'clock last hight, Thomas Glenn, nine years old, 2560 Coral street, was struck and killed by an automobile. The boy was hurryiome when the accident occurred. and is said to have run in front of the

James Sochle, 3145 North Fifteenth street, driver of the car, took the boy clared : to the Northeastern Hospital, where he

died an hour later from a fractures ren-and internal injuries. Sochie surren-dered to the police.

Forty-sixth Ward Independents to Fight for Leadership

Checks Drawn on Bell's Bank Signs of a determined tight to wrest "On examination of the checks orig-ally issued by the Treasurer of the leadership from Harry A. Mackey inally

in the Forty-sixth Ward are seen in Allegheny County, aggregating the the organization yesterday at a above amount, we find that these checks luncheon at the City Club of the "In-dependent Republication Association of State Treasurer, as follows: the Forty-sixth Ward." Homer C. Davis was host at the luncheon and Check No. 477 August 14, 1918 September 14, 1918 November 12, 1918 December 3, 1918 January 9, 1919 January 11, 1919 January 11, 1919 May 13, 1919 was elected chairman of the new ward

organization. John Fisler was elected honorary chairman. It was announced permaheadquarters will be opened at Chamber of Commerce Considers 44 South Fifty-second street and that work will be started at once to or-

ganize independent Republicans every division of the ward. The avowed se is to rid the section of Vare

NAVAL RESERVE CRUISE

Scores to Go Down Delaware on

Applications have been received at the Fourth Naval District Headquarters, Applications in District Headquarters, Philadelphia Navy Yard, and at the Battalion Headquarters, 237 South Thirteenth street. Lieutenant Commander of the First Battaliou, said last night there was room for a few more.

McADOO RESENTS CHARGE

Says He Never Accepted Fee From

Morse While Secretary Hutchinson, Kan., May 25.- Replying last night to charges contained in Washington dispatches that he had, while Secretary of the Treasury, accepted a fee from the Charles W.

posit. "Second. Had said funds been de-

posited as soon as received in interest bearing accounts, the Commonwealth would have received interest during the time the deposit of these funds was withheld.

"Third. This postponing of deposits permitted the State Treasurer to hold bank checks, which were blank as to payee and amount, and week date, signed an official of a bank. Said blank bank checks were received in ex-change for the checks received from the treasurer of Allegheny County properly made payable to the order of the Comcounting for the first amount of \$381.-SIS.09, but leaving receipté not depos-ited of \$98,953.79, as at July 24, 1918, "On further examination of the rec-ords of the Carnegie Trust Company, Carnegie, Pa., and the Colonial Trust Company, Pittsburgh, we find that a deposit of \$98,953.79 to the credit-of the Commonwealth, October 25, 1918, was made by depositing a check drawn on the Colonial Trust Company, bear-ing the same date, payable to the order of S. M. Kenbart. State Treasurer, or monwealth in payment of taxes, etc., ing the same date, payable to the order of S. M. Kephart, State Treasurer, or from the treasurer of Allegheny County bearer, and signed Carnegie Trust ultimately were deposited to the credit Company, by John A. Bell, president.' Group II, \$233,615.85. of the Commonwealth before April 30, 1921, but as previously stated the Com-

monwealth did not have the full use and benefit of these funds for the periods during which the deposit there-of was deferred."

City Water Plant for Swedesboro Swedesboro, N. J., May 25.- Advo-

cates of municipal ownership of the local water system won out by a vote more than two to one at a special $\begin{array}{r} 100,010,95\\ 8,172,25\\ 3,915,00\\ 8,580,83\\ 6,318,90\\ 47,59\\ 51,229,51\\ 7,360,80\\ 15,405,32 \end{array}$ election Tuesday night to pass upon the question of authorizing Borough Com-eff to purchase the Interests of the Woolwich Water Company, Three years ago the same proposition lost by seven or eight votes.



Allegheny County on the Carnegie Trust Company in the amount of \$98,-No. 171-The Knot That Is Not A handkerchief is tied in a single 053.79 was paid and we were informed

knot. By merely drawing on the ends

by John A. Bell, president of the by John A. Bell, president of the check of the Carnegle Trust Company dated October 25. 1518, signed by John A. Bell, president, above referred to, was issued to take the place of the check issued by the Treasurer of Alle-gheny County under date of July 8. 1918. norme when the accident occurred. is said to have run in front of the ime. Morse interests to intercede in a case pending before the United States Ship-ing Board, William G. McAdoo de-to horthenstern Hospital, where he an hour hater from a fractured skull internal injuries. Soehle surren-i to the police.

\$233,015.85 "Checks numbered 477, 496, 535, 536, 554, 555 and 586 were all indersed After-Dinner Tricks with the regular rubber stamp used for