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Local Forecast:—Clearing and mild this afternoon; partly cloudy, colder tonight and tomorrow.

NO. 44 IN TWO SECTIONS—SECTION ONE NEW YORK, SATURDAY, DECEMBER 18, 1937

## STRIKERS TRY TO CRASH 3 L. I. T.

### NEW ORLEANS RACE RESULTS

(Charts and Other Racing Results on Page 25.)

TRACK GOOD.

First	Second	Third
Black Buddy	Just High	Miss Lizzie
Prices 2.20 4.00 3.40	3.80 2.60	4.00

### Union to Ask Court to Oust Magistrate in Automat Strike

Also Will Petition Schurman After Sentences for Pickets

Removal of Magistrate Anthony F. Burke for reputed harsh treatment of arrested Automat strikers will be demanded of the Appellate Division and Chief Magistrate Jacob Gould Schurman, attorneys for the Cafeteria Employees' Union announced today.

A separate demand for an inquiry into the Magistrate's attitude towards strikers in general will be laid before the incoming City Council, it was also revealed.

### Panay Halted Before Bombing

Soldiers Boarded American Gunboat

By EDWARD W. BEATTIE.

SHANGHAI, Dec. 18.—Japanese troops stopped the United States gunboat Panay under threat of artillery fire four hours before Japanese planes sank her, it was disclosed today.

Armed Japanese troops boarded the Panay, which they had covered with a field gun, and questioned Lieutenant Commander James J. Hughes, her commanding officer.

This phase of the sinking of the Panay was disclosed today by Weldon James, chief of the United Press Bureau at Hankow, who was aboard the Panay.

James wrote the story at the time, but Lieutenant Commander Hughes, fearing that any message concerning Japanese troop activities might aid the Chinese and violate American neutrality, thought it best not to permit the dispatch to be transmitted on the Panay's radio, the only means of communication available.

Four hours later Lieutenant Com-

### New Flood Threat At Pittsburgh

By the United Press.

PITTSBURGH, Dec. 18.—Disorganizing a burden of ice as steady rains brought a rise all the way to its headwaters, the Allegheny River brought a new flood threat to Pittsburgh, where a crest of twenty-seven feet—two feet above flood stage—is expected within twenty-four hours.

Heavy rain that pelted Pennsylvania and high temperatures that melted snow brought

### Nazi Angle Rises in Poyntz Disappearance

Woman Fought To Gain Control Of Estate

By ARTHUR IRWIN, World-Telegram Staff Writer. Copyright, 1937, by New York World-Telegram Corporation.

Friends of the vanished Julia Stuart Poyntz, a "Red Joan of Arc" since 1909 and described by police as "one of the ten principal Communist leaders in the United States," would not say today whether they believed the solution to the mystery of her disappearance lay hidden in her connection with the Communist movement, or in her fight against the Nazi Government to gain control of her dead husband's estate.

Miss Poyntz, who was once national secretary of the International Labor Defense and often a Communist candidate for political office, disappeared seven months ago from the American Women's Assn. at 353 W. 57th St.

Whatever the cause of her disappearance, however, whatever her fate since she vanished without a trace, leaving all her clothes and even unfinished manuscripts behind, some of her friends were convinced today that the key to the enigma was held by the man with the Teutonic voice.

Telephoned Daily.

It was learned that this man telephoned Miss Poyntz twice daily almost every day at her room. He always seemed impatient, yet their conversation never lasted more than a few seconds. And on last June 3, the day she disappeared, his calls suddenly, inexplicably stopped.

The mystery was complicated by the attitude of the Communist party and the German Consulate General, Communist spokesmen at first de-

(Continued on Page Four.)

### Utility Leaders To See Roosevelt

By the Associated Press.

WASHINGTON, Dec. 18.—The White House said today President Roosevelt will resume Tuesday his conferences with private utility company officials on a basis for peace between the power industry and administration policies.

He will confer on that day with Frank R. Phillips, president of the Duquesne Light Co. of Pittsburgh, and William H. Taylor, president of the Philadelphia Electric Co.

### Newton D. Baker Has Heart Attack

By the United Press.

CLEVELAND, Dec. 18.—Newton D. Baker is under treatment for a recurrence of a heart attack.

A physician and a nurse were called to Mr. Baker's home this morning. Mrs. Baker said "Mr. Baker has suffered another slight thrombosis."

Mr. Baker recently relinquished

### 'Robinson' a C.C.N.Y. Student And 'the American Hitler' New Claws Here Indicate

He's Also Pictured as a Seaman on Ship That Sailed for Africa 7 Years Ago

Investigators today picked up new clues to the identity of the captive "Donald E. Robinson" in Moscow. But the fresh discoveries only deepened the enigma for they were contradictory.

Robinson, in one report or another, was identified as:— A student attending City College in 1934. A member of the WPA Teachers' Union.

A firebrand who styled himself as the "American Hitler." A former seaman on a West African voyage.

The belief that "Robinson" formerly attended City College is that of students who said they remembered him. They did not recall his characteristics at the time, but feel certain that the man they knew as a student in 1934 and possibly a year or two earlier was the same man whose picture is being called that of the prisoner in Russia.

Students' Theaters.

Other students at City College said they believed the captive formerly was a member of the WPA Teachers' Union.

The suggestion that "Robinson" is in reality the "American Hitler" was

made by members of New York Nazi organizations.

Friends of "American Hitler" said his picture seemed to them a counterpart of the one published as "Robinson's."

Records Searched.

Shown the published photograph, twenty-two of them at the German Exposition and Christmas Market, sponsored by the German-American Business League, Inc., at Grand Central Palace, said they were sure it was that of "The wild Irishman."

The possibility that "Robinson" (Continued on Page Four.)

### TWO 237 WEDGED SIGNAL

Crack-Up Commuted By Matte

Special to the World-Telegram

HICKSVILLE, Dec. 18.—A crowded Long Island 1 hours were under investigation.

One eastbound passenger train that had been wedged a short distance west of

The entire train was the 15-foot rail into a

No one was hurt.

The locomotive stalled Thursday. Another train earlier without incident

Railroad officials all that prevented a d

### Loyalists Predict Fall of Teruel

City Encircled—Cemetery Seized

By the United Press.

HENDAYE, Franco-Spanish Frontier, Dec. 18.—The fall of Teruel, spearhead of the rebel salient in eastern Spain, is inevitable, the Loyalist government asserted today.

Street fighting broke out in the city, encirclement, according to government radio broadcasts. The heaviest fighting was said to be in a cemetery in the southwestern tip of the city.

Teruel was cut off entirely, official Loyalist advisers said. The government held all roads and took control of the railroad line to Zaragoza. Generalissimo Francisco Franco's stronghold, from where he planned to open a "final" offensive.

Surprised Rebels.

The Loyalist offensive, begun three days ago, so surprised the insurgents that it may have broken up Franco's "push," according to military experts at the border.

There was no accurate information about the strength of the Loyalist forces, but it was understood that 60,000 rebels were attempting to defend the city, which has a civil population of 30,000.

Governmental radio broadcasts were long and circumstantial, while the rebels' were terse, omitting details.

Radio Salamanca—insurgent—issued the following communique:—"Teruel—Despite a snow storm, our troops continue fighting the enemy with success and are cleaning up the ground into which the enemy

### Boy, 13, Gets Christmas Gift Then Hangs Self in Mystery

Bronx Family Just Can't Explain Why He Should Want to Die

By ELLIOTT ARNOLD, World-Telegram Staff Writer.

Cold rain rattled against the windows in the home in the Bronx today and the family sat rigid in their living room. They looked at Christmas tree decorations stacked in a corner and rubbed their faces and tried to understand why Tom had killed himself.

It just didn't make sense. At this time of the year, with the holiday presents to come. And the picture of Tom, 13, dead from a steampipe in room of the apartment at 1737 Prospect Ave., the Bronx.

Whatever the reasons, came to the same. Only and unexplained known.

Yesterday Tom stayed at St. Anselm's Parochial School, 1737 Prospect Ave., where he was a student, his mother, Margaret, a slight cold. It was a hard night.

Thursday Tom had returned from his uncle, T. son, a retired policeman was going to get another

(Continued on Page

### Mackay Undergoes An Appendectomy

Rushed to Hospital Near Midnight

Clarence H. Mackay, 63, head of the Postal Telegraph System, underwent an emergency operation for appendicitis at 12:30 A. M. today at Roosevelt Hospital.

Though hospital officials refused to admit even that Mr. Mackay was in the institution, it was learned that his condition seven hours after the operation was regarded as "satisfactory."

Mr. Mackay was rushed to the hospital about 11 P. M. from his home at 3 E. 75th St., it was learned.

The operation was performed by Dr. James I. Russell, of 37 E. 61st St., who remained at Mr. Mackay's

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### City Orders Of BB Guns

An ordinance prohibiting possession of air pistols except by dealers near outside the city ranges was adopted by the

## Fails to Help His Program

By ROBERT W. HORTON.

World Telegram Staff Correspondent.  
WASHINGTON, Dec. 18.—President Roosevelt was cast in the role of an orphan Annie today by a confused and rebellious Congress.

He has been, for the moment at least, cut adrift from the Capitol as indicated by the failure of the Democratic membership of the House—329 strong—to give him wage and hour legislation, while the Democratic membership of the Senate—seventy-six strong—barely saved a farm bill for the final vote which passed it.

Throughout the special session there has been a studied effort from several quarters within the Democratic party to torpedo the President's political ship, and with only an anaemic leadership on both sides of the Capitol to protect it, the special session approaches its end with only a start on his program and with the finish around a remote corner.

### To Provide Referendum.

If the farm bill gets through conferences between House and Senate it doubtless will contain the controversial referendum provision which a number of friends of the administration contend is unconstitutional. In substance, they argue, taking a vote of wheat and cotton farmers to determine whether they want a marketing quota applied to their crops leaves to a special group of citizens the decision as to whether an act of Congress becomes the law of the land.

Numerous court decisions are cited to demonstrate that any such provision is clearly a delegation of power by Congress and that it has been consistently rejected by the courts. Bets have been made here that the Supreme Court will reject this vital section of the bill by a unanimous decision.

### Sky Is the Limit.

Aside from this question, however, the President is confronted with the failure to limit the cost of carrying out the farm bill to \$500,000,000. The Senate very clearly indicated that the sky is the limit despite protestations by recalcitrant members that the budget must be balanced.

It is entirely possible that this failure to limit expenditures under the bill may force the President to veto the measure.

It can be said that the Democratic leadership of the Senate privately admits that the farm bills, both House and Senate, satisfy no one. They have produced little mail even from farm constituencies and do not have the support of leading farm organizations.

## President Calls A Conference.

By the United Press.

WASHINGTON, Dec. 18.—The special session, while failing to complete action on President Roosevelt's legislative program, accomplished spade work that should enable Congress to adjourn its regular session around April 15, Speaker Bankhead said today.

Mr. Bankhead said the net result of the special session, heading swiftly toward an adjournment next week, was satisfactory, despite the jettisoning of the New Deal's wage-and-hour bill and the powerful rebellion that slowed action on the farm bill.

Meanwhile, President Roosevelt planned to meet his legislative leaders on Monday—two days before the tentative December 22 adjournment date—to canvass the entire

## Nazi Angle In Poyntz Case

(Continued from Page One)

nied there was any record of her membership in the party and denied knowing anything about Miss Poyntz whereabouts for the past ten years. But when newspaper files revealed that Miss Poyntz had been a Communist candidate as late as 1931, that she had been active as a leader in the movement as late as 1934, the Communists admitted she had been a member until three years ago.

### Nazi Attitude Changed.

The German Consulate General, which at first fought and then suddenly ceased opposing her efforts to obtain the estate of her husband, a German Consular attache here, was even less communicative. To all inquiries, counsel for the Nazis replied only that the "case is closed" and refused to discuss Miss Poyntz.

An added puzzle was supplied by Mrs. F. J. Small of Augusta, Me. It was learned that Mrs. Small wrote to Miss Poyntz a few days after she vanished, but that when friends tried to communicate with Mrs. Small in the hope that she might shed some light on the enigma, all letters were returned marked "Not Found." And today when Mrs. Small was found in Augusta by the World Telegram, she denied any knowledge of Miss Poyntz.

### "Robinson" Parallels.

Puzzling too were a number of dramatic parallels between the disappearance of Miss Poyntz in midtown Manhattan and that of the mysterious "Mr. and Mrs. Donald L. Robinson" in Moscow, where Soviet officials finally have admitted that the "Robinsons" who entered Russia on fraudulent American passports, were under arrest on suspicion of "counter-revolutionary activity."

Chief interest today, however, centered in Miss Poyntz's statement in the confidential document, that she was a secret agent of the Immigration Bureau. Her friends admitted that in such a document she could have gained nothing by pos-

eral weeks they did not notify police because it was her habit to go into seclusion when she was writing.

Later, however, when Mr. Lieberman was notified, he went to her room and found her trunks and apparently all her other possessions, even her unfinished manuscripts, which indicated to her friends that she had intended to return a few hours after she last left her room.

"After the long lapse of time," one said, "we became satisfied that she was not alive, for we are certain she would have communicated with some of us. And we didn't report it to the police because we couldn't see where it would help her then."

To support their theory that her disappearance was not voluntary, her friends cited that she had packed her winter clothes for storage and had phoned a warehouse to come for the trunk; that she had told friends she was going to spend the summer in the city; that she had made an appointment to see a friend the afternoon of the day she vanished, an appointment she never kept.

Even more conclusive evidence to these persons that she did not drop from sight of her own will was the fact that Miss Poyntz was in need of money and that she had an appointment at Mr. Lieberman's office to sign an application for money from the estate of her husband, Dr. Frederick Franz Ludwig Glaser, who died in Park East Hospital, November 16, 1935.

Dr. Glaser, a member of a family heavily interested in the German Dye Trust, met Miss Poyntz while they were post-graduate students in London in 1912, divorced his wife, followed Miss Poyntz to America and married her. They separated frequently, however, and were apart when he died.

In June, 1936, Miss Poyntz applied for letters of administration of her husband's estate, but the application was opposed by Public Administrator James F. Egan and counsel for the German Consulate General. Surrogate James A. Dehanty denied her application.

### Reich Dropped Fight.

Then, as Miss Poyntz prepared an appeal, her friends say a woman connected with the consulate-general made a quick trip to Germany. And on her return, the German government's representatives announced they were "not inclined to protest."

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## House Votes 216-198

### Wage-Hour Bill

WASHINGTON, Dec. 18.—The House today sent the Wage-Hour bill back to the Labor Committee for revision or burial was 216-198. On the vote, 133 Democrats joined with 83 Republicans to send the measure back to committee. Despite the general feeling that administration's fight for a law to regulate hours and wages had in most Chairman Mary T. Norton (N. J.), of the Labor Committee, issued a challenge to the victors' insinuations.

"This is the beginning of a great fight for this legislation," House leaders declined comment on the immediate future of the bill, any event, the path to enactment will be rocky and administration leaders had emphasized that fact in their final pleas to members at last night's session.

"A motion to recommit is the death of the Wage-Hour bill," Major Leader Rayburn (D., Texas), quipped as the members lined up to vote.

"The rank-and-file of the working people of America are with the pro-labor party in doing something out carrying out their platform edge," Representative O'Connor (N. Y.) warned.

"This is a deliberate stab at the labor. Don't think that you can alibi at with the voters. The people want a step forward. The method is unimportant. This is our opportunity."

The announcement of the final vote threw the House into disorder for ten minutes until Mr. Rayburn could move adjournment until today, when the housing bill amendments signed to aid the President's program to encourage housing investment will be considered.

## ed Healy a Father

CULVER CITY, Cal., Dec. 18.—A non-pund son was born to Mrs. Ted Healy, wife of the screen comedian, last night. Mrs. Healy is the former Betty Hickman.

All Washington authorities would admit about Miss Poyntz was that she was appointed a special agent in the Immigration Service for thirty days in 1916. They insisted, however, that her record indicated she was never sworn in and that the appointment subsequently was cancelled. However, in the confidential document of 1936—a document she had every reason to believe would never become public—Miss Poyntz listed herself as still a special agent in the federal service.

Miss Poyntz's attorney, Elias Leberman, of 1301 Broadway, objected to this characterization of her today.

"No Secret."

"It is no secret that Miss Poyntz was at one time employed by the government," he said. "That was nearly twenty years ago, after her studies at Harvard, when she was investigating conditions among immigrants. She was particularly anxious to study the Polish immigrants and so obtained the appointment from the government. It would be unjust to imply that she was engaged in any secret activity in the interest of the government."

Friends of Miss Poyntz told of her career since 1934, when she last appeared in the newspapers as a Communist leader in a battle between police and demonstrators at Fifth Ave. and 42nd St.

Lost Sympathy.

"She lost sympathy with developments in communistic circles and withdrew from active participation," one said, but added that she didn't know whether Miss Poyntz split with the Communist party had carried her into the camp of the Trotsky opposition or some other group split from the Third International. All this friend could add was—

Since late in 1934 she spent most of her time in the public library at 42nd St. She explained she was engaged in research for a history of Europe she was preparing.

Miss Poyntz's friends said that when they were informed by the American Women's Assn. last June that she had not been seen for sev-

eral months, they had been in contact with the consulate general in London. The estate was nominally estimated at \$356,367.

## Deluded Her Comrades



Juliet Stuart Poyntz.

Ed Howe left \$356,367. The estate was nominally estimated at \$356,367.

## As Car Overturns

Driving home from a party at a roadhouse, a car overturned on the corner 30 of 88 Bond Ave. A pianist and Dr. Dagobert Z. 38 Jewett Ave. S. T. A. Collins was killed this morning when his car left the road and overturned. The car was found in the car off Highway Blvd. near Keegan Lane, S. 11th St. in the Bay Terrace section.

ATKINSON, Kan., Dec. 18.—The late Ed W. Howe, newspaper publisher, left an estate worth \$356,367, an inventory filed in Probate Court revealed today.

Photographs of her with those of an exiled woman at the Drama League Library and a half year ago, be Welen, who then was by the agency, said she was the woman.

## Liner Roosevelt Docks; 273 Ab

The liner President docked at W. 19th St. today first time in sixty days. 273 passengers. On a Europe two months ago her crankshaft and went dock in Hamburg.

Among the passengers were Russian sailors and two women, who will go to and take out a freight ship purchased from the Moor Cornick Line by the Soviet ment.

The ship has been ren Jakhallmeit. One of it will cook and the other's ardess. They were met a by representatives of the Trading Corp.

## Tavern Owner Robbed, Slain

Special to the World-Telegram. WOODBURY, N. J., Lewis Hansford, 60, proprietor Lakeview Tavern in the community near here, found shot to death in the of the tavern. Hansford and diamond ring were the cash register was an Evidence of a scuffle and police said Hansford, edly, was the victim of re had fought with them. H through the heart. His found by two small girl

NEW YORK WORLD-TELEGRAM, SATURDAY, DEC.

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urned Bid

New Streamliner, on Display Here,