

TWICE DIVORCED, NOW ASKS ALIMONY

Court Lacks Jurisdiction in Separation Plea of Woman Wed in Three States—Husband Denies Cruelty.

New York, Sept. 23.—Supreme Court Justice Marsh had to decide whether in the case of a woman born in Missouri who married her first husband there and then divorced him, married a second in Georgia and lived with him in West Virginia and divorced him, and finally moved to Texas and met her third husband in Louisiana, married him in Pennsylvania, and then lived with him in New York, the courts of New York have jurisdiction to hear her suit for a separation from the third husband, Justice Marsh ruled that New York had nothing the woman said she heard her husband once "lived in Greenwich Village, near the Washington Arch." The court denied her application for alimony.

Justice Marsh heard the application of Mrs. Betty Pearl Schuller for \$1,500 a month alimony for the support of herself and son, Lavon Carl, the child of her first husband, pending her suit for a separation from Charles P. Schuller on the ground of cruelty. She declared that her husband was about 50 years old, twice her own age, and made from \$50,000 to \$60,000 in the cut glass business, and was worth \$250,000.

Mrs. Schuller related a story of three disappointing marriages which filled several scores of typewritten pages, and told the court she could have thought of more to tell if she had not spent all night drawing up her story. "If there was ever a case where a lady of the land was subjected to cruelty and other mistreatment at the hands of a husband, this is the case," she said. "He is a fiend incarnate."

Mrs. Schuller said she had a school-girl romance with one John E. Blake, and had to divorce him for non-support after their child was born. "Then the World War broke out," said Mrs. Schuller, and added that she answered the call of our country, and gave my all to all to do everything I could, and administered a great deal of comfort and comfort and alleviated the sufferings of American's best blood. "Many called

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me an angel come from Heaven," she said.

While engaged in War Camp Community work she met a Lieutenant Sherwood F. Smith at Camp Hancock, Ga., and married him. "This resulted in a dismal failure, for immediately upon his discharge he embarked upon a devious and criminal method of earning a living, by gambling," said Mrs. Schuller.

"At Huntington, W. Va., where we lived, he committed many acts which caused me humiliation, and I divorced him."

Mrs. Schuller says she went to the home of her parents at Olden, Texas, and when on a trip to New Orleans, she met Schuller, whom she married in Pittsburgh on April 19 last.

Schuller posed his wife's application on a ground that he had never lived in New York. He declared that she never told him of marrying anyone but Smith, and that when she married him she stated to the marriage license clerk that Smith died in April 14, 1917, and that he was her first husband.

Schuller said that he never abused his

wife and insisted that she left him without cause and refused to return. He said that he total wealth was \$3,000 in money in the bank at Flemington, N. J., where they lived when his wife left, and 40,000 German marks.

Chief Justice McKeown delivered judgment yesterday in the case of Salmers vs. Stevenson, which was tried in chambers on Sept. 12. His honor found in favor of the plaintiff for the amount of his claim, \$190 and costs, and dismissed the defendant's counter claim for \$215. H. W. Robertson appeared for the plaintiff and Heber S. Keith for the defendant.

An alarm from box 92 called the firemen to Miss Annie G. Till's house, 19 Orange street, shortly before 8 o'clock last evening. The building was full of smoke at the time but the firemen discovered on investigation that the trouble was caused by a slight chimney fire. No damage was done.

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BEATEN VETERAN TELLS OWN STORY

Hospital 81 Hearings Re-opened to Receive Testimony of John B. Martin—Protests Term of "Nut."

New York, Sept. 23.—Appearing as a voluntary witness before the committee which had been making an official investigation into conditions at United States Veterans' Hospital 81, John B. Martin, an overseas veteran, formerly a patient there, testified that he had been beaten by four attendants at the institution until he fainted. He said that he had been drinking some, but was not intoxicated, although he admitted it took six policemen to get him into G ward, where the violently insane are confined.

The committee, which consists of Dr. Guy D. Ireland, and C. H. Jewett for the Veterans' Bureau and Martin W. Littleton representing the public, had announced last Monday it would hold no more hearings. Martin, however, heard that his case had been presented during the inquiry by another former patient, Jeremiah Woods, and he asked that he be allowed to tell his story. The committee agreed and Martin appeared before it yesterday in the office of Mr. Littleton at 140 Broadway.

First of all he said that he wanted to refute a statement made by Woods that "Martin is a nut if there ever was one." He had seen eighteen months' service in France, he said, six months of which he had been under fire. On one occasion, he had been hurled a score of feet through the explosion of a high explosive shell. This had left him in a highly nervous condition, he said, and although he received an excellent discharge from the army, he found it necessary to apply for compensation and treatment. He is the sole support of his mother, he said.

Martin testified that at Hospital 81 his compensation had been cut to \$22 a month, and this had made him despondent.

"I never used liquor before," he said, "but I had to take my mind off my troubles, so I began to go round to a bootlegger's joint near the hospital." The hospital record of his case put in evidence before the committee on last Monday showed that Martin had gone out on pass on Aug. 6 and returned intoxicated. It is alleged he attempted to assault a doctor, and had to be carried over his shoulder by six policemen. There he was put in a straitjacket. An affidavit by the ward nurse affirmed that while Martin had undoubtedly been badly beaten, it had happened before he was brought into the hospital. There had been no brutality used by any attendants, she declared.

Martin said that he had come in that night "with a few drinks under my belt," but "plenty able to take care of myself."

"Jerry Woods and I," he said, "were lying out on the grass in front of the main building when a doctor came up. I don't know the doctor's name, but I can identify him. He asked us roughly what we were doing there, and then ordered us back to our work. I got mad and was going to paste him, but Woods held my arms."

At this point, Martin said, a couple of policemen who were passing came up and tried to help the doctor get the two patients back. They were finally joined by four others. Finally he was overpowered and strapped in a straitjacket.

The nurse, he asserted, was present all the time, but she couldn't prevent the attendants after he was confined, from hitting and kicking him. One man would hold him up, he said, and the others would punch him. Finally they let him fall over on a bed and began to kick him. This continued until he became unconscious.

Martin said he lay in a stupor caused by the beating he got, for about four and a half hours. Next morning, he was so sore and stiff that he was unable to stand erect.

After Martin had finished his story, the committee went into executive session. It expects to complete its work last night and Mr. Jewett said in all probability a report would go to Colonel Forbes today.

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Victoria, B. C., Sept. 23.—Nice flaky, luscious snake meat; tender puppy flanks; filleted cats and fat ducks. That is what composed the tasty stew of the Chinese junk Amoy after the

crew subdued a big snake which came aboard and attacked them one night while they were anchored off the China coast. The Amoy is the little Oriental craft of 30 tons that arrived in Astoria harbor Tuesday after an 80-day sail across the Pacific Ocean.

Captain Ward, who made the trip with his Chinese wife, little son and a small Chinese crew, told of being suddenly awakened to find a huge reptile, as thick around as a man's thigh, which

had swam out from shore, slithering down into the cabin from the deck. The captain grabbed the loaded gun with which it is always necessary to go to bed on the China coast. It took four shots to kill the attacking snake. The monster was hauled upon deck. The Chinese crew at once got busy on him with their knives, the captain said, and with the other foregoing choice meats they and their friends set out and had their feast of the year.

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