

HELD SANE IN DAY,  
INSANE AT NIGHT

Philadelphia, Free From 8  
a. m. to 8 p. m., Then  
Confined.

Philadelphia June 26—A gray-haired man, just past middle age, mounts the wooden stairs of the four-story building at 705 Chestnut street each day under a door, picks up the mail, sits down in an arm chair at a flat-top desk and remarks with a feeling of relief, "Sane again!"

Each night at dusk that same man leaves his office, rides unattended with homebound men and women in the elevated to Frankford, alights at the Margaretta station, takes a bus to the Friends' Hospital, goes to his room there and remarks with a sigh of despair, "Crazy again!"

The man is James E. Macusker and strange as it may seem, by court decree he is sane and insane by turns—sane when he is awake, insane when he is asleep; sane between the hours of 8 a. m. and 8 p. m., and insane between the hours of 8 p. m. and 8 a. m. To Macusker it is all so confusing that he has too look out of his window to find out whether the sun has set upon his sanity and the moon risen upon his madness. For in no other way can he tell. No change comes over him. Nothing snags in his mind. But every night under dark and daytime mark the measure of his mind. And while by day he goes about his business unguarded and alone, by night he must submit to custody and the State becomes his keeper.

A Strange Story.

It is a strange story that Macusker tells in the dim room at the top of the four flights of wooden stairs and much of it the records of the courts bear out. He tells it without any bitterness, with only a shade of resentment, with repeated references to his secretary to bear witness to its truth. That secretary, who has been with him eight years, knows only the sane Macusker; Macusker, the lunatic, she does not know at all, for he is "sane" when she leaves it; it is afterward that he becomes officially crazy.

Across the street from Macusker's office is Independence Hall. Macusker can see it from his office window. He has been in business under its shadow all his life. He gazes out at it occasionally as he pauses in his narrative and then the slightest trace of a puzzled look comes into his face.

The office is that of the Journal of Commerce, which Mr. Macusker owns and edits. It is a weekly periodical, devoted largely to business affairs but printing some political articles.

"I made enemies through my political activities," Macusker said today. "They robbed my place. They stole my papers. They sought to ruin me. They framed me up. They had me found insane."

"In the fall of 1922 my unhappy domestic affairs came into the courts. I had, upon the advice of my attorney, stopped payments to my wife. She had me arrested for non-support. Instead of the matter ending with a simple court order for support, I was sent to an insane asylum, and subsequently a guardian was appointed, my property was seized, and, although I was given absolute liberty by day, I became a lunatic at night."

Macusker charges a conspiracy, and it is best to turn to the court record. That shows that on Feb. 27, 1923, Macusker was brought before Judge Charles L. Brown, presiding judge of the municipal court. The testimony was similar to that given in such cases. The wife told of her husband's failure to provide; the husband aired his grievances. No testimony affecting Macusker's mental condition appears, but the following statements are attributed to the court:

"You have mental delusions, that is the trouble with you."

"The man ought to be committed to the Philadelphia Hospital for a mental examination."

Declared Delusions.

"You have a client with delusions, a mental disease, afflicted with paranoia."

"He is a complete paranoid, and all those accusations spring from his imagination."

Inquiry as to what brought about this conviction in the mind of Judge Brown elicited the reply that before the case came up Macusker was given "a thorough mental examination."

When Macusker was asked about that he recalled having told his story to a woman doctor. Search of the records fails to show that the woman doctor was placed on the witness stand, either to give direct testimony or to be cross-examined.

The outcome of the hearing was that Macusker was committed to the psychopathic ward for thirty days for observation. In that his lawyer concurred. At the end of thirty days he was pronounced insane.

The next step in the case was a petition by Mrs. Macusker for the appointment of a guardian. A hearing was held and Mrs. Macusker charged her husband with having threatened her life. She said that he drove her out of the house at night with a revolver. A neighbor told of Mrs. Ma-

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Macusker's appealing to be taken in and of Macusker following his wife out on the porch. He was carrying a lighted cigarette, she said, and had "a wild look in his eye."

Macusker's counsel, the record shows, made this comment:

"No complaint had been made by Mrs. Macusker that this man was mentally unsound. She had never had him arrested for any act of violence committed against her. It was purely a question of whether or not he should pay something for her support. Judge Brown committed him to the Philadelphia Hospital for the Insane."

Held Incompetent by Court.

Macusker lost, however. On May 22, 1923, Judge J. Willis Martin of the Court of Common Pleas signed the following order:

"Upon a hearing in accordance with the act of May 28, 1907, P. L. 292, the Court is satisfied and so decrees that the said James E. Macusker is not able, owing to insanity and weakness of mind, to take care of his property as averred in the petition filed in the proceeding and the Court appoints the Commonwealth Title Insurance and Trust Company guardian of the estate."

Immediately Macusker was deprived of his \$60,000 estate. Even his ring, his tie pin and his watch were taken. An employee of the trust company then had Macusker's secretary run the paper, but bills accumulated and for a month the Journal of Commerce did not come out.

Then Macusker's brother and sister obtained a writ of habeas corpus and Macusker came before Judge Martin again. The doctors testified that his ideas about being framed were "paranoid delusions." The Court, even so, committed an outside attempt. He had a brief talk with Macusker and agreed with the others. The result was the following order of July 2:

"That the writ of habeas corpus be dismissed; that James E. Macusker be remanded to the Friends Asylum at Frankford to permit said James E. Macusker to be on parole between the hours of 8 a. m. and 8 p. m."

That was how Macusker won his liberty by day. He at once went to his office in Chestnut street. The guardian had not been able to run his paper. The paper had not come out for a month. Macusker set to work. He got the news and wrote the editorials and solicited the advertising. He bought the printing. He brought the paper out. And for a year he has been doing that, working all day long, returning at night to the Friends Asylum, where he is officially insane.

Makes Success of His Business.

But although Macusker did this and did it successfully, for his accounts show a balance in the bank, he has not been allowed to have the rest of his property. Nevertheless, the guardian of this insane man consults with



"Yes, Sir, these brown shoes have discolored, haven't they, but then you have been using unsuitable and probably inferior dressing. Take my advice and use only 'NUGGET' Dark Brown Polish, it keeps shoes in condition and restores them to an even tone when they are rubbed or knocked."

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him and takes his advice in the management of the estate that he is too incompetent to manage. Macusker has the letters. He produced some of them. One, dated July 31, 1923, less than a month after the guardian has been appointed, and signed by L. J. Knodel, Vice President of the Commonwealth Title and Trust, submits a bill for plumbing done on some of Macusker's property and asks Macusker to advise whether it should be paid. Another suggests this arrangement:

"Please have the bills sent to you, and you approve them if they are correct and send them to us for payment."

"Will you kindly advise," reads another under date of Aug. 13, 1923, "whether it (a bill) is correct, and if so we will be glad to pay same."

Still another, in November of that year, telling of an increase in assessments, unless you, in your opinion, feel that they should be appealed.

"Fortunately," remarks Macusker with some irony, "these letters asking me for my advice in running my estate reach me in the daytime, when I am sane. If they came at night the answers would be from a lunatic, and they wouldn't be worth very much."

When Judge Martin was approached on the case he said that while Macusker had good business judgment he was suffering from delusions and

might become a victim of designing persons. It was pointed out that Macusker did not seem to have become a victim of designing persons in the conduct of his newspaper and that, on the contrary, he had made some profit out of the business. To that Judge Martin answered that even the conduct of the newspaper came within the supervision of the guardian. Macusker asserts that the guardian, after having caused the suspension of the paper, never has had a word to say about it, never has supervised its management, never has scrutinized its bills.

"It is an unusual case," Judge Martin admitted.

"It is an unusual case," said Charles A. Zug, Vice President of the Commonwealth Title and Trust.

"It is an unusual case," said Clinton A. Sowers, attorney for Mrs. Macusker. "Damned unusual!" Was Macusker's comment.

FRIENDS ASKED TO SUPPLY  
HISTORY OF "BUFFALO BILL"

Names of Those Who Knew Col. Cody Will be Written in Book.

A compilation of incidents and anecdotes relating the life of Colonel William F. (Buffalo Bill) Cody, is to be undertaken in connection with the unveiling of a statue to the famous Indian fighter on July 4 in Cody, Wyoming. The work is to be done under the direction of Mayor R. C. Trueblood.

The plans include the collection of signatures of Buffalo Bill's friends into a huge tome to be known as "The Register of Colonel W. F. Cody's Friends." Additional volumes will contain incidents of his life. The register of friends is expected to contain the names of all high officials of the United

Everywhere!  
British Consols

States Government, as well as those of several ruling monarchs of Europe, with several of whom Colonel Cody was intimately associated.

Mayor Trueblood expresses the belief that Colonel Cody had more friends than any man living in his time. The Mayor has issued an appeal to all acquaintances of the famous frontiersman to send in data for the memorial library.

The statue will show Colonel Cody astride a rampant horse. It will be reared near the entrance to the city. The Cody archives are expected to furnish to posterity intimate glimpses of life in the west.

Another Scrap Started.

Mrs. Scrap—"John, this is our anniversary month, you remember—June, the marriage month."

Scrap—"Yes, I remember. I fell in love in March, the mad month, and proposed in April, the fool month."

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Dunlop makes two types of Balloon Tires—  
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A recent issue of "India Rubber Review" says: "In reality the balloon tire is not an invention at all. It represents a stage in the process of evolution of the pneumatic tire principle, extending over the past 30 years or more. In principle, and even in application, that which we today call a balloon tire is as old as the first pneumatic tire, and was first employed more than 30 years ago in Great Britain when DUNLOP applied a two-inch rag tire to a bicycle wheel."

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31 x 4	32 x 4.95
32 x 4	33 x 4.95
33 x 4	34 x 4.95
32 x 4 1/2	33 x 5.77
33 x 4 1/2	34 x 5.77
34 x 4 1/2	35 x 5.77
32 x 4 1/2	35 x 6.00
33 x 5	

Dunlop Small Wheel Balloons to fit new small-diameter wheels.

To Replace Present Tire Size	Use Dunlop Small Wheel Balloon Size
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31 x 4	31 x 5.25/21"
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33 x 4	
34 x 4	
32 x 4 1/2	32 x 6.30/20"
33 x 4 1/2	33 x 6.30/21"
34 x 4 1/2	
35 x 4 1/2	
36 x 4 1/2	
33 x 5	34 x 7.30/20"
34 x 5	
35 x 5	
37 x 5	

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