RUSH WORK TO OPEN CASINO ON TUESDAY

Lessees of Park Restaurant Also Scan Lists to Pick 500 for Event at \$10 Charge.

PLACE PUBLIC THEREAFTER

Landscaping Work Nearly Complete -Zittel Will Continue Fight Against New Operators.

Determined to hold to its announced opening on Tuesday, the new Casino in Central Park presented yesterday an activity in marked contrast to the regal leisure for which it has been planned. First designed as an exclusive club, with a board of governors headed by Anthony J. Drexel Biddle Jr., the Casino now is described as a public restaurant. But this has not changed the luxury of its appointments nor the personnel of its initial patronage.

Under the eye of Sidney Solomon, president of the Dieppe Corporation, lessees of the property, the activity extended from the lawns to the most hidden corners. For the first time the work of Joseph Urban, who designed the interior, assumed recognizable form. Meanwhile, between instructions to workmen and the grecting of celebrities, Mr. Solomon made hasty trips to Mr. Urban's office to scan the opening night list and assist in choosing from 2,400 applications the 500 which will be accepted.

\$10 Cover Charge for Opening.

Formal invitations were mailed to a large number of these, but it was emphasized repeatedly that no social badge was necessary to enjoy the park's historic restaurant in its new guise. The only requisite is \$10 to cover the cost of the first dinner. The opening will be formal, but thereafter the restaurant will be run à la carte, but the menu and the charges still are an open question.

While the last shrubs were being set out and gardeners were raking the terraces around the new brownstone structure yesterday, women sat on the floor of the west pavilion sewing together the specially woven carpets. This pavilion is a manywindowed, domed room which will scat about 150 of the guests. Like the rest of the building, it discloses a futuristic interior behind the build ing's simple green and white trimmed exterior. Its walls are decorated with a tulip design in green and cream.

The centre of the building contains the black ballroom. This space, which has a dancing floor, is trimmed with gold and other metal colors. Beyond it is the conservatory, a companion room to the pavilion with a somewhat darker color tone.

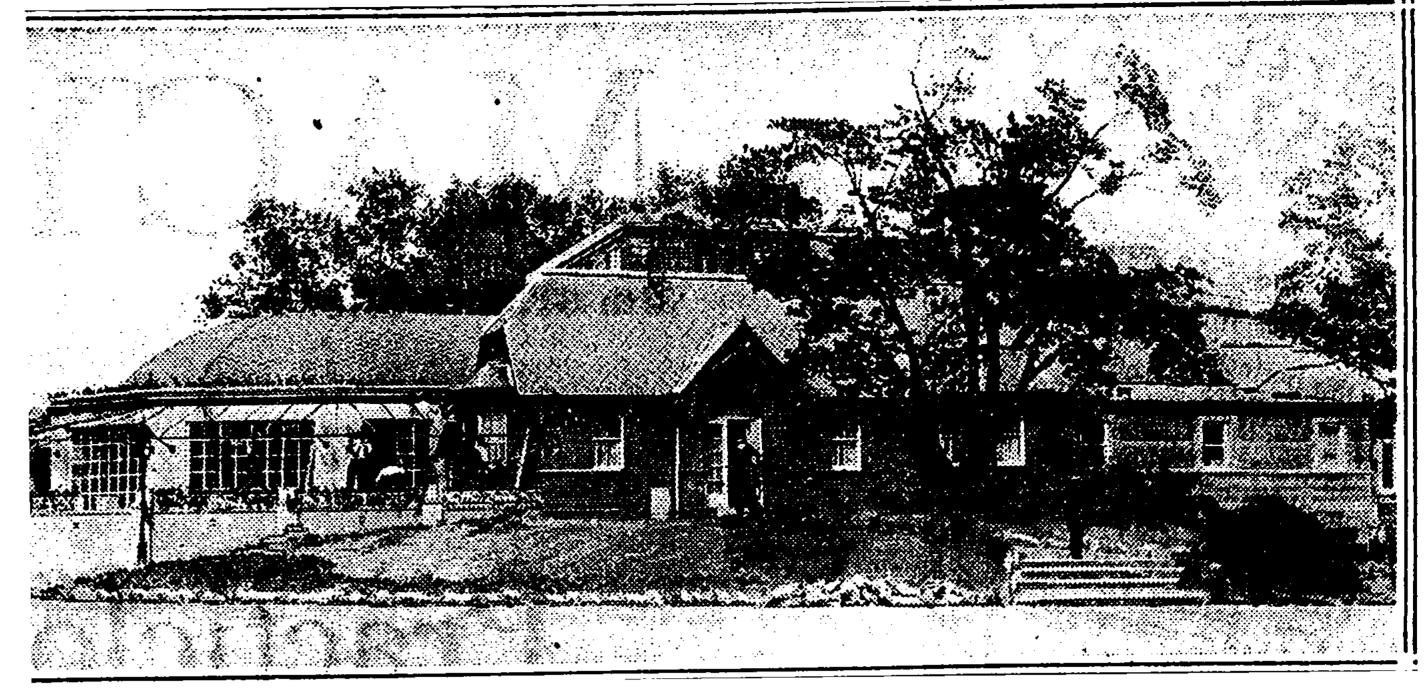
Morris Gest dropped in on Mr. Solomon to ask for a reservation for a friend. He compared the new Casino's interior to the palaces at Versailles and added that when the interior was designed "genius rolled the ball." He got the reservation.

The walls of the building's office are blue, the chandeliers are modernistic, and one hall is illuminated indirectly by a device which looks like a ladder extending the length of the ceiling.

Zittel to Continue Fight.

But one man figuratively watched all the work without thrilling over expectations of the opening night. That was C. F. Zittel, former lessee of the Casino, who has lost in the courts in three decisions in his efforts to keep the site available to the general public—the public that likes only a dish of ice cream or a bottle of soda water.

Basing his case on the charges that the new management violated the city's laws in remodeling the Casino's exterior, he will again apppear before the Appellate Court tomorrow



Times Wide World Photo.

RENOVATED CASINO IN PARK SCHEDULED TO OPEN TUESDAY.

Setting of restaurant, which will be public after the opening night, has been landscaped and the structure rebuilt and redecorated inside. The black and gold ball room in the centre of the building is one new feature.

or Tuesday. He is asking a reversal of a decision against him by Justice Black. The Appellate Division previously upheld a decision against him by Judge England when he sought to restrain the Park Commissioner and Mayor Walker from leasing the Casino to the Dieppe Corporation.

Mr. Zittel said yesterday that if the Appellate Division again reverses him he will file a new suit, asking that all previous decisions be set aside on the ground that the Dieppe Corporation won its verdicts on false affidavits. These alleged false affidavits he describes as the first plans

filed by the corporation detailing only new interior decorations for the Casino, in which he said no permit was asked or given for the erection of a new structure.

Mr. Solomon and his associates have expressed no concern over the

charges.

Among the names announced by the Casino, whose applications for the opening night have been received and accepted, are the following:

Mrs. Charles M. Amory. Mrs. James P. Donohue, whose guests will include Mr. and Mrs. Anthony J. Drexel Biddle Jr., and Mr. and Mrs. Joseph Stanley Mitchell. Trban.

Mrs. William Randolph Hearst, entertaining Mr. and Mrs. Esmond O'Brien, Mr. and Mrs. James Cromwell, Mr. and Mrs. William Burden and others, including Mrs. Hearst's sons.

Conde Nast. Mrs. Marce Robinson. Percy Bullard. Frank Gould. Ludlow Kramer. William K. Vanderbilt. Lyttleton Fox. Harold A. Content. Edmund LeRoy Dow. H. II. Frazee. Messmore Kendall. John G. Hall. John D. Hogue.

Edward L. Rennard.

Partly cloudy today; tomorrow cloudy with showers. Temperatures yesterday—Max. 70, min. 49. U. S. Weather Ferecast—Details on Page 58.

PREMIERSHIP TODAY

Tory Prime Minister Goes Out

at Audience With King on

Sickbed at Windsor.

LABORITE BUILDS CABINET

New Government Head Likely

to Direct Foreign Policy,

Though Not as Minister.

NAVAL BID TO US PREDICTED

Approach to Problem on Basis o

Freedom of Seas Rather Than

Cruiser Issue Is Forecast.

By EDWIN L. JAMES.

Special Cable to THE NEW YORK TIMES.

LONDON, June 4.-James Ram-

say MacDonald will become Prime

Minister of England again tomorrow.

mier Baldwin at Windsor Castle to-

day, King George summoned the La-

bor leader for tomorrow afternoon,

when he will ask him, in view of the

Socialists having won the largest

number of seats in the House of

Commons in last Thursday's general

election, to form a new government.

Mr. MacDonald will accept. He

hopes to remain in power two years.

He says it depends on the other

parties, which probably means that

if he is ousted he will work for an-

Between tomorrow and the assem-

MacDonald will organize his Cabi-

Will Guide Foreign Policy.

eign policies, for his mind naturally

march toward the maintenance of

Labor circles declare that in for

eign affairs Mr. MacDonald regards

the settlement of pending issues with

the United States and the cultivation

as the chief task abroad of the new

British Government. In his cam

paign speeches he blamed the Tory

Government for not arranging the

cruiser issue with America and con-

demned the Tory version of British

rights on the seas in time of war

It is even reported that Mr. MacDon-

doubted whether the new Prime

Minister could find time to do that

before the period when he hopes ne-

gotiations with Washington will be

As has been said, nothing startling may be expected of Mr. MacDonald

before he faces Parliament. Tradition has it that way, and that tra

dition has the force of law. Yet

thereafter he will be willing to hear

there can be little doubt that soon

It will probably be found-indeed

Continued on Page Three.

far advanced

one of his own

other general election.

3 or July 4.

YOL. LXXVIII....No. 26,065.

NEW YORK, WEDNESDAY, JUNE 5, 1929.

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TWO CENTS in Greater | THREE CENTS | FOUR CENTS Elsewhere New York | Within 200 Miles | Except 7th and 8th Postal Zones

RESERVE BOARD ATTACKED, BALDWIN RESIGNS; SPECULATION ORGY DECRIED STORMY SENATE DEBATE

Glass Proposes Tax on Sales of Stock Held Under 60 Days.

SAYS RATE RISE JUST LOST

Couzens Calls Federal Reserve 'Dumb' on What He Attacks as 'Gambling' Loans.

KING PRESSES FOR INQUIRY

Senate Bars House Clause to **Exempt Treasury Bills from** Capital Impost.

Special to The New York Times. WASHINGTON, June 4. - Stock market "gambling" and the Federal Reserve Board's endeavors to check the enormous speculation of the past year or two were the subject of a Senate debate today, which is believed to be the forerunner of many stormy discussions. Although the Senate had proposed to take up the national origins question as affecting VILLAGE immigration quotas, that matter wa thrust aside for the debate on the credit situation.

Glass of Virginia were the central figures in the day's discussion. Mr. Couzens attacked the Federal Reserva Board for what he called "dumbness" in not coping sufficiently with diversion of large funds to brokers' loans. Mr. Glass announced his intention to introduce an amendment to the tariff bill to impose a tax of 5 per cent on transfers of stock held for less than sixty days. margin" did the Federal Reserve Board decline to approve the request of the New York Federal Reserve Bank for an increase in the redis-

count rate. A demand for an exhaustive investigation of the Federal Reserve Board came when Senator King of Utah called attention to the resolution he recently introduced to that end. Senator Edge of the Banking and Currency Committee assured Senator King that the committee would consider the resolution fully, but Mr. King insisted that a subcom-

at the present session. Criticism Takes Wide Range.

The names of Charles E. Mitchell, president of the National City Bank; William C. Durant and former Presi- departure. dent Coolidge were drawn into the debate, which was sharp and outspoken at times.

Senator Glass said that when a "great bank president" showed himself more responsive to stock investments than to the Federal Reserve System "he should have been incontinently kicked out of the system." Both Senators Couzens and Glass criticized Mr. Durant, and Mr. Glass in their turn, have split up into a and Mr. King condemned Mr. Cool- number of minor rivulets are pouridge for saying in January that brokers' loans had not reached an excessive amount.

The debate hinged around the Smoot-Hawley bill to allow the Treasury to issue short-term certificates and Treasury bills up to \$10,000,000,-000. The bill, which had passed the House, was called up by Senator Smoot at the end of the discussion. On the insistence of Senator Couz-

ens the bill was amended so that capital gains on the certificates and bills would not be exempt from taxation. Senator Glass started the debate over the Federal Reserve Board and speculation by arguing that shortterm certificates could be used in the market and increase the "activity

of stock gamblers." "There has been," he said, "a frightful orgy of speculation, which has almost paralyzed the legitimate commercial and industrial credits of

Senator Couzens charged "the Wall Street crowd" with intent to repeal the capital stock tax, and Mr. Glass "Nobody ever dreamed that there would be billions upon billions of dollars of United States bonds out-

standing. These people have been enabled to engage in these excessive speculations by reason of the fact that they have used these bonds for fifteen-day loans, and now why will area with its walls rising two miles separate pictures are contained in they not use these short-time government notes for the same purant almost perfect crater circle fifty. Which is fifty feet long:

Continued on Page Fourteen. SOUTHERN STATES SPECIAL - TO Atlanta, Birmingham and the Southwest. Leaves Penna. Sta. daily 10:10 A. M. Sleeping cars. coaches, dining and observation cars. Seaboard. 8 W. 40th St. Tel. Penn. 3283.—Advt.

London Museum to Get a Room Of Bunyan's 'House Beautiful'

Wireless to THE NEW YORK TIMES. LONDON, June 4.-A room from the famous Houghton House near Bedford, which was the House Beautiful in John Bunyan's "Pilgrim's Progress," has been given to the English nation and will be set up as a permanent exhibit in the Victoria Albert Museum at Kensington. With unpainted walls of pine, it is said to

be the finest Jacobean paneled in-

terior in existence. The room was purchased for the museum by a group of subscribers headed by Sir Joseph Duveen for \$20,000, or about a quarter of the price paid recently for an Elizabethan paneled room from Gilling Castle, Yorkshire. Houghton House was built about 1615 for the celebrated Mary Sidney, Countess of Pembroke, a sister of Sir Philip

LAVA STREAM BURIES

Destroys Farm Houses and Orchards as Peasants Flee in Terror.

IS THREATENED

Senators Couzens of Michigan and Inhabitants Ready to Abandon before he faces the House of Com-Terzigno as Lava Front 100 Feet Wide Advances.

By ARNALDO CORTESI.

Wireless to THE NEW YORK TIMES. after enraged Etna spread destruc- but will turn it over to Arthur Hention and ruin through fertile Sicilian derson or the youthful Sir Oswald valleys, Vesuvius, which awakened Mosley, who is the son-in-law of paign. Senator Glass in the course of the from its slumbers yesterday, sent Viscount Curzon, often British Fordebate said that by "only a narrow streams of incandescent lava-fiery eigner Minister, Mr. MacDonald as messengers of death-coursing down Prime Minister will devote a great its steep, slopes toward the smiling part of his time and attention to forvillages nestling at its feet today. Already the first houses have been drifts to that field. Idealistic, even destroyed and the first fruitful or- if bound by the traditions and limichards invaded, while thousands tations of the continuing British hasten for safety-for their homes, foreign policy, he dreams ever of earthly possessions, seem Britain taking a leading rôle in the their

doomed. The scene of terror and despair world peace. He took a large part which made Etna's last eruption in framing the Geneva Protocol in hideous is being faced again near 1924, which came to nothing largely Naples. Peasants are being forced through England's refusal to accept to flee from their homes, while the responsibilities it entailed. This liquid lava devours their fields and showed the way he is disposed to mittee should begin an investigation orchards, houses are being devoured work. by the raging monster stretching avid tentacles toward happy, prosperous villages, whole populations are busy alternately praying for deiverance and collecting their belong- of better relations with Washington

ings in preparation for a hurried Roads Filled With Fleeing.

The roads are filled with vehicles aking whole families and everything they possess to safety. Public squares are crowded with people reverently kneeling on the bare earth round altars where priests constantly pray to God to halt the menace which is advancing upon them down the side of Vesuvius.

Two main streams of lava which, ing from the volcano's mighty mouth. The first is proceeding in an easterly direction, headed toward the village of Terzigno. The first stream is still a considerable distance from the houses and proceeding at a comparatively slow rate, any proposal the Hoover administra therefore no immediate danger from

The other, however, has carried its dire menace to the very door of the it may almost be stated as a cer-

Continued on Page Eight.

Dawn on the Moon Shown in Princeton Movie; Light Ousts Darkness at 9-Mile-an-Hour Rate

Special to The New York Times.

unique panorama of the dawn light lack of atmosphere on the moon. The glaring sunlight contrasts sharpcreeping across the lunar landscape ing mountain peaks hours before

John Q. Stewart, Associate Professor of Astronomical Physics, made the announcement of the moon movies today. A view of one film omer views in many hours' watching taken through the large telescope here disclosed an unusual version of "shot" that ancient favorite

"Came the Dawn." The giant lunar crater Copernicus looms in the centre of the visible faster than normal. Two thousand time when only a few summits re-flect the light until the sun at its The camera and motor are fastened

PRINCETON, N. J., June 4.-A | as there is on the earth because of a ly with the dense shadow of the dark at only nine miles an hour and light- territory it is gradually diminishing taking the shadows retreat from the plains is movies was designed by Robert presented in movies of the moon Fleming Arnott, consulting engineer, aken at the Princeton University ob- of Upper Montclair, N. J., who was assisted by his son, Edward, and Arthur Bennett, both graduate students of Princeton. It discloses within a few minutes what an astronthrough a telescope.

The pictures were taken at the rate of one every six seconds, or 100 times slower than the usual rate.

When shown the sun rises 100 times

peak penetrates the valleys and crevasses and abruptly banishes darkness. The slow passage of the sunrise line is all the more striking ing the lens of the motion picture as there is no foreglow of twilight camera.

Prince Henry Breaks Collarbone at Polo; Thrown From Horse in Game at Vancouver MACDONALD TO TAKE

Prince Henry, Duke of Gloucester, Railway physician, after X-raying who arrived here this morning for the injury, issued the following bullethree days of golfing and pole, is tin tonight: confined to his room at his hotel tonight suffering from a broken collar bone suffered when his mount tripped and threw him in the course minuted and the result will be excelof a private scratch game arranged lent. The X-Ray following reducfor his entertainment. The fracture tion shows the fragments to be in is a simple one and no serious re-

sults are expected. round sharply to take the ball, the a favorable night was expected. 48-HOUR WEEK PROVIDED pony went over onto its side, fling- Plans for continuing his journey are ing his rider to the turf. The Prince | in abeyance. upon to return to his suite. the Garter, was to Dr. W. L. Graham, medical at-Montreal Friday.

Special to The New York Times. I tendant at the Polo Grounds, and Dr VANCOUVER, B. C., June 4.- W. H. Sutherland, Canadian Pacific

> fracture of the outer third of the excellent position."

AS PARTY CHAIRMAN

Committee Head Takes Step After Conference With Hoover —Effective in Fall.

MOVE SURPRISES CAPITAL SPECIAL Following the resignation of Pre-

> President's Campaign Manager Is Pictured as Believing He Had Been Ignored.

Special to The New York Times. WASHINGTON, June 4.-Dr. Hubert Work resigned today as chairman of the Republican National Committee, after a long conference fashionable and fastidious." with President Hoover, whose national campaign he managed.

bling of Parliament on June 25 Mr. frequently reported as impending. net. He will not undertake to put any large new policies into effect mons and reads the King's message, which will incorporate the policies of the new government. He will not ignored by the Hoover administra- a board of governors. be actually in the saddle until July tion, which he had helped place in

Although Mr. MacDonald will not bers of the national committee. In hitherto unpublished, reading: ROME, June 4.—Only a few months take the Foreign Office portfolio reply Mr. Hoover expressed his regrets and praised the chairman for his activities in the Presidential cam-

Sends Letter to the President. After leaving the White House, Dr. Work sent the following letter to President Hoover:

The President, the White House. My Dear Mr. President: Hercwith copy of a letter I am today sending to members of the Republican National Committee. The date indicated for calling the committee together will give to you and its members adequate time to se-

lect my successor. The past eight years of our close official association has been a period of supreme satisfaction, and it is, of course, a matter of greatest pride to me that you are now secure in the world's highest executive position.

Faithfully, HUBERT WORK. President Hoover sent the follow-

ing reply: The White House. Washington, June 4, 1929. Honorable Hubert Work, Republican National Committee, Wash-

ington, D. C.

My dear Dr. Work: I intensely regret your determination to resign the chairmanship of the Republican National Committee. I am, of course, aware that when you accepted the chairmanship last June, you made it conditional on your retirement soon after election, and I deeply appreciate your willingness to continue on at my urgent request.

I fully realize your desire that some one else should undertake the increasing burdens and anxieties of the party chairmanship which are imposed by each new campaign.

Beyond my own appreciation of your great services, the Republican party owes you a deep debt for its accomplishments under your direction, for there has never been a campaign conducted with greater success or upon a higher plane or one that has proved itself so far above all criticism. You have given many years of distinguished public service and I know your reluctance to undertake further bur-dens, but I am in hopes that you willing to again return to public life.

Yours faithfully, HERBERT HOOVER. Tells Committee of Purpose.

In notifying the committee memsuccessor, Dr. Work said:

'My association with the national committee will be a most pleasant

Continued on Page Nine.

"The fall resulted in a complete collarbone. The fracture is not com- Makes First Decisive Invasion

Late tonight it was announced that As the Prince wheeled his mount Prince Henry was resting quietly and

ing his rider to the turf. The Prince quickly regained his feet, making light of his injury, but was prevailed upon to return to his suite.

In abeyance.

Prince Henry, who is en route from Tokio to London after investing Emperor Hirohito with the Order of the Garter. Was to have entrained for

OPENS PARK CASINO

600 Selected Guests Attend the Formal First Night and View Renovation of Landmark.

FRENCH

Restaurant Public in Daytime,

but Is Restricted Again Tonight and Tomorrow Night.

The Central Park Casino was formally reopened last night by the new rapidly expanding branch of motion management, which has published its pictures, which is enlisting the ser-

law required it to close, at 3 o'clock here and in Los Angeles by Frank Dr. Work's resignation, although this morning, the Casino was occu- Gillmore, president of the organizapied by 600 invited guests at \$10 came as a surprise to Republicans each, selected by Anthony J. Drexel after the annual Equity meeting last in Washingon. According to some Biddle Jr., William Rhinclander week. Copies of the talking picture post because he believed he had been Ziegfeld and associated members of all Equity members in New York

The selections for the opening dinner and dance were made from ap-The announcement was made in a plicants who had previously been seletter to President Hoover and mem- lected to receive an announcement,

BOARD OF GOVERNORS THE FORMAL OPENING of the
CASINO
Central Park, New York
June Fourth
Under eminent directorship,
newly decorated by Joseph Urban,
it will maintain an unique
distinction in atmosphere
cvisine and music.

Distinguished "First Nighters."

persons of New York's distinguished ing on that day shall be paid time and wealthy families. They were and a half, with a minimum of eight met outside the door last night by hours' pay. Heretofore there have livered footmen. Inside, the guests been no restrictions as to the number came under the influence of Mr. of hours which motion picture play-Urban's rhythms of maroon and ers might be compelled to work. green and the general effect of a design which he said would suit ifies that all rchearsals shall be con-"business men who were not tired strued as work and paid for as such. and wanted a good time."

a black glass ceiling in which the matic attractions and five weeks for dancers were dimly reflected above. musical comedies and spectacles, In the pavilion, which Urban said he but, it was explained yesterday at designed "with the joyousness of a the organization's offices, the legitwind among young leaves," the imate actor is paid for every perdecorations seemed to be equally formance after the play opens, while successful. The music in the black the film actor is paid only during action of the commission, declared glass ballroom was by Emil Coleman | the making of a picture. tnd his band, and in the pavilion it was by Joe Reisman and another band, from Boston.

The management had promised

to set those standards. As a restaurant, it depends upon

René Black, maître d'hôtel brought Forty Sauces." The chefs are Fred- scenes, eric Beaumont and his brother, Edscenes that should have been "shot" ouard Gabriel, who have served the British Ambassador in Vienna, as weekly salary in addition to what well as Louis Rothschild, the banker. overtime shall arise. It was the expressed ambition of René, the maître d'hotel, to make the opening an event in gustatorial history as well as in social. The menu he produced at last read as

Caviar des Grands Flues.
Frivolites Escoffier.
Celeri. Noix salees. Olives.
Consomme double Florida.
Cardinal de mer a l'Americaine.
Foussin desosse Armenonville.
Petits pois nouveaux a l'Anglaise.
Asperges vertes sauce Mousseline. Surprise Casino.
Coeur romaine Flamande.
Plombiere aux fraises.
Friandises. Mignardises. Friandises. Mig Cafe noir

The menu appeared to satisfy the

Old Casino Existed 60 Years. While Mr. Biddle is social head of the enterprise, according to the anbers of his resignation and intention nouncements, the operating head is to call them together to name his Sidney Solomon, who was active in Mayor Walker's campaign in 1925. "I had prepared for our meeting The Dieppe Corporation, of which Mr. "I had prepared for our meeting The Dieppe Corporation, of which Mr. daughter, Miss Anne Morrow, to country following the recent revolu-in Washington, on March 5, last, Solomon is president, now holds the Colonel Lindbergh, it was understood tion, the settlement of the agrarian By means of Mr. Arnott's device my resignation as chairman of the Casino under a ten-year lease, rethat he planned to take advantage of controversy retarded by the financial pose?"
The Senator," Mr. Couzens replied, "is absolutely right in what he says about using Federal obligations for rediscounting purposes. I think for the sudience sees a moon "close-up" the audience sees a moon "close-up" was dissuaded from presenting it at time.

Sometime to take advantage of the period of leave that is granted the period of leave that is granted to take advantage of the audience sees a moon "close-up" the period of leave that is granted with the pitted lunar surface appear directorate composed of Mr. Biddle was dissuaded from presenting it at time the period of leave that is granted to take advantage of leave that is granted to take advantage of leave that is granted to the period of leave that is

Popular price mat. today. Eddie Cantor in "Whoopee," New Amsterdam Theatre.—Advt.

ACTORS' EQUITY GOES FULL DEBT ACCORD REACHED: INTO TALKIE FIELD; BELGIUM

of Movies by Setting Up a Uniform Contract.

Declaration Effective Today-Also Demands Pay During Rehearsals and Overtime.

ABUSES CITED BY GILLMORE

Head of Association Expects Little Opposition From Producers-Studios Silent on Move.

The Actors' Equity Association declared yesterday an Equity shop, such as exists in the legitimate theatre, for the sound and talking motion picture industry. By the ruling from today Equity members may be engaged for the audible films only under the terms of a contract prepared by the association, and only in casts in which all the players are Equity members.

Equity officials have been studying the talking picture situation for several months, and theatrical circles had long expected an announcement of their intention to organize that intention to make it "a place for the vices of scores of players from the intention to make it a place for the vices of scores of players from the Fordham, N. Y. U. and Brooklyn legitimate stage. The ruling was From 8 o'clock until the cabaret made public by the Equity officers tion, who went to the Pacific Coast reports, Dr. Work relinquished his Stewart Jr., Adolph Zukor, Florenz contract were mailed yesterday to PART TIME STUDY IS CAUSE institute separate negotiations on and Los Angeles and to picture producing organizations and casting and

employment agencies. Present Contracts Stand.

Members of the organizations now in talking pictures will not be affected until the expiration of present contracts. They have been instructed to fulfill these to the letter, but not to engage for future production except under the Equity contract. One feature of this contract is that

it establishes a forty-eight-hour week with extra payment for overtime. Sunday work is obligatory The "first nighters" included many only where lawful, and actors work-Another item of the contract spec-In the theatre Equity grants four They danced in the ballroom under weeks of free rehearsals for dra-

Terms on Overtime. The new contract specifies that all overtime above twelve hours daily and between the hours of midnight 'new standards of elegance and and 7 A. M. shall be paid for at the beauty under the patronage of a rate of one and one-half times the group of prominent New York busi- regular salary.

If the producer desires the services schools named in his announcement as preparing students by part-time mess and social leaders headed by of an actor after the expiration of as preparing students by part-time Mr. Biddle," and the first-night his contract to make retakes or study instead of requiring full-time guests had admittedly been selected "trailers" of a picture the actor, by work. It will still be possible, he guests had admittedly been selected "trailers" of a picture the actor, by the terms of the contract, shall agree

to it unless otherwise employed, and even then he must agree to cooperate as far as practical. If the profrom France via California's best ducer dismisses an actor, however, clubs, known as "The Master of and then recalls him to make alleged retakes, which are really added postponed sequences According to the Equity contract, when an actor is hired for a talking picture he is expected to do all the talking. The agreement specifically

Continued on Page Ten.

Morrow Cuts Vacation and Starts for Mexico As Religious Conferences Are Scheduled

Special to The New York Times.

series of conferences with Secretary Stimson and a farewell call on President Hoover. When Mr. Morrow came here a

week ago after the wedding of his clude the financial situation of the

discuss that question.

The principal problems facing Mexico, and which are believed to have been considered in the discussions

and State Department officials, in-

Hoover Felicitates Americans

Special to The New York Times. WASHINGTON, June 4.-The success of the reparations experts at Paris was termed by President Hoover in a message tonight to Owen D. Young and his American associates "a most important step toward the restoration of international confidence and of national

stability." The Chargé d'Affaires at Paris was instructed by Secretary Stimson to deliver to Mr. Young the following message from the Pres-

"I have heard with great satisfaction of the successful conclusion of the arduous work of the experts' committee. It is a most important step toward the restoration of international confidence and of national stability. You and Messrs. Morgan, Perkins and Lamont have given generously of your time and strength, and I send you all my sincere congratulations on the notable achievement of the committee."

3 LAW SCHOOLS HERE

Graduates to Be Excluded After Next January.

Deans, Condemning Ruling, See a Handicap to Students of Limited Means.

The law graduates of Fordham University, New York University, Brooklyn Law School and Temple Univ...sity of Philadelphia will not be permitted to take Connecticut The bar examinations after next January, it was announced in New Haven yesterday by James E. Wheeler of the Connecticut Bar Examination Commission. The action

is taken because these schools are regarded as part-time institutions. This announcement, communicated to heads of the schools named, called forth expressions of strong disapproval. It was regarded as an arbitrary discrimination whose effect would be to place the youth of small | relief was evident on all faces when means, whose only recourse is a parttime school, under a new handicap, and to tend to restrict entrance to the profession to young men of mark claim. The question of fron-

Action Is Explained.

Mr. Wheeler, in announcing the that in reality it was Connecticut's adoption of the standards recommended by the American Association of Law Schools, the Council on Legal Education of the American Bar Association and the Carnegie Foundation. These organizations. said Mr. Wheeler, regarded the four said, for law students to study in law offices in Connecticut and for members of the bars of other States to take the Connecticut bar examination without investigation of their qualifications.

Dean-elect Charles Clark of the Yale Law School asserted that the move was in accord with a trend throughout the country to raise the believed that the schools affected had adopted new standards and would be able to regain position on the approved list in another year. states that the producer will not have little practical effect on them,

Continued on Page Sixteen.

WASHINGTON, June 4.-Dwight | be taken up for adjustment through W. Morrow, Ambassador to Mexico, conferences between President Portes w. Morrow, Ambassador to Mexico, Gil and Mgr. Leopoldo Ruiz y Flores, concluded his vacation in the United Archbishop of Morelia and apostolic States today and left to resume his delegate in Mexico, occasioned compost in Mexico City after a final ment here, but officials declined to

between Ambassador Morrow

On Success of Debt Parley ALL OTHER POINTS SOLVED

Brussels Consent to Hold Separate Parley Assures Unanimity at Paris.

EXPERTS RUSH FINAL DRAFT

Signing of Report Is Looked For This Week—Governments Then Must Act on It.

YOUNG WINS HIGH PRAISE

Present Worth of Sums Reich Is Asked to Pay Creditors Is About \$8,800,000,000.

By P. J. PHILIP.

Special Cable to THE NEW YORK TIMES. PARIS, June 4.—After almost four months of arduous toil, the experts' committee for the settlement of the reparations problem saw all their difficulties solved today and the signature of a unanimous report as-

sured. The chief point still at issue yesterday was the question of the redemption of the marks put in circulation in Belgium by the Germans during the war. Berlin offered to this point. The Belgians accepted the offer today and withdrew their threat not to sign the report until the marks issue had been settled. The Young annuities provided for the payment of an average annuity of 2,050,000,000 marks (about \$492,-000,000) for thirty-six and one-half years: 1,700,000,000 marks (about \$408,000,000) for twenty-one years and 900,000,000 marks (about \$216,-000,000) for one year, the total payments having a present value esti-

mated at about \$8,800,000,000. Put Finishing Touches to Draft. By Thursday evening or Friday morning it is expected that the report setting forth how a definite and final settlement of reparations might be made will be ready for signature. There remains only the task of polishing up and cutting down the fourth and last draft. That in itself is hard work, and today was a full day for all the delegations, but at noon the Belgian and German Governments agreed to undertake to seek a settlement on the Belgian tier ratification will not be raised and the discussion will be solely on how the mark claim can be settled. The promise was made to the Belgians today by all the experts that until the Belgian claim is settled the Young system of payments will

not enter into operation. Such, at

least, will be the unanimous recom-

mendation to the governments. Thus

reassured, the Belgian delegates will

sign the report with the others.

To Rush Final Report. This afternoon the committee held ts first plenary session since April 23. Since that date all that has been done has been in private conversations, in group meetings and in meet-

ings between the creditors and the American group and between the Germans and the American group. That in itself shows how much the success of this conference has been standards of the bar. He said he due to the chairman, Owen D. Young. Ever since Dr. Hjalmar Schacht's first offer nearly caused a breakdown of the whole negotiations Heads of the schools involved all said last night that the ruling would den of getting the creditor and debter experts together and he has, as well, taken a very large share in the difficult business of keeping the creditors in agreement. The plenary session today was largely a matter of form. The end of the long controversy and the reconcilement of all the differences was shown when Dr. Schacht and Dr. Kastl took their places alongside the creditors. What was formally done in this way was announced in the first official communiqué that has been issued for many weeks. It read:

An agreement on all the substantial points having been reached, the committee will now undertake a prompt and complete report in expectation that it may be ready for signature before the end of the

Bank Details in Annex.

that time.

that time.

'I did not then, nor do I now, desire to continue through the approaching campaign, which should be inaugurated next Winter.

"My association with the middle of the mission and the religious problem.

United States until the middle of the mission and the religious problem.

United States until the middle of the mission and the religious problem.

While Ambassador Morrow has been generally credited as in some intentions when he left Mexico City for the wedding of his daughter was not disclosed.

The fact that he will return to his post as the religious question is to proachment between the Mexican and the Church, of ficials here have insistently maintained that if any move had been made it was undertaken by the Ampost as the religious question is to bassador in a purely private capacity.

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BRILLIANT THRONG OPENS PARK CASINO

600 Selected Guests Attend the Formal First Night and View Renovation of Landmark.

Restaurant Public in Daytime,

but Is Restricted Again To-

MENU

SPECIAL FRENCH

night and Tomorrow Night.

The Central Park Casino was formally reopened last night by the new

management, which has published its intention to make it "a place for the fashionable and fastidious."

From 8 o'clock until the cabaret law required it to close, at 3 o'clock this morning, the Casino was occupied by 600 invited guests at \$10

pied by 600 invited guests at \$10 each, selected by Anthony J. Drexel Biddle Jr., William Rhinclander Stewart Jr., Adolph Zukor, Florenz Ziegfeld and associated members of a board of governors.

The selections for the opening dinner and dance were made from applicants who had previously been selected to receive an announcement,

hitherto unpublished, reading:

Announce
THE FORMAL OPENING

of the
CASINO
Central Park, New York
June Fourth
Under eminent directorship,
newly decorated by Joseph Urban,
it will maintain an unique
distinction in atmosphere
cvisine and music.

Distinguished "First Nighters."

The "first nighters" included many

persons of New York's distinguished

and wealthy families. They were

met outside the door last night by

livered footmen. Inside, the guests

BOARD OF GOVERNORS

came under the influence of Mr. Urban's rhythms of maroon and

green and the general effect of a design which he said would suit "business men who were not tired

They danced in the ballroom under a black glass ceiling in which the dancers were dimly reflected above. In the pavilion, which Urban said he designed "with the joyousness of a wind among young leaves," the decorations seemed to be equally successful. The music in the black glass ballroom was by Emil Coleman that his band, and in the pavilion it was by Joe Reisman and another

band, from Boston.

The management had promised

"new standards of elegance and beauty under the patronage of a group of prominent New York business and social leaders headed by Mr. Biddle," and the first-night guests had admittedly been selected to set those standards.

As a restaurant, it depends upon René Black, maître d'hôtel brought from France via California's best clubs, known as "The Master of Forty Sauces." The chefs are Fred-

British Ambassador in Vienna, as well as Louis Rothschild, the banker. It was the expressed ambition of René, the maître d'hotel, to make the opening an event in gustatorial history as well as in social. The menu he produced at last read as follows:

Caviar des Grands Tues.

Frivolites Escoffier.
Celeri. Noix salees. Olives.

Consomme double Florida.
Cardinal de mer a l'Americaine.
I'oussin desosse Armenonville.
Petits pois nouveaux a l'Anglaise.

eric Beaumont and his brother, Ed-

ouard Gabriel, who have served the

Asperges vertes sauce Mousseline.

Surprise Casino.

Coeur romaine Flamande.

Plombiere aux fraises.

Friandises. Mignardises.

Cafe noir.

The menu appeared to satisfy the guests.

Old Casino Existed 60 Years.

While Mr. Biddle is social head of

the enterprise, according to the announcements, the operating head is Sidney Solomon, who was active in Mayor Walker's campaign in 1925. The Dieppe Corporation, of which Mr. Solomon is president, now holds the Casino under a ten-year lease, renewable for ten years more. With a directorate composed of Mr. Biddle and others, he was able to finance a \$500,000 change in the old Central Park Casino, which was established Continued on Page Twenty.

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BRILLIANT THRONG OPENS PARK CASINO

Continued from Page 1, Column 5.

sixty years ago as part of a refreshment system provided by the park commissioners so that basket parties might no longer litter the lawns.

"It's not just a renovation," Mr. Solomon said. "It's something which has never before existed so perfectly in the world."

The change in the old park establishment is so great that applications came in such numbers for the opening night that enough were left over to have invitation affairs tonight and tomorrow night. During the daytime, however, the management announced yesterday, the Casino will be open for breakfasts, luncheons and teas to all comers.

C. F. Zittel, the former lessee. sent a letter to the press yesterday,

sayıng:

"I will continue fighting until I am counted out by the highest court, and I will see to it personally that the Dieppe Corporation is on the level with the public. Nothing can change my mind that the original intention was to make the casino a private playground for an exclusive set."

So far, Mr. Zittel's attempt to enjoin the casino as an illegal use of park property since he left it, has been rejected three times in court and is coming up again within a few days. Meanwhile, he is kept informed of the operations of the Park Department. in moving new shrubbery to improve the vicinity of the casino, in cutting a new bridle path; from the Sixty-fifth Street gate to the entrance of the new hunting breakfast room of the casino as well as the proposal to permit parking of automobiles of casino guests along the main road.

The board of governors which

guides the public relations of the Casino is intended eventually to comprise forty individuals, who will hold stock in the Dieppe Corporation and also be its corporate directors; but so far as announced, up to the present, they are Mr. Biddle, chairman of the board; William K. Vanderbilt Jr., William Rhinelander Stewart Jr., James P. Donahue, E. Lefcourt, Curtis Hutton, Franklyn L. Hutton, Robert Lehman, Jules S. Bache, John Randolph Hearst, Adolph Zukor, Joseph M. Schenck and Florenz Ziegfeld.

Their combined judgment was employed, according to the management, in choosing the "first-night-

ers."

Among the guests were the following:

Harold Bache entertained Miss Rene Baruch, Miss Delia Wolf and John K. Rock-

Mr. and Mrs. Herbert Brenon entertained Mr. and Mrs. Alec Blerc, and Mr. and Mrs. Herbert Brenon Jr.

Mr. and Mrs. Percy Bullard had as their guests Mr. and Mrs. Henry Krumb, Mr. and Mrs. George McNeir.

Miss Margaret Trimble, Mr. and Mrs. Geraldyn L. Redmond and Mr. Carl F. Baker Jr., were guests of Mrs. William F. Cogswell.

Mr. and Mrs. Leonard J. Cushing Jr. entertained the Prince and Princess Edward J. Lobkowicz.

Mr and Mrs. James P. Donohue entertained Colonel and Mrs. William Hayward. Mr. and Mrs. Paul Pryibil, Mr. and Mrs. Ira L. Richards. Mr. and Mrs. John W. Kiser, Mr. and Mrs. Joseph Urban, Mr. and Mrs. Philip J. Cole, Williams Burden, M. Dorland Doyle, John Carney and William

Dr. Edmund Le Roy Dow had in his party Mr. and Mrs. Emil J. Stehli and Mr. and Mrs. Theodore F. Whitmarsh.

Mr. and Mrs. Lyttleton Fox entertained Mr. and Mrs. James H. Snowden, Mr. and Mrs. Bradford Ellsworth and Frederick Robbins Childs.

John E. C. Haag had as guests Mr. and Mrs. Warren G. Leslie, Mr. and Mrs. Henry W. Bucttger, Mr. and Mrs. Joseph F. Hasgerty, Mr. and Mrs. Lyman Irish, Mr. and Mrs. Oscar Scabass.

Mrs William Randolph Hearst entertained Mr. and Mrs. Julian M. Gerard, Mr and Mrs. Esmond P. O'Brien, Mr. and Mrs. James H. R. Cromwell, Mr. and Mrs. Charles M. Amory, Mrs. Martin T. Saportas. Miss Katherine Leslie, and Kenneth Henry G. Gray O'Brien.

With Mrs. Florence H. Kendall were Miss Everett Jacobs Leonore Harris, Major Arthur Goodwin and Mrs. Goodwin and Admiral Harris.

Mr. and Mrs. A. E. Lescourt entertained Allan S. Lehmen

Mr. and Mrs. Oscar F. Grab, Mr. and Mrs. Louis Haas, Mr. and Mrs. Irwin Regensburg.

Former Park Commissioner Gallatin and Mrs. Gallatin were guests of Mr. and Mrs. S. Stanwood Menken.

Mr. and Mrs. Conde Nash had in their party Miss Rebecca Stickney and Iva Patcevitch.

Mr. and Mrs. John Adams Mayer. Mrs. Thomas J. Mumford and Gavin O'Rourke were guests of Maury H. B. Paul.

Sidney D. Ripley was host to Mr. and Mrs. John L. Rutherfurd, Mrs. William Wallace, Mrs. Anne Scott, Harry Mason and Alexander Dallas Bache Pratt.

The Princess Rospigliosi had as her guests Mrs. Christian Holmes, Mrs. George Mesta. David Osborn, William Matheous Sullivan. John Stuart Anderson and Gardner Hale.

At Mrs. Eugene S. Reynal's table were her sons. Eugene St. R. Reynal and Louis Reynal and Mr. and Mrs. Barclie Henry and Miss Louise Iselin.

Sheriff Charles W. Culkin and Mrs. Culkin were guests of Mr. and Mrs. John Sloan.

Mr. and Mrs. Lyman D. Smith had Mr. and Mrs. Edward E. B. Adams, Mr. and Mrs. Warren H. Spirgo and Mr. and Mrs. A. C. Andrews as guests.

Walter H. Sykes Jr., entertained Mrs. Robert McCord and Mrs. and Mrs. John Stewart Brown.

With Joseph B. Thomas were Mr. and Mrs. Rene Leon.

Mrs. Walter Roosevelt Thompson had Miss Dorothy Eigelow, Mrs. Richard Davison and Robert Kingsley as her guests.

Mrs. Cornelius Vanderbilt Whitney had as her guests Mr. and Mrs. Charles Shipman Payson, Mr. and Mrs. William G. Lord, Mr. and Mrs. James Forrestal, Mr. and Mrs. Ward Cheney and Charles McArthur.

Mr. and Mrs Adolph Zukor had as guests Mr. and Mrs. A. M. Loew. Mr. and Mrs. Jesse L. Lasky, Mr. and Mrs. Walter W. Wanger, Mr. and Mrs. Eugene J. Zukor, Mr. and Mrs. Sidney H. Kent, Miss Ruth White and Robert T. Kane.

Another party were Mr. and Mrs. Ten Eyck Wendell, Mr. and Mrs. Theodore Schumacher, and Mrs. E. Morris de Peyster.

The following hosts occupied tables with guests whose names were not made available for publication:

Mr. and Mrs. S. W. T. A. McGrath Baruch S. J. Bloomingdale George H. Burr Miss Margaret Case Harry Content Walter Content Frederic H. Cruger F. W. Duya: Aubrey L. Eads Henry A. Haines James G. Hardy Mr. and Mrs. F. M. N. B. Sterr Gould E. T. Griffith A. Ludiow Kramer John J. Leddy

C. S. Mitchell Miss Sally Milgrim Allan Millor Julius Miller Miss Mary Nash Cone Nast Franklin Pettit Aured Tach Mrs. E. Renard Joseph Schanck Staunton Williams Mr. and Mrs. S. W. Straus W. R. Stewart Jr. Mr. and Mrs. W. K. Vanderbilt William E. Walsh Mrs. C. P. Wilson

MOSES THREATENS TO SUE PARK CASINO

Warns Solomon He Will Be Ousted if Price Scale Is Not Reduced.

DEMANDS ACTION AT ONCE

Community Councils Back Move to Open Restaurant to the 'General Public.'

Robert Moses, Commissioner of Parks, announced yesterday that he would begin court action to terminate the lease of the present management of the Central Park Casino unless it immediately reduced its food prices.

The commissioner said he had notified Sidney Solomon, president of the Dieppe Corporation, which operates the Casino, that the prices were too high and out of reach of the general public. He added that several days ago four friends of his had dinner at the Casino and the check amounted to \$27. In addition to the food, each of the four had a cocktail. Every price on the bill of fare, in-

cluding the table d'hôte prices of \$2 for luncheon and \$4 for dinner, is beyond the reach of any one who does not have a good deal of cash, Mr. Moses said.

He made it clear that he would

not wait long for Mr. Solomon to make up his mind. "I am not going to confer with Mr. Solomon regarding the Casino

prices," Mr. Moses said when told the restaurateur wanted discuss the Park Commissioner's "Mr. Solomon demand with him. knows what I think about the prices at the Casino. If we have a dining place at the Casino, it will be one with such a list of prices for food that those who patronize the park will be able to eat at a cost they can afford. "I have talked with the Corporation Counsel and he will file the

Mr. Solomon necessary papers. knows perfectly well that we have the legal right to force him out if his scale of prices is not satisfactory to the Park Department." The Community Councils of City of New York, Inc., through

Frank P. Beal, its executive secreendorsed the Park Commissioner's action. "We have looked upon the Casino as a place where only the elite can dine and enjoy themselves," said Mr. Beal. "Although it is operated on park property the general public

has been prevented from visiting the Casino."

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The New York Times

CASINO IN 5 YEARS GROSSED \$3,096,155

In That Period City Received \$42,500 in Rent From the Park Restaurant.

SOLOMON GOT \$260,612

Trial of Suit to Foil Eviction by Moses Ends—Briefs Must Be Filed by Tuesday.

While the city was receiving \$42,500 in rentals from the Central Park Casino over a five-year period, the Casino grossed \$3,096,155 and Sidney Solomon received \$260,612 in salary and dividends, it was revealed yesterday at the trial before Supreme Court Justice Edward S. Dore of the Dieppe Corporation's suit to restrain Park Commissioner Robert Moses from ousting it from control of the Casino.

Mr. Solomon, who is president of the corporation, sole owner of its common stock, and manager of the Casino, drew \$156,000 in salary and \$104,612 in dividends during the period, it was shown. The figures were for the five-year period ended March 31, 1934. They were contained in a summary of the report of Ernest E. Wunderly, public accountant, submitted in evidence by Assistant Corporation Counsel William B. Herlands.

City Got 1.36% of Gross.

The analysis showed that the city's share during the five-year period amounted to 1.36 per cent of the gross revenue.

The trial was concluded after Mr. Solomon was recalled to the stand for a brief questioning. Justice Dore set next Tuesday as the deadline for an exchange of briefs between counsel and March 22 for final submission to the court.

The figures were introduced by Mr. Herlands in an attempt to show that income from the Casino's operations had completely amortized the investment and that the high prices charged, such as the 40-cent cups of coffee referred to in Monday's testimony, were no

longer necessary. The annual rental of \$8,500 to be paid the city was fixed in the ten-year lease that expires in 1939.

The summary prepared by Mr. Wunderly gave the average annual gross income as \$619,231. Profits for the five years, before deduction of Mr. Solomon's salary, were given as \$381,366, or \$76,273 average annual profits. The salary of Mr. Solomon, only officer of the corporation, averaged \$31,200.

The investment of preferred stockholders was given as \$104,500, but their share in the proceeds was not disclosed.

During the five years, Mr. Wunderly's report showed, the corporation received \$65,902 from coatroom, washroom, doorman and parking concessions, \$29,368 from "complimentary accounts," and \$912,418 from cover charges. For three years ended March 31, 1934, showcases brought in \$17,229 in rentals and \$1,063 in sales of merchandise.

Entertainment Cost \$773,477.

Music and entertainment cost \$773,477, or an average of \$154,695 a year, Mr. Wunderly said. A total of \$244,000 was written off for depreciation and amortization, and the corporation showed a credit surplus at the end of the period of \$28,526.

Mr. Solomon, recalled to the stand, said no complaints about the Casino had been received from the Park Department before Mr. Moses took office, but Justice Dore remarked that he did not "believe

the action of any one administration officer includes his successor, and I must be convinced to the contrary if I am to rule to the contrary."

No cover charge has been imposed in the Belasco Lounge or the Silver Room at the Casino since the bar was opened in the lounge last Oct. 5, Mr. Solomon testified, and "quite a few" have taken advan-

tage of this.

The battle over prices that should be charged in a public park was continued when Charles H. Tuttle, counsel for the Dieppe Corporation, resumed his cross-examination of Edward Levine, head of the Central Park Catering Company, which holds the concession for the recently opened Tavern-on-the-Green and an option on a restaurant at the northern end of the Mall.

Mr. Tuttle brought out that at the Brass Rail, operated by Mr. Levine at Seventh Avenue and Forty-ninth Street, the table d'hôte luncheon was 55 cents, while 85 cents was charged at the Tavernon-the-Green. Mr. Levine insisted. however, that greater patronage at the Brass Rail permitted lower prices, and that portions were larger at the Tavern. When Mr. Tuttle pointed out that apple pie cost 25 cents at the Tavern and only 15 cents at the Brass Rail, Mr. Levine remarked that "you get a piece of cheese with it at the Tavern."

Miss Sybil Stearns, director of concessions for the Park Department, told of the constant inspections made of food, personnel and general operations of concessions in the parks.

COURT SEES MOSES IN MUSSOLINI ROLE

Him?' Appellate Justice Asks at Hearing on Casino Razing.

Presiding Justice Francis Martin of the Appellate Division gested yesterday from the bench that there should be some board to

pass upon the destruction of public buildings, even though they are in

parks, before Park Commissioner Robert Moses "becomes a Mussolini." Judge Martin's remarks were made during a hearing on the ap-

peal of the Park Commissioner

from the decision of Supreme Court Justice John F. Carew restraining him from tearing down the Central Park Casino to construct a children's playground. Interrupting the argument at one point, the presiding justice said: "We have no feeling one way or

another, but there ought to be, in our opinion, some board to pass

upon this before he becomes a Mussolini. Suppose he wanted to tear

down the City Hall? Is there any one to stop him?" Not a Park Building "That isn't a park building; he couldn't tear that down," replied Assistant Corporation Counsel Wil-

liam C. Chanler. Other comments were made from the bench as Mr. Chanler conducted his argument that

Moses has the power to tear down any building in a public park provided that building is incidental

to park use.

Both Justice Martin and Justice

Townley remarked that Mr. Moses spent \$200,000 constructing the Tavern-on-the-Green in Central Park, wonly a short distance from the Casino. "This policy of tearing down buildings is very costly," said Jus-

tice Martin. "Isn't there any one

"Yes. Commissioner Moses passes

to pass on that?"

Mr. Chanler.

siding justice.

junction.

vesterday.

on it; he has the power." "Well, it's a very dangerous power," continued Justice Martin. "He has torn down other costly buildings. Why, he tore down practically a new building in Pelham Park, one that cost \$200,000."

"That was torn down because it wasn't properly erected," replied

wisdom of tearing down one building that has been used as a restaurant, and then, a short distance away, erecting another." Holds It Is Landmark

Stanley J. Harte, counsel Louis H. Saltzmann, restaurateur who brought the taxpayer's action

to prevent waste of city property in which Justice Carew gave the

injunction, pointed out that the Central Park Casino was built in

"It seems to me there is plenty of other space in Central Park for

a playground," commented the pre-

"I cannot see the

1863 and was known then as the "Ladies Refreshment Saloon. Since 1869, he said, it has been referred to in New York City guide books as a "landmark." It was on the ground that the Park Commissioner was about to tear down a landmark without power to do so that Justice Carew granted the in-

"The Casino site is on a hill preg-

tear down this building, no historic

Mr. Chanler contended that the Casino building was not historic or

relic will be safe in this city."

with rock," said Mr. Harte

"If the defendant can

"similar in history or sentiment to the old Van Cortlandt Manor in Van Cortlandt Park or the Block House in Central Park or the Central Park obelisk which Justice Carew said might also be torn down if Mr. Moses carried to the limit the powclaims to possess.

no comment to make on the proceedings before the Appellate Division. He expects to carry the case to the Court of Appeals if a ruling is made against him. Pelham Park building referred to by Justice Martin is said

to have been a Volunteer Life Sav-

The Appellate Division reserved decision in the case. Mr. Moses had

ing Station erected of stone by emergency relief workers during a previous administration which Mr. regarded as improperly built.

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'Is There Any One to Stop

That Is Not in Park Domain, City Counsel Replies-Decision on Appeal Reserved.

FEARS EVEN FOR CITY HALL

MOSES WINS RIGHT TO RAZE THE CASINO

Lower Court, Decides Law Upholds Park Head. NO RULING ON PLAYGROUND

Appellate Division, Reversing

Restaurant Man Says He Will

Appeal—Plans to Go Ahead

With Project Are Ready. The Appellate Division of the Supreme Court decided unanimous-

ly yesterday that Park Commis-

sioner Robert Moses had authority to order the destruction of the Central Park Casino building. It a decision by Supreme reversed Court Justice John F. Carew straining him from interfering with the building or its surroundings. The opinion by the entire court, consisting of Presiding Justice Francis Martin and Justices John B. McAvoy, James O'Malley, Alfred H. Townley and Edward J. Glennon, said: "We find therefore that the legislative grant now effective gives power to the commissioner to raze or remove for other park purposes buildings which have been erected solely as incidental to park uses, such as restaurants, baths, boat

houses and similar structures, and that such changes will not be supervised by the judicial power unless palpably indicated as abusive of the granted discretion. No Ruling on Playground "Nor will the wisdom of erecting a playground at a precise site be considered here. Remedy for a course of conduct calculated to destroy existing values lies in the removal of the incumbent or legisla-

tive regulation by the State or municipality, providing for a board or body whose action will be more

The suit was brought by Louis H.

conservative and deliberate."

Saltzman, a restaurateur, and the 330 West Seventy-second Street Corporation as taxpayers on the ground that the commissioner's intention to destroy the Central Park Casino building, valued at \$25,000, was a waste of public property. The plaintiffs also contended that restaurant men would be willing to pay the city \$50,000 a year and a

percentage of the proceeds for the right to operate a restaurant there.

They also contended construction of a children's playground on the site, as proposed by Mr. Moses, would be unwise because of its nearness to streets crossing the park. Mr. Saltzman said last night he intended to appeal the decision to the Court of Appeals. Amendment Removed Curbs The opinion of the Appellate Division said that prior to the amendment to the law governing

the administration of the Park Department a landscape architect, "skilled and expert," was required to give his assent to all plans and

such restraint was removed under the present law. William B. Roulstone, who submitted a brief in the case, as amicus curiae, declared the plain-

tiffs had failed to prove waste because the Casino building cost only

works respecting the development and improvement of the parks, but

\$30,000 when it was built seventy years ago. He said that the plan for a playground is part of a plan for the general improvement of Central Park on which work has been going forward for two years. Replying to a question by Presiding Justice Martin when the case was argued as to whether there was no one who had power to control the extent of the Park Commissioner's demolition of structures in the parks, Mr. Roulstone said that the Park Commissioner was removable by the Mayor. He also pointed

the park system, while the State Legislature, which increased the Commissioner Moses powers of when he took office in 1934, could rescind such powers. Park Commissioner Moses said he was ready to proceed with the demolition of the building as soon as the Corporation Counsel's office notified him to go ahead. Plans have been drawn for the children's

out that the Board of Aldermen has power to create new regulations for

playground and it should be completed by the end of the Summer, he said. Assistant Corporation Counsel William C. Chanler, who handled the case, said that he would tell the Park Department to begin work unless Mr. Saltzman obtained permission to carry the case to the

Court of Appeals.

The New York Times

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DEDICATING THE RUMSEY PLAYGROUND IN CENTRAL PARK

Daniel Dev. Harned, Bronson H. Rumsey, Miss Mary A. Rumsey, Charles C. Rumsey and E. Roland Harriman at the unveiling of the plaque in honor of the late Mrs. Mary Harriman Rumsey.

LTWINIONIN AT THE ON SITE OF CASINO

Moses Pays Tribute to Mary Harriman Rumsey, After Whom the Park Center Is Named

A new two-acre playground was officially opened yesterday afternoon in Central Park on the site of the once fashionable Central Park Casino with the unveiling of a plaque in honor of the late Mrs. Mary Harriman Rumsey, a founder of the Community Councils of the City of New York, for whom the play center is named.

Park Commissioner Robert Moses, in accepting the plaque, praised Mrs. Rumsey for her unselfishness and her desire not to seek personal credit for her efforts in behalf of community betterment and other

undertakings.

Mr. Moses, who pushed the fight in the courts to oust the operators of the restaurant to make way for the playground, recalled the struc-

gle and said the unveiling of plaque and the opening of the marked the "last chapter in The Casino, he said,

The Casino, a building that constructed in 1864 and tr formed by restaurant opera leasing it from the city into a \$ 000 structure in 1929, was an ample of the Gilded Age" and proper use of park property,

commissioner said.

He said it was "amazing" number of persons who stro into the Casino during its hale days with the thought it was a] restaurant and then discovered could not "meet the bills." He ferred to the new playground a fitting substitute for the Casind

Under the direction of Miss resa Schneider of the Departn of Parks of the City of New Y who will be the director at the ground, a Junior Protective Lea which Mrs. to be made up of boys and g founder, and Dr. John H. Finley. will be conducted, with each d

conduct classes in reading in unveiled by Charles C. Rumsey. playground, known as the N

Harriman Rumsey Playground, which is near the Mall and surrounded by flowers and trees.

ceremony yesterday was The one of the "serious headac" opened by Daniel DeV. Harned, that confronted the present ad first vice president of the Commuistration when it came into pow nity Councils, who said Mrs. Rumsey was one "always mindful that recreation is the rightful heritage of youth" and who "devoted much of herself and her means to insure that heritage to the fullest extent possible."

Frank Peer Beal, executive secretary of the Community Councils, praised Mrs. Rumsey for "spirit" she put into her work and recalled that she had been instrumental in the opening of some 500

playgrounds in the city.

Other speakers who praised Mrs. Rumsey Kirkland John were Clark, former president of the Community Councils; Miss Constance Chambers, who represented the New York Junior League, of Rumsey was

Among those present were Mrs. having a button and being sv Rumsey's daughter, Miss Mary A. to protect the park property Rumsey; two sons, Bronson H. warning persons against violati Rumsey and Charles C. Rumsey, At stipulated hours, those and Mrs. Rumsey's brother, E. charge of the recreation center Roland Harriman. The plaque was

> Messages were sent by Governor Lehman, Secretary of Labor Frances Perkins and Mrs. Franklin D. Roosevelt. The inscription on the plaque reads:

"In memory of Mary Harriman Rumsey, Nov. 17, 1881-Dec. 18, 1934, gracious citizen who gave gladly of her means and herself for the health and happiness of little children."