

PHYSICIAN'S WIFE MURDERED IN HOME

Hammer Is Believed Weapon in Attack on Mrs. Eli H. Rubin in Bronx Apartment

MOTIVE IS UNDETERMINED

Body Found by Maid, Who Was Found by Victim's Husband Is on Montefiore Staff

Mrs. Leah Rubin, 35-year-old wife of Dr. Eli H. Rubin, chief of the tuberculosis division of Montefiore Hospital, was found murdered last night in the foyer of her apartment on the fifth floor of a large apartment house at 3500 Andrews Avenue, one block south of New York University.

Detectives and members of the District Attorney's office were still at the apartment late last night continuing their investigation, but were unable to determine definitely the motive for the crime.

Assistant District Attorney George Trizer said that, as far as the investigation has progressed, he was convinced that the motive was not robbery.

The crime was discovered at about 6:30 P. M. by a maid, Betty Clampa, when she returned from an afternoon of shopping. Mrs. Rubin's body, clad in a house dress, was found lying on the floor in front of an open door which opened into the entrance to the living room. Her head had been severely battered and there were sharp wounds and cuts on her face.

On the floor near the body was a handbag with the contents, including a bankbook, spilled out over a rug. The victim still wore a ring and a wrist watch.

Dr. Charles Hochman, assistant medical examiner for the Bronx, examined the body and said that Mrs. Rubin appeared to have been killed with a claw hammer and that the wounds on her face apparently had been caused by the sharp edge of the hammer. The weapon was not found in the apartment, but detectives began a thorough search for it in the neighborhood.

The maid said she had last seen Mrs. Rubin about 2 P. M., when she went out shopping.

After placing an order at a grocery store, the maid called for one of the two Rubin children, Leonard, 6, and the other, Thomas, 4, who were in school and took her to a dancing class. Upon returning to the apartment with the child, the maid found a note on the door-knob from the other Rubin child, Leonard, who was waiting at the home of a neighbor downstairs.

Meanwhile, it was learned that David Lieberman, who has a grocery store at 40 West 52nd Street, had called at the apartment to make a delivery at about 3:45 P. M. and had found Leonard sitting on the stairway outside. Leonard told the grocery man that he could not get in and was going to wait downstairs until his mother came home. Lieberman left the apartment and returned to his store.

The apartment house occupies the entire block from 17th to 18th Streets and is a four-story building in the form of a square surrounding a courtyard. There are entrances from the front on three sides and also by way of the courtyard through a long hallway. The building has automatic elevators.

Dr. Rubin, in addition to his post at Montefiore Hospital is also an assistant in the Fordham Hospital. He has offices at 2021 Grand Concourse.

Assistant Chief Inspector John J. Ryan, in charge of the detective division, took charge of the investigation in which the detective from the office of District Attorney Samuel Oley also took part. Mrs. Rubin's body was removed to the Fordham morgue for an autopsy.

PNEUMONIA, MEASLES RISE IN CITY IN WEEK

Incidence of Diseases Doubled—Death Rate Up Slightly

The incidence of pneumonia and measles in New York City was made to double during the week ended last Saturday in comparison with the previous week, it was reported yesterday by Dr. John L. Rice, chief of the Health Department.

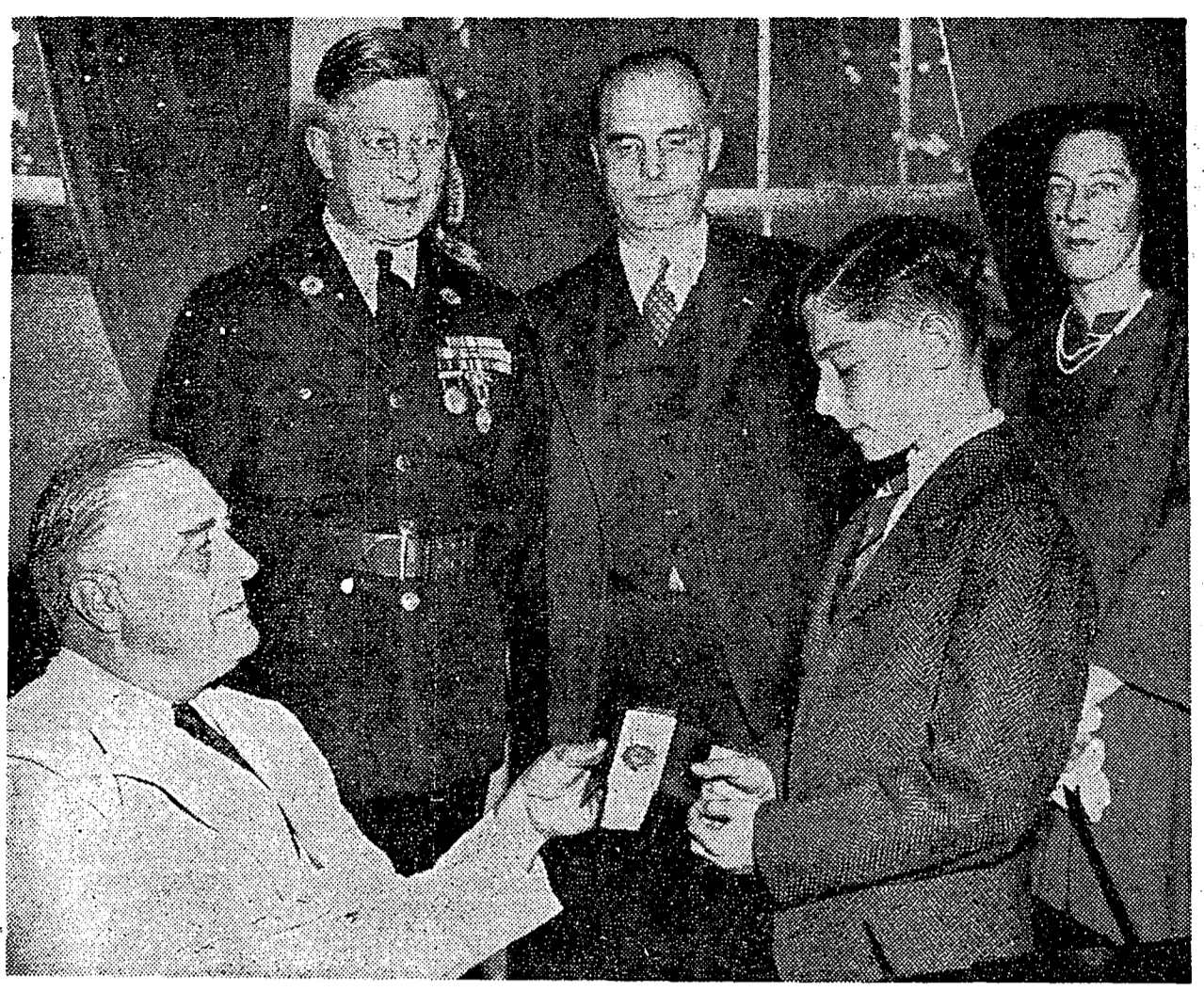
Pneumonia cases, which had dropped to sixty-six in the preceding week, jumped to 141 last week, about as many as in the week ended Sept. 28. Deaths numbered fifty-two, compared with thirty-three in the preceding week. Influenza cases and deaths remained, however, about the same, being seven and one respectively for the week.

There were sixty-six new cases of measles last week, only thirty being reported in the previous week. So far during this "measles" year there have been 6,177 cases and two deaths, compared with 3,482 and one death at this time last year, and 34,290 cases and forty deaths in 1938.

The general death rate for the week was up slightly to 9.7 to 1,000 estimated population. The birth rate declined to 13.3 to 1,000 population and infant mortality to 31.9 to 1,000 live births.

Where no figure appears in the table, the Health Department believes the number of new cases reported is so incomplete as to be misleading when cited in this way.

Deny Pullman Monopoly PHILADELPHIA, Oct. 15 (AP)—Four Pullman companies and thirty-one of their officers and directors denied today that they hold a monopoly on the country's sleeping and parlor car business, and asked the Federal District Court to dismiss an anti-trust suit filed by the Department of Justice last July.



BOY WHO KNEW HOW TO TAKE CARE OF HIMSELF IS HONORED
Donn Fendler of Rye, N. Y., who was lost for seven days in the Maine woods last year, receiving the Army and Navy Legion of Valor Medal from President Roosevelt yesterday. Left to right: Mr. Roosevelt, Major Ralph W. Roberts, past national commander of the Legion; Captain Fred Kochli, national commander of the Legion; Donn and his mother, Mrs. Donald Fendler. The boy received the honor for the courage he displayed during his days of privation.

ILLEGAL TRAFFIC IN PLUMAGE SCORED

Audubon Official Asserts Bird Feathers for Hats Are Sold in Many Stores

Indignation ran high yesterday at a meeting called by the National Audubon Society to hear disclosures on what was termed the "illegal traffic in plumage of wild birds," and to discuss possible measures for what promises to be a new campaign against the use of certain plumage in the decoration of feminine headgear.

With the slogan "Massacre for Millinery" setting the keynote at the meeting, 150 members of the society, as well as officials of the Federal and State Conservation Departments, gathered in the lecture room of the American Museum of Natural History and heard Richard H. Pough of the society's staff report that illegal plumage was being sold in many stores in New York City, Boston, Philadelphia, Milwaukee, Detroit and Chicago.

Mr. Pough declared that he had found wild-bird dealers in the industry who could furnish up to 40,000 forbidden feathers that were worth "more than \$100,000."

In his investigations in New York City, Mr. Pough visited thirty retail stores on Fifth Avenue, on Fifty-seventh Street and surrounding areas, and he asserted that the stores were selling hats "with wild-bird plumage." He drew chuckles when he said he became interested in the problem after he found that his wife, unknowingly, had bought a hat lined with "a golden eagle feather."

Charging that the present New York State law regulates the sale of feathers had too many "loopholes," Mr. Pough declared that it was "apt to be confusing," and said it would be better if it simply barred the sale of wild-bird plumage.

During the question period when members of the audience were invited by John H. Baker, executive director of the society, to state their views, Manville Abramson, who said he was an assistant to Harold A. Felix, attorney for the feather industry, took the floor. Mr. Baker, executive director of the fish and game division of the State Conservation Department, who earlier had praised the Audubon Society's efforts, was very temperate in his approach to the problem.

At an earlier hearing, 1006 Fifth Avenue, the following officers were elected for the coming year: Guy Emerson, first president; Wharton, first vice president; Roger N. Baldwin, second vice president; Carl Tucker, treasurer; James J. Murray, secretary; John H. Baker, executive director; Irving Buchheiter, assistant director; Irving Benjamin, assistant treasurer, and Miss H. Shirley Miller, assistant secretary.

Five directors were elected to serve three-year terms. They were State Senator Thomas C. Desmond, Laurence B. Fletcher, Mr. Tucker, John Kieran and Mr. Wharton.

BUYS NATIONAL ANTHEM

Library of Congress Gets Copy of First Published Version

The Library of Congress has acquired one of the two known copies of the first published version of "The Star-Spangled Banner." The copy, which is in the form of a small handbill, was discovered last Summer by Jesse L. Cassard of Baltimore in an old scrap book in his attic.

With the present purchase the library's collection of early editions of the anthem is greatly completed. The only two known forms missing now are a later issue of the present broadside with an ornamental border and the first full manuscript copy of the anthem, which is in the collection of the Library of Congress.

Ford Company's \$624,975,000 All in Family; SEC Cites 'Best Example' of Company Control

WASHINGTON, Oct. 15.—The Securities and Exchange Commission's recent study of the nation's 200 largest non-financial corporations cites the Ford Motor Company as the "best example" of control by one family.

The report, prepared for the monopoly committee, shows that three members of the family—Henry Ford, his son, Edsel, and Edsel's wife, Mrs. Clara J. Ford—own all of the stock, and in so doing rank as the wealthiest family owners of corporation stock in America.

The Ford Company stock had a book value of \$624,975,000 on Dec. 31, 1937. It comprises two issues of common stock, in both of which Henry Ford owns a majority. Edsel Ford is the next largest owner. The family owns a very small part through the Ford Foundation.

The du Pont family, with \$573,690,000 in holdings, mainly in the E. I. du Pont de Nemours & Co. and the United States Rubber Company, ranked as the second wealthiest stockholders among the corporations studied in the report. Other family holdings, with the total value of issues covered by the survey and the corporations in which they have their main interest, followed: Rockefeller Family—\$396,583,000, Standard Oil Company (of New Jersey, of Indiana and of California) and Socony Vacuum Oil Company, Inc.

Mellon Family—\$390,000,000, Gulf Oil Corporation, Aluminum Company of America and Koppers United Company. McCormick Family—\$111,102,000, International Harvester Company. Hartford Family—\$105,702,000, Great Atlantic and Pacific Tea Company of America. Harkness Family—\$104,891,000, Standard Oil Company (of New Jersey, of Indiana and of California) and Socony Vacuum Oil Company. Duke Family—\$89,455,000, Duke Power Company, Aluminum Company of America, Liggett & Myers Tobacco.

Few Family—\$75,628,000, Sun Oil Company. Pitts-Ford Family—\$65,576,000, Pittsburgh Plate Glass Company. Clark Family—\$57,215,000, Singer Manufacturing Company. Reynolds Family—\$54,736,000, R. J. Reynolds Tobacco Company. Kress Family—\$50,044,000, S. H. Kress & Co.

The SEC noted that it was not possible to determine the market value of the Ford stock, since it is not traded in, but added that the market value was more likely to be less than the higher book value. The report noted that in most of the cases the market value was given as of Dec. 31, 1937.

RUBINSTEIN CHILDREN KEPT AT ELLIS ISLAND

Son and Daughter of Pianist Suffering From Chicken Pox

Anna Rubinstein, 7 years old, and Paul Rubinstein, 5, children of the famous concert pianist, are suffering from chicken pox and are to be confined on Ellis Island, it was learned yesterday.

ASKS MORE BIRTHS FROM PRIVILEGED

Report Finds Only City White Women on Relief Are Replacing Deaths

SHIFT IN BURDEN SOUGHT

Steps Are Urged as Needed to Preserve Democracy in This Country

WASHINGTON, Oct. 15.—An assertion that a shift of the burden of replacing the population of the country from the under-privileged classes to the groups with superior educational and economic advantages is essential for the preservation of democracy in the United States is made in a study published today by the Population Committee of the National Economic and Social Planning Association.

The report is the result of two years of research and was drafted by a committee under the chairmanship of Frank Lorimer of the American University Graduate School.

The investigation showed, according to the report, that among white women only those on relief are replacing the deaths of the under-privileged. Further, the educational level of these women is fewer than seven years above the high school level. The report recommends five steps in a Federal program to encourage more children among the more prosperous potential parents and fewer among the under-privileged.

The committee found little merit in the usual European system of government planning, in proportion to the number of children in a family, and recommended the Swedish plan of grants of goods and services essential for family life and child development. These would include rent allowance for families with more than three children, public medical service for mothers and children, public day care for children, public day care for school children, subsidies toward the purchase of certain selected foods and maternity leave with pay for four weeks.

Legal restrictions on the dissemination of birth control information and appliances have lagged far behind the advance of public opinion, and the report declared that present-day prohibitions increase the disproportionate burden of population replacement on those least able to bear it, without preventing the decline in the general birth rate.

The community should assume a larger share of the costs of child-rearing, and education, the report found, and educational institutions should provide more housing facilities and financial aid for married students. The financial responsibility for the education of children should be shifted from communities to the States and from the States to the Federal Government, it added.

The final step given was the provision of greater opportunities for part-time and periodic employment of potential mothers, providing maternity leave and part-time care of small children outside the home.

NEWARK FUND RAISED TO REOPEN AIRPORT

\$105,000 Subscribed to Pat Field Back in Operation

NEWARK, N. J., Oct. 15.—The reopening of the Newark Airport was brought closer to realization today when the citizens committee for reopening the airport completed its drive for \$100,000. Richard Well Jr., president of L. Bamberger & Co. and chairman of the committee, announced that a contribution of \$10,000 received today from the Standard Oil Company of New Jersey brought the total to \$105,000.

Mr. Well said that a meeting of the committee would be held in his office on Thursday, when a board of trustees for the organization of the airport would be chosen by subscribers to the fund. He said he expected the airport would be open again to commercial traffic in the near future.

In accepting the Standard Oil Company's check, Mr. Well said that if the company should bid for gasoline and oil franchises at the airport, and if its bid were accepted, the \$10,000 would be deducted from the amount of the bid.

TEACHERS UNION FACES COURT CALL

Legislative Group to Start Contempt Action Today as Union Withholds Names

LISTS WERE SUBPOENAED

Refusal to Surrender Them Follows Denial of Application for Stay

The New York Teachers Union refused yesterday to submit its membership lists to the legislative subcommittee investigating subversive activities in the city schools, and as a result the committee announced that contempt proceedings would be instituted in Supreme Court today.

The proceedings will be directed against Charles J. Hendley, president of the union, who was served last week with a subpoena requiring the production of books and financial records, minutes and membership lists "past and present" of the union. The union brought a contempt action to the Supreme Court, but this was denied Monday by Supreme Court Justice John F. Carew.

Stay of Subpoena Denied Yesterday morning William G. Mulligan, attorney for the union, asked the court to grant a stay of the subpoena pending the outcome of an appeal already begun. The appeal is being argued in the Appellate Division today. Mr. Mulligan denied the application, indicating, according to Mr. Mulligan, that the proper procedure for the union to invoke contempt proceedings by refusing to produce the documents.

Mr. Hendley and Mr. Hendley went into the hearing room for a brief examination, making a statement in which he said that the union had not made "complete delivery" of the financial records sought.

MAN, 84, WALKS 54 MILES

Fete' at Bear Mountain

Special to THE NEW YORK TIMES. BEAR MOUNTAIN, N. Y., Oct. 15.—James H. Hocking of Hackensack, N. J., celebrated his eighty-fourth birthday today by walking from his home to Bear Mountain Inn here in just under twelve hours. The distance is fifty-four miles, much of it uphill.

Mr. Hocking was welcomed on his arrival by John J. Hansen, superintendent of the Palisades Park Commission for New York State, and dinner was arranged in his honor at the hotel. About a dozen persons, most of them park officials, attended the dinner, and heard Mr. Hocking, who did not appear fatigued, tell how he had never paid more than \$3 for a pair of shoes.

Mr. Hocking, who is well known throughout the country for his walking feats, has taken the tramp from Hackensack to Bear Mountain on his birthday for several years past.

Finery of Duchess Is Displayed in Court

To Convict Spinster Seamstress of Theft

Except for the red pajamas, Judge Goldstein fixed Nov. 12 for sense. Miss Klordan obtained employment with the Duchess recently, representing herself as one of the heroines of the Athenian disaster and by offering false references. One day recently the Duchess saw peeping from his home to Bear Mountain on his birthday for several years past.

The seamstress had snipped up a piece of rare Chinese silk, of which she had made a pair of pajamas. A length of fine olive green silk of rare weave she had transformed into a garment described as a cross between a pair of pajamas and the uniform of a young girls' organization.

Miss Klordan admitted her Athenian story was fictitious and said the silver fox had been "borrowed" one night after she had been sipping some of the master's wine. She denied that she had taken the rest. Detectives testified that it all had been found in her room.

THOUSANDS AT FAIR RENEW OATH TO U.S.

Activities Cease as Visitors Pledge Allegiance to Flag in Mass Demonstration

I AM AN AMERICAN DAY

Bargain Tickets Cause Rush at Many Exhibits—Awards for Public Service Made

On the eve of national selective service day, thousands of patriots renewed the oath of allegiance to this country at the World's Fair yesterday as "I Am an American Day" was observed.

While the crowd was great enough to jam the gates, particularly at the Aqueduct and Railroads on Parade, it fell far below the expectation of half a million visitors. Gate keepers at the most popular attractions, however, literally prayed for rain to relieve the congestion caused by the bargain tickets which sold for \$1 and had a face value of \$6.37 and included attractions heretofore omitted from special rates.

Paid admissions to the Fair yesterday totaled 130,255. In the morning and early afternoon an October breeze sent brown and yellow leaves swirling in delightful arabesques above the fountains, statues and flower beds like forerunners of Autumn dismantling. And then the rains came at 4 o'clock and put the ticket takers at ease.

National Defense Discussed At the formal programs visitors listened seriously to patriotic addresses on national defense. Those who were near enough to catch the signal stood, as on Armistice Day, in a moment's pause for a massed oath of loyalty.

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands—one nation, indivisible, with liberty and justice for all," a gathering of 5,000 persons in the Court of Peace recited with fervor the pledge. The national conference of Christians and Jews, which sponsored the program, pledged allegiance to the flag of the United States of America and to the Republic for which it stands—one nation, indivisible, with liberty and justice for all."

6 HURT BY BLAST IN SUTTON PLACE

Gas Turned On by Suicide Is Ignited—Windows Broken in Row of Houses

An area of five blocks surrounding Sutton Place was rocked by an explosion at 10:55 yesterday morning when Robert I. Plaut, 48 years old, committed suicide, according to the police, at 400 East Fifty-seventh Street by gas. A pilot light, igniting the gas from four jets and an oven turned on by Mr. Plaut, caused the explosion.

The windows of the eighth floor apartment in which Mr. Plaut lived, on the southeast corner of Fifty-seventh Street and First Avenue, were blown out, shattering glass over Fifty-seventh Street and First Avenue. Six persons were injured in the street, four of them requiring medical attention.

Mr. Plaut was a former president of the Can-Joe Corporation. His lawyer, Leon Finkelstein of 521 Fifth Avenue, said he knew of no reasons why Mr. Plaut would want to end his life.

Those injured by falling glass were John Seidie, 27, of 686 Westchester Avenue, the Bronx; Francis Byrne, 29, of 11 O'Dell Place, New Rochelle, N. Y., and Father James John Samler and John Casey of the East Fifty-first Street station. Two others refused to give their names. All of the injured received lacerations from the flying glass and debris.

Mr. Plaut's wife, Madeline Plaut, who operates the Chez Madeline Dress Shop in the Hotel Delmonico, was returning to the apartment from the explosion. She was struck in the face by a piece of glass and was taken to the hospital. Her son is a student at an Ohio college.

Mr. Plaut was found under a high-toned debris. The force of the explosion crumbled walls separating the four rooms in the apartment. A resident of another apartment on the same floor was just coming out of his door when the force of the explosion blew him back into the apartment. The door of the Plaut apartment was blown off its hinges and fell into the street.

Earlier yesterday morning, about an hour before the explosion, Mr. Plaut purchased a dozen short and a dozen long envelopes and two 3-cent stamps from Mrs. J. Schwartz, proprietor of the stationery store in the building. Mrs. Schwartz said that he appeared to be "calm, cool, and pleasant—nothing like anybody going to commit suicide." Mrs. Schwartz recalled that last Thursday he had come into her store, which is a polling place, to register for next month's election. Mr. Plaut was alone in his apartment at the time of the blast. A maid had served him breakfast and prepared his lunch when the explosion occurred.

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