

WANT CITY GRAFT HEARINGS PUBLIC

Corporation Counsel O'Brien Protests Against Privacy and One-Man Examinations.

NECESSARY, SAYS MEYER

Chairman Contends That His Committee Follows Procedure of Other Investigations.

WON'T STAND FOR NONSENSE

Threatens Other Methods if City Departments Do Not Co-operate.

City officials and members of the Meyer Investigating Committee clashed yesterday over the right of the committee to hold examinations in secret and also over the right of the minority members of the Legislature to be represented on any sub-committees that may be appointed by the full committee. Corporation Counsel O'Brien and Senator Schuyler Meyer, Chairman of the Investigating Committee, represented the contending forces.

The argument took place in the office of the committee, 38 Park Row. The committee, through its Chairman and assistant counsel, Leonard M. Wallstein, had subpoenaed Grant Crabtree, First Deputy Clerk at Police Headquarters, as well as Deputy Police Commissioner Leach, to produce certain records of the department. While the Deputy Clerk was under examination Corporation Counsel O'Brien appeared with Mr. Leach and protested against the examination of any witness except in the open.

"These meetings should be open," said Mr. O'Brien, "in justice to the public and the committee itself. We are prepared to afford every facility and give access to every record under that condition. We object to private sessions by sub-committees and to the holding up indefinitely of departmental records. We have lost data that went to the Admiral Grand Jury.

"If there is any difference of opinion in these matters we ought to be able quickly to get a judicial decision in the courts. We concede the committee can do much and will help if it functions properly and openly. However, I deny that your committee, through its chairman, may appoint sub-committees of one man who can privately examine witnesses."

Senator Meyer declared that there could be no question of the committee's right to appoint sub-committees. The resolution adopted by the Legislature under which the committee is acting, he said, grants full authority to appoint such sub-committees as it sees fit. He also pointed out that both minority and majority members had joined in electing him a committee of one to make such examinations as he saw fit.

"The second point raised by Mr. O'Brien is absurd on its face," said Chairman Meyers. "If we examined a witness and then presented the city authorities with a copy of the record we could not get very far. We can't get anywhere if we spread broadcast what we are trying to develop. In holding these examinations in executive session we are merely following the procedure adopted by every other legislative committee, even the Lockwood committee.

"Nor is it practicable to have the whole committee present at each session. We may want to examine a half dozen witnesses at the same time and go into as many phases of the investigation at one time. We're looking for the facts. Of course, the committee will not stand for any nonsense or camouflage. If the city departments will co-operate, well and good. If not, we'll adopt a different attitude."

The Corporation Counsel asked for time until today to look further into the matter. It was agreed that Deputy Commissioner Leach shall appear today with the desired records and then be examined. In the meantime Deputy Clerk Crabtree of Police Headquarters was excused.

"When I appeared at the rooms of the Legislative Investigating Committee held by Senator Meyer," said Mr. O'Brien later, "I made it clear and emphatic that the books and records of all the departments under Mayor Hylan were accessible to the committee and that there would be no hindrance placed in the way of an examination of such books and records by any head of a department or a subordinate. This is the attitude which the Mayor and his department heads have taken through all of the investigations which have been going on during the last two years." After reciting the results of these investigations, the Corporation Counsel added:

"While all these investigations, including the Admiral Grand Jury, extending over a period of a year and a half, the Whitman investigation and the Steinbrink investigation and the latest investigation planned by Senator Meyer's committee, mean a great expense to the taxpayers of New York and while the wisdom and propriety of such futile investigations are seriously questioned by many, the records and files of the departments under Mayor Hylan are open far further and, if it is possible, to more far-reaching inquiry and investigation. We shall insist, however, that the meetings of the Meyer committee at which testimony is taken be open to the public and that there be upon any sub-committees taking testimony a representation of the minority of the State Legislature."

Senator Theodore Douglas Robinson of the committee announced yesterday the names of two of the four experts the committee will employ to analyze the material on which the evidence to be presented at the public hearings will be based. Edward T. Ferrina, who formulated the analysis of the State budget on which Governor Miller based his retrenchment program, has already begun work on the city finances with the co-operation of Controller Charles L. Craig's office.

The other expert is Spencer Phenix, who until recently was engaged on special work for the United States Chamber of Commerce at Washington. He was in charge of the Government's bureau of statistics at the Peace Conference. The difficulty of getting the proper type of expert assistance to develop and correlate the evidence to be presented before the committee will delay the opening of public sessions until the middle of June, Senator Meyer said yesterday.