

# DISTRICT-ATTORNEY DECLARES POLICE WERE CARELESS

to the murderers of Rosenthal by Libby and Shapiro was an automobile she had seen in front of Lieut. Charles Becker's home in Washington Heights between 6 and 10 o'clock Monday evening before the murder. It was learned that she had sworn that a machine she saw in front of Becker's home was similar to the gray car which the murderers used and which she had inspected before going into the Grand Jury room—also that the last numbers of the license tag on the machine she observed were "813," the same as on the "murder" car.

The effect of the young woman's testimony was discounted by the fact that Becker, in his raiding expeditions and for his private use, often uses a car which has the same outside coloring as the Libby and Shapiro car. But the facings of his car are blue and the facings of the other car are white.

"Why, the woman must be crazy," said Deputy Commissioner Dougherty. "There are at least eight, perhaps ten, witnesses, who have sworn that Libby's car was in the Washington Square garage all evening until 11 o'clock Monday night. We have not been asleep on that thing, you know."

## LIBBY AND SHAPIRO HELD FOR HOMICIDE.

Libby and Shapiro were held without bail on a charge of homicide by Coroner Feinberg this afternoon and remanded to the Tombs for a hearing Monday. The District-Attorney and Deputy Commissioner Dougherty wanted them sent back to Police Headquarters, but their lawyer, Aaron Levy, objected and won his point. They were followed through the streets to the Tombs door by a surging crowd of thousands.

"Bridgie" Webber, who was arrested yesterday and has been under examination by high police officials until late this afternoon was allowed to go under \$100 bail to appear as a witness. His lawyer told the Coroner that he would produce Webber at any time and that Webber would gladly co-operate with the authorities. Mr. Whitman said the promise from Mr. Marshall was satisfactory and consented to the low bail.

Robert H. Hebbard of Hebbard & Lesinsky, the lawyers who arranged the \$1,500 mortgage on which, according to Rosenthal's affidavit, he borrowed the sum from Lieut. Charles Becker, and his partner, were before District-Attorney Whitman for an hour. In Whitman's hand, as he questioned them, was the record of the satisfaction of the mortgage which was supplied by County Clerk Schneider under subpoena.

Hebbard came out of the District-Attorney's office flustered and wiping perspiration from his face. At first he refused to tell what he had told the District-Attorney; later he said that one Jacob Rose had come to him and had asked him to arrange a chattel mortgage under some other name than his own.

Asked if this was the "Jack Rose" who was once a friend of Rosenthal, later a friend of both Rosenthal and Becker and more lately an enemy of Rosenthal, though still friendly with Becker, Hebbard said that it was the same man.

"Some time later," Hebbard said, "Rose came to me and said that he had quarreled with Rosenthal and that inasmuch as Rosenthal had paid nearly all of the \$1,500 due. Rose wanted to close all relations with him and wanted Hebbard to have a satisfaction piece entered. This Hebbard did.

Hebbard insisted that he never heard Becker's name in the transaction until Rosenthal recently declared to him that Rose was merely acting as a screen, just as Donahue, the boy clerk in whose favor the mortgage was made, was a screen for Rose.

District-Attorney Whitman's men started a hunt for Jack Rose as soon as the information regarding the mortgage was obtained from Hebbard. They came back to report that they believed he had left town last night. Deputy Commissioner Dougherty was observed soon after this report was made looking up timetables in a railroad guide.

## FILE SAW WEBBER JUST BEFORE SHOOTING.

The reason for the arrest and detention by the police of "Bridgie" Webber was made known this afternoon in the corridor of the District-Attorney's office by Policeman File, who was formerly a detective detailed to the "Strong-Arm" squad under Lieut. Charles Becker.

"The best information I had was this," said File, while waiting a chance to see the District-Attorney. "Just before Rosenthal went out of the hotel I saw 'Bridgie' Webber come into the place, walk around looking at the men at the different tables, and apparently looking for somebody. He went out. A moment later Rosenthal went out, and the next thing that attracted my attention was the shots."

Mayor Gaynor, who has refrained from the outset to make any comment for publication on the subject of the murder, arranged for a conference with Police Commissioner Waldo at the City Hall to-day. Commissioner Waldo, walking rapidly, arrived before the Mayor returned from luncheon, and at once entered the Mayor's office. The Mayor and the Commissioner were closeted for half an hour, after which it was announced unofficially that some statement would be forthcoming from the City's Executive.

When the Commissioner came out of the Mayor's office he smilingly greeted reporters. He was pilled with many questions.

"What I had to say in the presence of the Mayor or what the Mayor had to say to me I shall not discuss," said Mr. Waldo. "All I have to say on the situation was contained in my letter to the District-Attorney. There is nothing more to be said."

The Commissioner was asked concerning the possible future of Lieut. Becker and the likelihood of changes in the Police Department, but he answered each question—"I have no further statement to make."

The certainty of Commissioner Waldo, Deputy Commissioner Dougherty and Inspector Hughes that the names of all the men who had part in the assassination of Herman Rosenthal under the lights of the Metropole, in West Forty-third street early yesterday, were known to them was not shaken to-day. But no additional arrests were made.

It was asserted that the police knew that every one of the seven men concerned is in New York. Two they believe they have in custody. Shapiro and Libby, the men whose automobile was used by the murderers, were taken before the Coroner to-day and charged with homicide.

Lieut. Becker, against whom Rosenthal made the charges which stirred up the gambling and police situation just before the murder, is no longer in charge of any gambling raids. It was made known at Police Headquarters to-day. He has not been deposed from the command of his squad or suspended from duty; his raiding work was done by assignment, either following his own suggestion or by direct order from higher officials. Since the Rosenthal charges he has had no gambling assignments.

Every bit of material regarding Becker's record and all the information which might interest the District-Attorney, it was said at Police Headquarters to-day, had been turned over to the District-Attorney.

Meantime District-Attorney Whitman's repeated charges against the police "system" are irritating to the high officials of the Police Department.

## TOO MUCH PUBLICITY, SAYS DOUGHERTY.

"In the morning papers," said Deputy Commissioner Dougherty, "is much information the publication of which hinders our hunt for the guilty man. It is all of it information gathered by this department and turned over to the county officials. None of it was made public by us."

Police Commissioner Rhineclauder Waldo addressed a letter to District-Attorney Whitman to-day, following his reading of the District-Attorney's statement charging the police with responsibility for the assassination of Herman Rosenthal. The letter as made public at Police Headquarters, follows:

Sir: I have the honor to again urge that a complete investigation be made by you without any further delay of the allegations made in the press that members of the police force have been in partnership with gamblers, and of the statement that you are alleged to have made publicly that members of the department were guilty of investigating the murder of a gambler. Immediate action is necessary in the interest of good order and that the good reputation of 10,000 men who are honestly doing their duty should not be besmirched by individuals who may be rascals.

Under the present organization of the Department less than 100 men have any connection whatsoever with the enforcement of gambling laws, leaving over 10,000 men free from suspicion of connection with gamblers. It would appear to be unjust that the reputation of the entire force should be attacked on account of the allegations of a self-confessed gambler that a subordinate police officer, who has never been entrusted with any special power, has been his partner. It is unfortunate that the desire for publicity should lead any one to unjustly attack a body of men on account of alleged wrong doings of a few.

In investigating the action of the police in connection with the gambling situation, investigation should also be made of the courts and district-attorneys, who could stop gambling if they desired by upholding the police and sending convicted gamblers to jail instead of letting them free on suspended sentences or with an insignificant fine and issuing court orders requiring the

## Two Prisoners in the Rosenthal Shooting; Police Officer Named in Preceding Events



### MURDER WAS PERMITTED BY POLICE, HE SAYS

(Continued from First Page.)

tween Rosenthal and Lieut. Becker. I will not be able to call Mrs. Rosenthal before the jury for a day or so because of her condition. I do not know how strong a case I can make now that the material witness is out of the way, but I will do my utmost to get to the bottom of the affair. I shall also exert every possible effort to bring the murderers of Herman Rosenthal to justice. They should be behind the bars now, but were permitted by the police to escape.

According to a statement made by Detective File at Headquarters yesterday he had walked out of the Metropole behind Rosenthal when the gambler was summoned to his death and was so close behind him that he saw one of the murderers, crouching behind a potted tree at the side of the door point his revolver at Rosenthal and fire five shots. He has not yet explained why he fell so far behind this man in the chase or why he failed to use his own revolver to protect the man who was being murdered.

police to return to the gamblers gambling apparatus seized in the raids. Again assuring you of every support in bringing all facts before the public and convicting the guilty. Very respectfully, R. WALDO, Police Commissioner.

Despite the denials of the prisoners, it is positively asserted at Police Headquarters that both Libby and Shapiro have confessed all they know of the murder and have given the police the names of the men who are being looked for.

Libby is said to have told Commissioner Waldo that four men engaged the car in front of the Cafe Boulevard about 1 o'clock yesterday morning, and that Shapiro drove them. Shapiro, according to reliable information, told the Commissioner and his aides that four men engaged the car from him. Two of them, he said, he knew.

They ordered him to drive uptown and first stopped at Jack's, where one of the passengers got sick. Shapiro supposed from too much drink. Shapiro was suddenly ordered to go around into Forty-third street and take a position at the curb in front of Acker, Merrill & Condit's, just west of the Cohan Theatre. One of the passengers remained in the car and the others left, telling him to wait just where he was. The man in the car was keeping watch on the loungers in the neighborhood. When the three crossed to the Metropole they left the tonneau doors open.

## REVOLVER AT NECK AS HE DROVE.

Shapiro was a little hazy about what happened after that, it is said. He said he heard one shot and then several more, and his fares came running back and ordered him to get eastward at full speed. He realized a few moments later that they were being pursued, but the man at his side put the muzzle of a revolver to his neck and told him he was a dead man if he faltered. By a few turns and twists northward he was able to throw off his pursuers and drive back downtown to the garage at No. 72 Washington Square South.

Several points of importance to the police were withheld, one of them being where Shapiro left the men after they had killed Rosenthal. Deputy Dougherty intimated that the identity of all four men was known and that they were members of a gambling club that Rosenthal had caused to be raided several times.

Several of the men involved, he hinted, have suffered physically as well as financially from Rosenthal's enmity. The police said one or two of them had been beaten so by thugs hired by Rosenthal that they were unrecognizable for a time, and that they nursed their grudge until Rosenthal's feud with the police gave them a chance to "get him" at a time when the crime would be attributed to other motives and other persons.

As soon as the police heads had talked with Shapiro, one hundred and fifty detectives were sent to various parts of the city as rapidly as possible and during the night, when hours passed without results, more men were added.

All night Shapiro was kept at Headquarters, waiting to identify the men he is said to have described as slayers of Rosenthal and who were being sought in every dive in the city by three hundred sleuths.

The police declined to tell what they learned, if anything, from "Bridgie" Webber, who was picked up about midnight by Detective Shevlin. The prisoner described himself as Louis Webber, thirty-six years old, a broker, of No. 103 Second avenue.

## BECKER TELLS OF MOVEMENTS ON NIGHT OF MURDER.

Lieutenant Becker made public to-day an account of his movements Monday night and Tuesday morning. He freely admitted that he had passed near the scene of the murder, going up Broadway to his home in a borrowed

day he had walked out of the Metropole behind Rosenthal when the gambler was summoned to his death and was so close behind him that he saw one of the murderers, crouching behind a potted tree at the side of the door point his revolver at Rosenthal and fire five shots. He has not yet explained why he fell so far behind this man in the chase or why he failed to use his own revolver to protect the man who was being murdered.

Explains He Was Out Walking and Witnesses Testify to Character.

A man, who at first gave his name as John Bergen of Chicago, Ill., and who to-day on the witness stand told Magistrate Butts, in the West Side Court, that his name was John Desane, thirty-five years old, and that he was a Catholic priest of Jackson, Neb., was arraigned on the charge of following a young girl and trying to speak to her.

He had been arrested on Thursday night last on the complaint of Catherine Kavanah, twelve years old, of No. 645 Tenth avenue, who said that he had followed her for several blocks and accosted her.

On the stand to-day the man said that he had arrived from Buffalo on Thursday last and registered at the Hotel Belmont. He said that he has been a priest twelve years. After he had been at the hotel for a short time the priest said he went out for a walk along Forty-second street. He said he first saw the little girl when she was standing talking with a man at Seventh avenue and Forty-second street.

He said as he passed them he saw the child look at him in such a peculiar manner that he felt that he should investigate and, if his conclusions were true, to speak to an officer.

At Forty-second street and Tenth avenue the priest said he saw a young woman of about twenty years speaking with the little girl and then turn to some men who were standing on the corner and talk with them.

He remembered, he said, that he had \$1.00 in his pocket and was afraid of being held up. He said he started away and some men started after him. He turned into Tenth avenue, he said, and ran toward a drug store at Forty-eighth street and Tenth avenue. He stumbled and fell, he said, and then some one struck him, but he managed to get to his feet and reached the drug store, where he asked that a policeman be called.

Joseph Miller, an actor, said that his attention was first called to the matter by a young woman, about twenty-two years old, who said that a little girl had told her a man was following her. Miller said he did not see the man speak to the little girl at any time. Several character witnesses were called, all of whom testified to the good character of the priest.

Catherine Kavanah was then called to the witness stand and told her story that she was followed by the man, John J. Fitzgerald, the attorney for the priest then asked Magistrate Butts to put the case over until tomorrow morning for further examination. The bail of \$100 was continued.

"After leaving the office of my lawyer, John W. Hart, at No. 80 Broadway," Becker said, "I took Mr. Hart to his home in West Ninth street. Then I went in the machine to the garage at No. 235 West Fifth street. "With the chauffeur and a friend, leaving the machine, I went to the boxing bout at Madison Square Garden. We left the Garden at about eleven and went to the Prince George Hotel, where with Jack Sullivan, a friend, and a newspaper man, we waited until the chauffeur went uptown and brought back the car. From the hotel we went to newspaper offices up and down town. It was not until after 1 o'clock, in Park Row, that I was able to get the morning paper I wanted."

"Going home we dropped Mr. Sullivan at Sixth avenue and Forty-second street and went through Forty-second street to Broadway and up to my home in Washington Heights. "I had scarcely gone to bed when a newspaper called me up and told me Rosenthal had been killed. I dressed, went out and got something to eat and then reported at the station."

Woman Burned by Explosion. Mrs. Frieda Guthe, proprietor of the two furnished room houses at Nos. 222 and 25 West Twentieth street, was seriously burned about the arms and shoulders to-day, when a quantity of gasoline with which she was cleaning a bed exploded and ignited her dress.

## Police Must Explain These Strange Things in Killing of Rosenthal

One detective was in the Hotel Metropole, within twelve feet of the shooting.

Five uniformed policemen were within 300 feet of the killing, two of them within 100 feet.

It required just fifteen seconds for them all to reach the spot after the first shot had been fired, one being only two seconds away, yet—

None got the right number of the fleeing auto (or reported the right number).

All were lax in giving pursuit until the auto was out of sight.

Charles E. Gallagher, a bystander, got the right number and was arrested for his pains.

Gallagher gave the right number of the auto to the lieutenant doing desk duty in the Forty-seventh street station.

The lieutenant put a wrong number down on the blotter. District-Attorney Whitman, who was present, saw wrong numbers on the blotter and caused the lieutenant to erase them and put down the real number—41313 N. Y.

If Mr. Whitman had not been present would the correct number ever have been disclosed or the auto ever found?

Capt. Day called up his station house, summoned the District-Attorney to the phone and asked him if he thought it wise for him (Day) to come down.

If Day was unwilling to appear, why did Lieut. Becker, who had been accused by Rosenthal, turn up at the scene so quickly after the tragedy?

District-Attorney Whitman accuses the members of the Police Department with having permitted the murder and letting the murderers escape.

## TAFT WILL NOT DIVIDE ELECTORS WITH ROOSEVELT

(Continued from First Page.)

congratulating that official on the number and activity of the policemen in the convention hall."

"That's just another example of the perfect apostasy character of our President," stated the Senator. "He has merely acted just like himself. Eight hundred policemen were supplied to the Taft forces to prevent the convention and some men started after him. He expressed confidence to-day that a workable plan would be found and that no serious division of opinion would arise."

Col. Roosevelt was not willing to go into a detailed explanation of the method of the procedure which he believes should be adopted, preferring to reserve his opinions until he reaches Chicago. He made it plain he would be guided by two general principles: First, there must be no agreement with the Taft forces which will give official recognition to the President as the legitimately chosen Republican candidate in the States which the ex-President won in the primaries. Second, any plan adopted must be non-partisan, and as applicable to Democratic as to Republican organizations.

Beyond this Senator Dixon, who came over from Washington to-day, brought word that hundreds of telegrams indicate that Bull Moose organizations are being formed in every city of every State in the country. He was sure the Oyster Bay man would be the next President. He asserted that Gov. Wilson was now at the height of his strength and would lose from now until election day. The Senator and Mr. Perkins met many out-of-town promoters of the Bull Moose movement.

## T. R. TURNS DOWN PLAN TO "DIVVY" THE ELECTORS

OSTER BAY, N. Y., July 17.—After reading the statements made by William Flinn of Pittsburgh and E. A. Van Valkenburg of Philadelphia, two of his leaders in Pennsylvania, in support of the plan for placing the same candidates for Presidential electors on both the Taft and Roosevelt tickets, Col. Roosevelt said to-day he would not concede in regard to electing any compromise which would give recognition to the

claims of President Taft in the primary States. The difference which has arisen will be thrashed out at the Chicago convention next month. Col. Roosevelt expressed confidence to-day that a workable plan would be found and that no serious division of opinion would arise.

PURIFINA THE WONDERFUL HEALER CURES Skin Diseases Eczema, Sores, Boils, 10c Burns cured without fail.

W. L. DOUGLAS \$3 \$3.50 & \$4 SHOES For style, comfort and service W. L. Douglas shoes are just as good as other makes sold at higher prices.

CANDY (Penny a Pound Profit) Special for Wednesday, 17th ASSORTED ICE CREAM CREAMS, 25c. POUND BOX 10c

The Ideal Summer Beverage Is LIPTON'S TEA HOT OR ICED.

Milk Chocolate Covered Maraschino Cherries 39c

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Young's Hats \$5 Straws now \$3.33 \$4 " " \$2.67 \$3 " " \$2.00 \$2 " " \$1.33

BARBAROSSA The best beer brewed in particular, order MOERLEIN'S Barbarossa the beer whose delicious purity has won it 60 years of fame. At most bars and cafes.

W. L. DOUGLAS \$3 \$3.50 & \$4 SHOES For style, comfort and service W. L. Douglas shoes are just as good as other makes sold at higher prices.

## FORGER LURED BY WHITE LIGHTS PLEADS GUILTY.

Church Member Who Squandered Money in Tenderloin May Get Ten Years.

William M. Lawrence, bookkeeper for the Daniel Talmage Sons Company, rice importers, at No. 118 Water street, who stole \$22,000 from his employers to spend in the Tenderloin, pleaded guilty before Judge Mulqueen in Part I. General Sessions, to-day to two indictments. One charged forgery in the second and one forgery in the third degree. He was remanded to the Tombs for two weeks to await sentence. He can get as much as ten years on the first indictment and as much as five on the second. Lawrence's home is at No. 18 South Elliott place, Brooklyn. He is married, has several children and was known as a very pious man at the Lafayette Avenue Presbyterian Church, of which he was a prominent member.

## TURKISH CABINET RESIGNS.

CONSTANTINOPLE, July 17.—The Turkish Cabinet resigned to-day in consequence of the revolt in the army against the methods of the Committee of Union and Progress.



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## Dysentery, Cramps and Diarrhoea

are common summer ailments and are generally caused by the system trying to rid itself of some injurious or indigestible material which has been imprudently taken into the stomach, gulping down iced drinks or sudden changes in the weather.

The discomforts and suffering which result are easily prevented and quickly relieved by Duffy's Pure Malt Whiskey, the great family medicine.

By its systematic use you can so strengthen the digestive organs and the entire system that the many things which lead to a siege of these distressing ailments have no ill effect upon you.

Go to your nearest druggist, dealer or grocer to-day and get a large bottle of Duffy's Pure Malt Whiskey for \$1.00, take it regularly as directed, and you will go through the Summer fortified against the dangers of impure or change of water, uric or spoiled fruit, sudden changes in the weather and the hundred-and-one other causes that many times lead to serious illness.

Duffy's Pure Malt Whiskey is the only whiskey that was taxed by the Government as a medicine during the Spanish-American War.

Doctor's advice and medical booklet containing testimonials and rules for health free on application to The Duffy Malt Whiskey Co., Rochester, N. Y.

Tell the Grocer to Send a Bottle of Eddys Sold English Sauce

Made by E. Pritchard, 331 Spring St., New York.

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LOST, FOUND AND REWARDS.

\$50.00 REWARD TO FINDER OF THIS DOG. Small Yorkshire terrier, female, long silky hair, weight 4 or 5 lbs.; lost on Hudson; valued at \$100.00. Return to Mrs. Menges, 194 E. 154th St., New York.

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If your "Lost and Found" Ad. is printed in The World, morning or Sunday, it gets a circulation in New York City greater than if published in the Herald, Times, Sun and Tribune ADDED TOGETHER.