STORIES OF JEROME AND WALDO BOTH RULED OUT

Becker, that evening? A. I did. He came in at fifteen minutes past 8 o'clock.

Q. We three were in that room together? A. We were.

"Kindly state what occurred."

This was overruled on objection.

"State whether or not you knew Becker telephoned to Rose?"

Overruled on objection.

"Did you hear the defendant mention the initials 'J. H.' on that occasion?"

Overruled.

Mr. Jerome was permitted to say he had seen Becker go to the telephone and thus he heard Becker ask for a number. But that was as far as the defense could go.

"Did you hear Becker say: 'Rose, do you know that 200 cops are looking for you?'"

Overruled.

"Did you hear him call Jack Rose on the phone?"

Overruled.

"Did you hear him say, 'No, you stay right where you are until you hear from me?'"

JEROME IN THE POSITION OF A DUMB WITNESS.

And again the District-Attorney's objection was sustained. Mr. Jerome was in the attitude of a dumb witness.

"Did you hear him say?—"

The Court—This line of questioning is not relevant. It must stop.

Q. Did you hear what Becker said? A. Yes.

"What did he say?"

Overruled.

Mr. McIntyre sought to argue.

"There must be no argument," ruled Justice Goff.

"May we not argue—" began Mr. McIntyre.

"Not another word," said Justice Goff, "the witness will step down," he said, when Mr. Hart, foiled in his line of examination, said he had no further questions.

This ruling of Justice Goff was a blow to the Becker defense, as Jerome's testimony, if it could have been gotten before the jury, would have been a body blow to Jack Rose's own story of the telephonic conversations with Becker. The defense interposed strenuous exceptions to Justice Goff's rulings and showed its regret that Judge Jerome was not permitted to deny the astounding story of Rose.

POLICE COMMISSIONER WALDO ON THE STAND.

Police Commissioner Waldo followed the former prosecutor on the stand.

After giving his name and title he was asked:

"Did you detail the defendant to the Strong Arm Squad?"

"To a special squad which was called the Strong Arm Squad."

Waldo could not recall the date he had made the detail.

Q. What was the object of that detail? A. To suppress illegal resorts and rowdyism in public places and in railway cars.

Q. Did you direct Lieut. Becker to obtain evidence against Herman Rosenthal. A. I directed him and others to obtain evidence against Rosenthal.

Q. It was stated that a policeman was stationed in front of Rosenthal's place. Was that officer stationed there under your direction? A. After the raid on Rosenthal's I directed that a man be put in the place and a man be placed to watch the place and suppress the nuisance.

Commissioner Waldo spoke in a big booming voice that filled the court room. He spoke with careful and measured enunciation. Becker did not once glance at his former chief, keeping his gaze trained on his counsel.

Mr. McIntyre asked whom Mr. Waldo directed to have Rosenthal's gambling house picketed.

"My instructions," said the witness, "were delivered to the Inspector in charge of that district—inspector Hayes."

Q. Was the officer stationed in the Rosenthal place? A. Yes, and kept there from the time of the raid until Rosenthal's death.

"Under your rules did Becker have authority to station a man there himself?"

"Do you remember in the early part of 1913 Becker asked you to transfer him out of the special squad?"

Objection sustained.

"Did Becker ask you to take him from gambling work in that squad?"

Objection sustained.

Baffled at every turn, the defense asked no further questions and there was no cross-examination by Mr. Hart for the State.

TELLS OF BECKER'S ORDER ABOUT TELEPHONE.

Frank H. Roberts, superintendent of the Belleclaire Apartments, where Becker lived, was called. There are sixty occupied apartments in the building, he said, each with a telephone running through the house switchboard. He knew Lewis Heywood, the negro telephone operator, who swore he had connected with Becker's telephone on the night of the murder.

"Before July 16 did you not tell Heywood not to make any 'phone calls to the apartments of Becker?"

Objection sustained.

"What was said?"

The Court: "You may ask the witness if there was a conversation."

Mr. Hart then read from Heywood's testimony his denial that Roberts had given such an order.

Q. What was said between you and Heywood? A. I told him to discontinue all connections with the apartment of Lieut. Becker.

Q. Was that before Rosenthal was killed? A. It was before Rosenthal was killed.

The defense regarded this as an important point in view of the fact that Rose had sworn he called Lieut. Becker up in his apartments after the murder, whereas Roberts swore he had ordered the telephone operator not to make such calls.

The witness, in reply to Mr. Moss, said he telephoned to an Assistant District-Attorney and gave the name of his negro phone operator. It was also drawn out by the prosecutor that the witness had given directions to his operator not to connect any one with Becker's phone because Becker had asked him to. Becker had made this request on the day before the murder of Rosenthal. This was just what the defense didn't want to bring out, as it tended to show that the prisoner had some idea that he would be called up about the time of the murder. The testimony of the witness was a great deal in the nature of a boomerang.

BROTHER OF LUBAN IMPEACHES HIS CHARACTER.

The apartment house superintendent was swiftly dismissed and Alexander Luban, brother of Morris Luban, the convict who testified for the State as an eye-witness to the murder, was called.

Mr. Hart asked that Morris Luban be brought into Court before his kinsman was sworn.

Q. (By Mr. Hart.) Where is your business? A. At No. 65 West Houston. I manufacture flowers.

"Was your brother, Morris, arrested in 1911 under an assumed name?"

Objection sustained.

"Were you in court when your brother was convicted in Brooklyn for a felony?"

Objection sustained.

Q. Did you speak to Morris on July 16, 1912? A. Yes.

"Did you speak of his whereabouts of the night before?"

Objection sustained.

"Did he say to you on July 16 that he was with a girl at the Victoria Theatre on the night of the 15th?"

Objection sustained.

Mr. Hart—I ask permission to recall this witness for further cross-examination after I have laid a foundation for these questions.

The Court denied permission.

"Did your brother tell you he knew none of the persons implicated in this murder except Sam Paul?"

Objection sustained.

Q. What do persons say about your brother's reputation for honesty, truthfulness and veracity? A. It is bad.

Q. Would you believe your brother, Morris Luban, under oath? A. NO, sir.

"Is he a fugitive from justice in Kings County and in St. Louis?"

Objection sustained.

Mr. Moss got from the witness, first crack, that he had been convicted of smuggling and that he had got off with a $50 fine. That was all the prosecution wanted of him.

NEW WITNESS DISCREDITS STORY OF LUBAN.

Herman Goodman, of Brooklyn, a manufacturer of flowers, said he had known Morris Luban, one of the State's star witnesses, for years.

Q. (by Mr. Hart) Did you meet Morris Luban on July 15, 1912? A. Yes, he was with me nearly all day. At 5 o'clock I left him in Eighth avenue, and was to meet him at his brother's home in Borough Park at 8 o'clock.

Q. Did you meet him there? A. Yes, after 11 o'clock that night, in Alexander Luban's house. I stayed there until 1 o'clock, after midnight, and he stayed there when I left.

Q. Do you know other people who know Morris Luban? A. Yes.

Q. What is his reputation? A. Bad.

Q. Would you believe him under oath? A. No, sir.

Q. How do you fix that date in your mind? A. That was the date I reopened my place. I met him that night because he was trying to sell me a line of customers.

The witness was cross-examined by Mr. Moss.

Q. When did you first talk to Val O'Farrell, the detective for the defense? A. Last Friday night.

Q. Is that your signature? (showing Goodman a typewritten document) A. Yes.

Q. When you signed that paper did you swear to it? A. I did swear to it.

Mr. Moss—I offer this paper in evidence.

The defense objected on the ground that it was not binding on the defendant, Becker. After examining the document Justice Goff ruled that a portion of it was admissible as evidence to test the witness as to his credibility.

When Mr. Moss sprang this typewriten paper Becker beckoned to Mr. McIntyre to come out from behind the counsel table. The prisoner whispered to McIntyre several moments and then held an earnest colloquy with Lloyd Stryker. As for the witness, his face turned purple and he began to splutter incoherently.

The testimony of Goodwin as given on direct examination was highly important as evidence that Morris Luban could not have witnessed the murder of Herman Rosenthal. After a lively argument between counsel the prosecution continued its attack on the witness.

STATE TRIES TO TANGLE UP THE WITNESS.

"Did you say in this affidavit," began Mr. Moss, "I remember during July going to the theatre twice, but I do not remember whether it was the 15th or 22d?"

"Yes," said the witness.

Q. If you did not remember then, how can you come here and say you were in Luban's home on the 15th? A. I have remembered since that the 15th was the day I opened my store, and that was the night I met Morris in Borough Park.

Q. Did you not tell Mr. Minton, an Assistant District-Attorney, that you had been to a show with Morris Luban on the night of the Herman Rosenthal killing? A. No, sir.

Q. Whom have you seen about this case since you made this affidavit on Oct. 15? A. No one.

Here Mr. Hart demanded that the stenographer read the last question and answer.

The Court.—I do not think these frequent demands to have the stenographer read these answers are well taken. The jury hears the questions and answers.

Mr. Hart—I beg Your Honor's pardon; I do not believe the jury can hear any more than I can.

The Court—Juror No. 12, do you hear this witness' testimony?

Juror No. 12—Not all of it, sir.

The Court—You see, the jury does hear it all.

The Stenographer—The juror says he did not hear it all.

Mr. Hart—That's what I maintain, Your Honor.

The Court—Don't talk so much. Go on with your cross-examination.

Q. You told that to Alexander Luban, did you? A. Yes.

Q. Did you tell Alexander Luban what you had signed in the affidavit, A. No.

Q. Did you tell any one that you had an affidavit in the District-Attorney's office? A. No, sir.

"That is all," said Moss.

Q. (By Mr. Hart). Do you remember what day you went to the District-Attorney's office and if you signed the paper on that day? A. Oct. 15, I think.

Q. "Did a messenger come to take you to the District-Attorney's office?"

The question was ruled out.

"Mr. Hart," objected the Court, "you are wasting time. You are asking illegal questions. You have been admonished by the court twice and that is enough. I will send the witness from the chair."

Justice Goff was thoroughly angry, and turning to the witness, he waved him away. The witness went gladly and on the run.

Clerk Who Fled, but Has Returned To Testify Against Lieut. Becker

Mr. McIntyre mumbled some more and sat down, whereupon Mr. Whitman continued in the same shrill tones that annoyed the defense.

Q. Did you go into the little corridor leading into the Captain's room of the West Forty-seventh street station? A. I do not recall.

PROSECUTOR SHOUTS MORE QUESTIONS AT REPORTER.

"Isn't it true," Whitman shouted, "you don't recall because you know I am going to ask you next if it is not true that Becker was in the Captain's room all the time and out of your sight?"

Here Mr. McIntyre and Mr. Whitman got into another bitter debate, which the court halted.

Q. (By Mr. Whitman.) Now do you want to stick to your story that Becker was not out of your sight more than five minutes? A. I would like to amend that.

Mr. Whitman—Yes, if I were you I would amend it. I was there, and you know I know.

Hawley—He may have been out of my sight more than I said.

Q. Was he out of your sight as much as ten minutes? A. He may have been.

Q. Was he out of your sight as much as twenty minutes? A. He may have been.

Q. Isn't it true there was an hour he was out of your sight? A. I think not.

Q. What time did Becker get to the West Forty-seventh street station? A. About 4.10 A. M.

Q. (Angrily) Now, if the official reports of Commissioner Dougherty show Becker got there at 3.30 A. M. and you say you got there at 4.10, do you want to amend your story that you were with Becker all the time? A. No.

Q. Was the body of Herman Rosenthal in the station when you got there? A. I do not know.

"What, you a newspaper man and do not know whether the body was there!" sneered Mr. Whitman.

"You're going to strain a muscle in your face," shouted Mr. McIntyre, "if you don't stop sneering."

"I'm going to strain a muscle in your C-ase," retorted Whitman, and for the first time since the trial opened, court attendants had to rap for order.

Q. Didn't you testify that you didn't know the body was there? A. I believed it was there.

Q. Where did you go from the station house when you first left? A. To the Metropole.

Q. Did Becker tell you that he would meet you at the Times Square station? A. No. I met him there by accident. I had been telephoning for assistance.

Q. You had an appointment with Becker? A. Yes.

Q. Where? A. At the Metropole or the West Forty-seventh street station.

"And you met him at Forty-third street and Broadway?"

The witness retraced his steps with Becker to the West Forty-seventh street station.

The prosecutor took him over every inch of the ground and then asked:

Q. Did Becker tell you that he had any business in the West Forty-seventh street station? A. No.

Mr. Whitman forced the witness to admit that he had only seen Becker two or three minutes of the several hours the defendant had spent in the station house. On redirect examination the witness swore Becker had not been out of his sight for more than five minutes at a time.

This finished with Reporter Hawley and a recess was taken.

FIGHTING CROWD ON HAND AT AFTERNOON SESSION.

A shouting, fighting mob gave battle to the police guards posted in front of Justice Goff's courtrom this afternoon and for fifteen or twenty minutes there was a wild melee in the main rotunda of the building. During the recess hour the police pickets had released their vigilance and hundreds of men and women drifted into the building and forced their way up the stairways to the floor on which the tribunal is situated. There didn't seem to be any one in particular in charge of the police at this time and the crowd was permitted to grow until it blocked every corridor.

The jam was such that when an effort was made to clean the way to the portals of the courtroom, the police were thrown back again and again while the morbid hundreds surged forward and pressed their way into the vestibule. The situation then called for strong arm methods and they were used with the result that there was stampeding and fighting in every direction. This kept up almost until the moment Justice Goff arrived back from lunch with his bodyguard.

Justice Goff was 12 minutes late, taking the bench at 2.57 o'clock, and Charles Monahan was called as the first witness of the afternoon for the defense. Monahan is head of the mailing department in the New York World, in charge of circulating the paper. Tbhe first edition of The World came from the presses, he said, at 1.15 A. M. on the morning of July 16, and was placed on sale at Brooklyn Bridge at 1.19. There was no cross-examination.

Reporter Tells How Becker Heard News.

Frederick H. Hawley of No. 214 Audubon avenue, a reporter for the New York Evening Sun for four years, was called. He said he knew Becker.

Q. Before July 15 did you gather news concerning the Rosenthal episode? A. Yes, at Police Headquarters.

Q. Where were you when Rosenthal was murdered? A. At Police Headquarters. I went to the Times Square subway station, and thence to the Hotel Metropole, reaching there at 2.12 o'clock A. M. I remained there fifteen minutes, and then went to Broadway, near Forty-third street. I entered a restaurant, where I telephoned to the Sun office, and then called "Audubon—6694," Lieut. Becker's apartment house. It was then 2.27 A. M. I failed to get a response. I could not get connection with the apartments of Lieut. Becker at that time through the apartment house switchboard.

Q. Did you ever get him that night through the switchboard? A. I did not.

Q. What did you do then? A. I remembered that I had Lieut. Becker's private phone number. I hurried to the Times Building and called Audubon 263—Lieut. Becker's private phone. Mrs. Becker answered and called Mr. Becker. I said: "Charley, have you heard the news?" "What news?" he asked. "Herman Rosenthal has just been shot and killed," I said. There was a moment's pause. "What are you trying to do?" he demanded. "Kidding me?" I replied: "No, Charley, Herman has been killed in front of the Metropole." Becker said: "Oh, you've got a hang-over," and laughed. "No, Charley," I replied. "Listen to me. Herman Rosenthal has been killed. What have you got to say? I am working on the story and want a statement from you. What do you know about it?"

Becker said: "I don't know anything about the murder, but I do know a lot of things about Rosenthal. I am mighty sorry he has been killed, because I had the goods on him and was about to show him up for keeps."

MEETS BECKER DOWNTOWN AFTER THE KILLING.

Q. Did you go anywhere and did you see Becker? A. Yes. I went to the West Forty-seventh street station. Then I went to the Metropole to meet Becker there. Then I started back to the West Forty-seventh street station. At the Times Building I saw Becker coming out of the building. That was about 3.30 o'clock A. M.

The witness said he walked with Becker to a newsstand, where Becker bought a paper, looked over it and said: "You are right."

Hawley went with Becker to the West Forty-seventh street station house and lef Becker at the door. Later he joined Becker and about 4.30 o'clock they had breakfast.

The witness swore Becker had not been out of his sight that morning for more than five minutes at a time.

They got breakfast in a small restaurant on Seventh avenue. Then they went back to the station house. Becker and the witness hung around the police station till 8 o'clock.

Q. At any time you were with Becker did Bridgie Webber, Jack Rose or Harry Vallon talk to Becker? A. Not that I know of.

Q. Was the defendant, from the time you joined him, in the vicinity, at or near Webber's poker rooms? A. Not that I know of.

Mr. Hawley admitted that at occasional intervals Becker left him and he left Becker. The witness went to a saloon to telephone and Becker went into the station house. Hawley always found Becker in the station house when he went back there.

The defense was striving to show that the defendant could not have met Jack Rose in front of Bridgie Webber's place on the morning after the murder as Rose, Weber and Vallon swore on the stand.

Q Then you were practically with Becker from 3.30 to 8 o'clock that morning? A. Yes.

Q. Do you know Webber or Rose or Vallon? A. I do not.

Mr. Whitman cross-examined Hawley, beginning by making him admit his entire newspaper career had been in Police Headquarters. He said he had known Becker intimately for a year and a half. Hawley said he had told his city editor of his trips with Becker, but admitted he had not told Deputy Commissioner Dougherty, although he knew he was investigating the charges against Becker. Mr. Whitman attacked Hawley in an effort to get him to give the name of a single person to whom he had told this story, and demanded to know why the reporter had not written the story that he had been continuously with Becekr. Hawley said he had not done so because he didnt know it was important.

"And you didn't know that would have been one of the most important stories that could have been printed in New York?"

Objection overruled.

Q. Why didn't you print that story? A. Because I didn't want the District-Attorney to know what I was going to testify to.

Q. So you wouldn't tell the District-Attorney the truth because you didn't want him to know the truth? A. No.

Mr. Whitman then got the witness to describe the West Forty-seventh street station.

Q. Did you go into the Captain's room that morning? A. I did.

Q. Did you go into the Captain's room before 8 o'clock. A. No, I did not.

"Well, why didn't you?" yelled the Prosecutor.

Mr. McIntyre sprang up and shouted an objection.

"I object to the language of the District-Attorney," cried McIntyre, "and I object to his sneering, contemptuous tone. This witness is a professional man and a gentleman. He desires to be treated as such."

"I think the same applies to counsel for both sides," said the Court, sarcastically. "Mr. District-Attorney, please restrain yourself."

Prosecutor Is Called As Witness for Becker

"Mr. Whitman take the stand," ordered Mr. McIntyre.

"Why?"

"You are called as a witness by the defense."

Q. Were you in the station house where Herman Rosenthal's body was? A. Yes, I got there at twenty minutes to three o'clock.

Q. Was Becker there? A. Yes, in the captain's room.

Q. Did you talk to him? A. I did not.

Q. Was the witness, Hawley, there? A. I do not know.

Q. Were there many people there? A. Quite a few.

Q. When did Becker get there? A. At 3.30 A. M.

Q. Who was then in command? A. I do not recall—a lieutenant.

Q. Where did Becker go? A. I do not know.

Q. When Becker got there wasn't Mr. Dougherty in command? A. I presume he was.

Q. How much of the time you were there did you see Becker? A. A very short time. I was in the captain's room when Becker came in. I was in that room about two hours.

Q. When did you first go into that room? A. About ten minutes to three. I was in and out of that room several times.

Q. The captain's room was situated in what relative position to the lieutenant's desk. A. Southeast of it.

Q. Where was Rosenthal's body? A. In the back of the building.

"How far from the captain's room?"

The Court—This is not material at all.

Q. Did you see Becker examine the murderers' car? A. I did not.

SAW BECKER IN STATION HOUSE AT FOUR O'CLOCK.

Q. Can you fix the time you last saw Becker in the station house? A. About 4 o'clock.

"Did you go to Rosenthal's house in a taxicab?"

Objection sustained.

Q. What hour was that? A. About 5 o'clock in the morning.

Q. Where was Becker then? A. I did not see him at all at that hour.

Q. Have you promised Jack Rose immunity from prosecution if he would testify against Becker? A. I have NOT.

Q. Was there a stipulation signed to which you were a partner? A. There was.

"Does that stipulation promise Rose immunity?"

Objection sustained.

"Will you produce the stipulation?"

Objection sustained.

Q. Have you the stipulation concerncerning Bridgie Webber, Vallon and Schepps? A. Yes.

Q. Will you produce them? A. Yes.

"Will you send for them?" asked Mr. McIntyre.

"I will."

Q. Did you receive the confession written by Jack Rose? A. I have a paper handed me by Rose.

"Will you produce it?"

Objection sustained.

"Did Jack Rose hand you a paper on which was written his connection with the murder of Herman Rosenthal?

The Court—Excluded

"I ask you, Mr. Whitman, to produce that paper.

"Unless directed by the Court I decline to do so."

"I ask the Court to direct."

The Court—I decline to do so on the grounds that it was offered once by the State and declined by the defense.

Mr. McIntyre then demanded the stipulations and the Rose confession and reserved the right to recall Mr. Whitman for further examination upon them.

"Call Jacob Reich, alias Jack Sullivan," ordered Mr. McIntyre.

Sullivan Takes Stand to Give Lie to Rose.

Mr. Whitman did not care to cross-examine himself, and the defense called its star witness, Jack Sullivan, whose real name is Jacob RICH. There was none of the dapper duds in this thick-shouldered, runty prizefighter, king of the newsboys.

Sullivan sat himself down on the edge of the chair as if he feared the back of the chair would burn him. Perched in this manner he threw out his square, blunt jaw and began chopping out his answers in thick chunks. There was none of the Rose or Schepps polish about this witness, and his attitude the exact opposite of grace and fastidiousness. He wore a new blue suit, which fitted him like a bag, a low turndown collar and a striped necktie.

While Sullivan was standing behind the jury box waiting to take the stand Mr. McIntyre argued long for the Rose confession, Justice Goff finally ruling that Mr. Whitman might produce it if the defense agreed to put it in evidence.

"Jacob Abraham Rich" Sullivan gave as his real name, with his age as thirty-three.

"I live at No. 540 West One Hundred and Forty-third street," he said. "For the past twenty-five years I have been in the newspaper business. I sold papers for fifteen years and for ten years worked for The World, Journal, American, Mail and Globe. For three years I have worked for the Curtis Publishing Company. I founded the Newsboys' Home in 1905. Fifteen per cent. of the newsboys have no home, and I wanted to make good citizens of them. We built an $90,000 home for them. I raised the money"—

The Court—This is excluded.

"How did you make your living as a child?"

The Court—Excluded.

"When did you take the name of Jack Sullivan?"

The Court—Excluded.

Q. Do you know, Rose, Webber, Vallon, Scheppa and Becker? A. Yes.

Q. How long have you known Rose, Vallon, Webber and Scheppa? A. Eighteen years.

Q. How long have you known Becker? A. Seven years.

Q. Where did you see Becker on July 15? A. I went to the fights at Madison Square Garden with a friend of mine, a newspaper man, Deacon Terry. As we went to get a drink we saw Becker. Then I came back and sat in a box next to Sa Hmarris and George M Cohan. After the fights were over my friend, Deacon Terry, and I started out. We met Becker and went over to the Prince George Hotel, where we had a lot of drinks.

Q. Before you met Becker on that night did you meet Deputy Asstant District-Attorney James L. Smith? A. I don't remember.

Q. Do you remember dining with him that night? A. Not that night, but I had dined with him before then. I went to the theatre with him, too, wit hhis wife and my wife.

Sullivan said he got to the Prince George Hotel at 11.45 o'clock and sat down with Becker and Terry. They talked prize fighting for a while. Then Becker took Terry to the Hudson Terminal at Thirty-third street in Col. Sternberger's car. Sullivan told of riding with Becker down to the World office and back to Forty-second street and Sixth Avenue.

"Perhaps," interview Mr. McIntyre, "I should state to the Court at this time that this witness is under indictment for murder for the same crime with which the defendant in this case is charged."

COURT ADVISES WITNESS OF HIS LEGAL RIGHTS.

"In view of this statement," said Justice Goff, "I must advise the witness that he need not answer any question put to him that would in any way involve him as a participant in this crime. The Court advises the witness that he may refuse to answer questions without stating the reason therefore."

"In view of what the Court has said," asked McIntyre, "are you still willing to testify?"

"I certainly am, sir!" returned Sullivan in a voice that was little fainter than a shout.

The Court—Has the witness counsel? A. Yes, sir.

Q. (By Mr. McIntyre)—When you got off the auto in what direction did Becker go? A. Toward Broadway.

Q. Did you see him again that night? A. No.

This was in direct conflict to the testimony of Rose, Vallon and Webber that Sullivan was with Becker when they conferred after the murder.

Q. When next did you see Becker? A. In Mr. Hart's office next day.

Q. Next? A. In the counsel room at the Tombs.

Q. Did you see Webber, Rose and Vallon there? A. Yes; in the counsel room, but their cells were below mine.

Q. When did you first see them? A. I saw Webber on July 26 in the exercise hall in the Tombs. Sam Paul was with him. Webber spoke first.

Q. Let me carry you back. Did you have an appointment with Schepps in the Garden Restaurant on July 15, A. No; I had agreed to meet Rose and some newspaper men there.

"Where were you o nthe night Rosenthal was killed?"

The Court—Excluded.

IN WEBBER'S PLACE ON NIGHT OF MURDER.

Q. Were you in Bridgie Webber's place? A. Yes. I was there looking for Sam Paul. He wasn't there. It was nearly 2 o'clock and I started to the Lincoln to find Paul. I got to George M. Cohan's Theatre to get a glass of soda.

Q. What time was that? A. Five minutes to 2.

Q. Then what did you do? A. Well, when I had my soda, see, the boy who served me my soda was standing outside, see, and I said, "Say, you come back in here or some one will steal that cash register, see!" Den I see a big crowd runnin' toward the Metropole, see, so I takes my sparkler outer my tie, see! 'cause you see I knowed dat crowd. I walked slowly and I got in between the crowd. I tried to shove my way in and Dave Mendelsohn, the outside man for Webber, got in my way.

"I tried to push my way through the crowd and an officer stopped me. I kept on shoving and I said: I'm a news-

(Continued on Fourth Page.)

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SPECIAL
1 1/2 CARAT SOLITAIRE DIAMOND RING $65
A blue white diamond, perfectly cut, full of fire; can be returned if you can duplicate under $125; will loan $50 any time.
Elgin or Waltham Watch, 20 year case. Wonderful value. None to dealers.... $5
WEDDING RINGS
Price $2.50 to $25. Quality Guaranteed
CASPERFELD & CLEVELAND
144 Bowery Bowery Savings Bank Block.
NORTH OF GRAND ST. "L" STATION.
Open Evenings till 7. Saturday till 10.

IF YOU
knew how much more value we give at our two stores than you get elsewhere in Ladies', Gentlemen's and Children's
CLOTHING
Furs and Fur Coats
you would positively come here, especially when you consider our easy terms on anything you select.
NO MONEY DOWN $1 A WEEK
Lenox Clothing Co
2274 3d Av. Bet. 123d & 124th | 7 W. 14TH St. Bet. 5th & 6th Ave.
Open Evenings Until 9 P. M.

THIS WEEK'S SPECIAL
Ball-Bearing Roller Skates
$1.09
Regular $2.50 Value. Nickel-Plated. Adjustable to Any Size. Mail or Phone Orders Filled

$1 A WEEK
Buys Any Victor
Victor X. $100.
Other Victrolas $15 Up
A full stock of all the latest Records
I. DAVEGA, Jr.
Harlem's Leading Sporting Goods House.
123-125 W. 125th St.
Between Lenox and 7th Aves.
Open Every Evening

$1 CREDIT PER WEEK will keep you and your family well dressed in the latest styles. LADIES' AND GENTLEMEN'S CLOTHING, FURS AND FUR COATS at the lowest prices.
MANHATTAN CLOTHING CO.
1248 3d Ave., cor. 72d St. Open Eves.

Don't Torture Children
When Giving Them a Physic
Just Give Them
EX-LAX
The Delicious Chocolate Laxative
Children eat it eagerly, because it is pure chocolate all through, with a tasteless remedy in it that aids the bowels to do their work properly. Ex-Lax prevents as well as removes the evils that come from clogged bowels. Never causes griping.
Ideal Laxative for the Whole Family
10c and 25c at all Druggists'

CANDY
PENNY A POUND PROFIT
Trade Mark

Special for Friday, Oct. 18
ASSORTED FRUIT AND NUT BUTTER CUPS—Glittening satin-like covering of pure crystallized sugar, pillow shaped, with an exceptionally delicious center of chopped nuts and fruits. 25c value. POUND BOX 10c

Special for Saturday, Oct. 19
CHOCOLATE COVERED CREOLE PEPPERMINTS—A center of wholesome cream, with a really new peppermint flavor, covered by a thick coat of pure chocolate. 25c value elsewhere. POUND BOX 10c

SPECIAL FOR FRIDAY AND SATURDAY
CHOCOLATE COVERED COCOA-NUT ROYALS—Shredded coconnut, plus pure fondant cream, plus wholesome chocolate—result? A confection of rare deliciousness. Our regular 25c goods. POUND BOX 19c
SMOOTH JORDAN ALMONDS—Large sweet Jordan Almonds, smothered 'neath a thin coating of purest sugar. Our regular 25c goods..... POUND BOX 25c

OFFERINGS FOR FRIDAY AND SATURDAY
MILK CHOCOLATE COVERED MARSHMALLOWS—Centers of sweetly flavored, fluffy marshmallow, pure, wholesome and dainty, covered generously with a blanket of our Premium Milk Chocolate. POUND BOX 39c
NESSELRODE CHOCOLATES—A tasty fruit center of unusual richness covered liberally by bitter sweet chocolate. Broadway's $1.00 offering here for POUND BOX 60c

Park Row and Cortlandt Street stores open every evening until 11 o'clock. All our stores open Saturday evening until 11 o'clock.

MILK CHOCOLATE COVERED MARASCHINO CHERRIES—Ripe Maraschino Cherries, selected for their lusciousness, floating in their natural juices inside an outer blanket of our Premium Milk Chocolate. POUND BOX 39c

Loft 5 Stores
54 BARCLAY St. Cor. West Broadway
29 CORTLANDT St. Cor. Church St.
PARK ROW & NASSAU At City Hall Park
206 BROADWAY Cor. Fulton St.
147 NASSAU ST. Near Beekman St.
The specified weights in each instance include the container.

DIED

GREEN.—At Belle Haven, Conn., on the 18th day of October, 1912, ESTHER GREEN, wife of Adolphus W. Green. Funeral services will be held at St. Mary's Church, Greenwich, on Sunday, Oct. 20, at 2.30 P. M. Special cars will be attached to New York, New Haven and Hartford Railroad train leaving Grand Central Station at 1.05 P. M.

MEEHAN.—On Thursday, Oct. 17, 1912, ALICE H. MEEHAN, beloved daughter of Michael and Margaret Meehan, nee Mahoney.

Funeral from her late residence, 4236 Carpenter av., Bronx, thence to Church of St. Frances of Rome, Wakefield, on Saturday, 10 A. M. Interment Calvary Cemetery. Kindly omit flowers.

LOST, FOUND AND REWARDS.

LOST—In neighborhood 45th st. and 5th av., gold cuff link, containing ruby and diamonds set in form horseshoe; reward. Return 542 5th av., room 54.

World Wants Work Wonders.