

moving toward Mr. Cockran with clenched fists. "I did not."

"Your secretary did," retorted Mr. Cockran. Justice Seabury sharply demanded order.

In his argument Mr. Cockran managed to convey the impression that a reporter named George Flannery, employed by the New York City News Association, had made an affidavit stating that the alleged Dresser interview was given out by the District-Attorney. Examination of the affidavit shows that it is not signed by Flannery, but by John Francis, a newspaper man, who is said to be associated with Mr. Manton and Mr. Cockran.

The affidavit recites that the deponent, Francis, was told by Flannery that the alleged Dresser interview was handed to reporters Monday afternoon by District-Attorney Whitman's secretary, who pledged these reporters to print the statement in the form of an interview with Dresser in the Tomb. Flannery did not make any affidavit of any kind, but he does not deny the truth of the statement in the Francis affidavit that the alleged interview came from Mr. Whitman's secretary in manifold typewritten form.

WHITMAN QUOTES COCKRAN HIMSELF ON BECKER. District-Attorney Whitman was considerably wrought up over the direct charge made by Mr. Cockran that he gave out the Dresser alleged interview for the purpose of inflaming the public mind against Becker. During the court recess Mr. Whitman said to reporters that he could have shown, had the rules of the court permitted, that Mr. Cockran on at least one occasion had given the public a most unfavorable opinion of Becker.

That was on Jan. 25, 1913, at a dinner given to Frank Moss, who as an assistant district-attorney conducted the first Becker trial. Mr. Cockran made a speech at the dinner lauding the District-Attorney and Mr. Moss for the conviction of Becker, and saying that Becker had prostituted his office and his uniform and had conspired to commit murder.

At the outset of the session, as soon as Mr. Whitman had moved the trial of Becker, Mr. Cockran began his attack on Mr. Whitman, rising to the full dignity of his big frame and waving a bunch of papers in his hand at the District-Attorney. "In all with all respect and deference to the court that I appear here to submit a motion which I greatly regret to be compelled to offer," he began. "It is a motion which I now have my only opportunity to offer. It is a judgment which should be considered here. I ask for a judgment that be" (Mr. Cockran pointed at Mr. Whitman, who was smiling at him, and raised his big voice to its full volume) "is in contempt of court, committed in the presence of the court. I have affidavits to show that he has uttered, within twenty-four hours, statements which gravely offend the rights of this defendant to a fair trial."

"If it is your purpose to ask for a contempt judgment," said Justice Seabury, "the motion is not now in order and does not affect the motion for trial. I shall take it under advisement at the proper time."

"With all due respect and proper submission to the court," said Mr. Cockran, "this contempt, committed physically outside the courtroom, was done the less deliberately designed to influence these proceedings fairly."

Mr. Cockran asked for an adjournment until 1 o'clock. The motion was denied. Throwing up his hands, Mr. Cockran allowed them to slap against his thighs. He bowed low and returned his battle.

TRIES NEXT FOR CHANGE OF VENUE. "Then," he said, "I am compelled to make a motion for which I am insufficiently prepared. If an adjournment is not allowed on this ground I ask for an adjournment to present a motion for a change of venue. The statement coming from the District-Attorney's office within twenty-four hours has entirely changed our plans. We do not now believe that this defendant can have a fair trial in this jurisdiction."

Mr. Whitman rose to speak. Justice Seabury forestalled him. "The trial has been moved; your present remarks are hardly in order," he said. Mr. Cockran promptly formally moved for a change of venue. "I have here affidavits to show that statements were prepared and given out in the District-Attorney's office yesterday with the deliberate and shameful purpose of affecting this case." Mr. Whitman said something; Mr. Cockran raised his voice and outcried him, continuing: "We have here the facts telling how the reporters were especially summoned to the District-Attorney's office; how this unfair statement was given to them in typewritten form, but with the intention that it must not be attributed to the District-Attorney's office, but described as having come from the Tomb. For this culminating atrocity the District-Attorney is directly responsible."

WHITMAN PUTS BLAME ON BECKER. "I have not been served," said Mr. Whitman. "There has been no chance to serve any one," shouted Mr. Cockran. "This was only yesterday. We were working on them far into the night. He can have them now."

The court asked to see the affidavits. Mr. Cockran handed them to the clerk.

up, remarking again on the "in-audacious plot to affect the talesman already impelled by this statement, purporting to proceed from the heart of a repentant perjurer, but actually prepared in the office of the District-Attorney for purposes of publicity, malevolently timed."

He showed newspaper headlines of yesterday in support of his position. They told of Dresser's statement that he was hired by John Becker, Charles Becker's brother to perjure himself in an effort to save the four gunmen from execution.

"I was not at my office yesterday," said Mr. Whitman. "I do not know whether the statement went from my office or from the Tomb." "The affidavits," said Mr. Cockran, "are —" He was called to order. Mr. Whitman deprecated the publicity attaching to the conduct of the case and blamed much of it on Becker and his attorneys. He complained that facts regarding witnesses he had in seclusion had leaked into the newspapers in the last few hours.

Justice Seabury denied the motion for the change of venue and ordered the picking of the jury to go on. Mr. Cockran asked for an adjournment to further prepare his case as affected by the new complications. Pleas for two hours, half an hour's delay were denied.

"I shall not know how to remain—how to examine jurors," he said, "if this plea is not granted."

COCKRAN LEAVES THE COURT-ROOM. "This Court," said Justice Seabury sternly, "cannot allow itself to be ruled by a statement from counsel that he will not go on with a case unless this or that is done. You will proceed."

Mr. Cockran bowed, gathered up his papers, coat and hat and strode out of the room. The questioning of talesmen then began. Charles Murdoch, book salesman, was accused of bias. Hector Rosenfeld, cloak manufacturer, was challenged by the defense. Matthew Webb Jr., a real estate agent, Daniel W. McKay, a salesman, were excused for cause. C. C. Hostwick and Daniel McGowan, a retired policeman, and William S. Sheehan, a builder, were challenged by the prosecution.

Becker was waiting in the custody of two officers just outside the door at the back of the courtroom when Clerk Penny called, "Charles Becker to the bar!" His eye was clear and he walked like an athlete. There was no suggestion in his florid complexion of the long months of prison routine he has known. When Mr. Cockran left court Martin T. Manton, his partner and Becker's attorney of record, took his place. He called Justice Seabury's attention to the presence of Mrs. Becker in court and asked that she be allowed to sit near her husband. Justice Seabury hesitated. Mr. Manton somewhat urgently repeated the demand. Mrs. Becker might at least sit in the enclosure reserved for outside counsel, he suggested, adding that someone had told her to leave the courtroom. Mr. Whitman said he did not mind her being in court "if she was not to be a witness."

MRS. BECKER SEATED NEAR HUSBAND. "I don't know whether or not she is to be a witness," snapped Mr. Manton. Mr. Whitman replied: "Oh, let her sit where she wants to."

Mr. Manton called Mrs. Becker from the back row and she was shown to the enclosed space at the left of her husband.

The examination of talesmen from the special panel of two hundred and fifty was conducted with rapidity. The first juror accepted was F. Meredith Blagden, a bond salesman for Redmond & Co., living with his father at No. 16 East Tenth street. He is twenty-eight years old, a graduate of Harvard College and was two years a student at the Harvard University High School.

William J. Dalton, an advertising agent at No. 125 West One Hundred and thirty-ninth street, was the second juror accepted. He had read of the case and had talked with others about it since he was summoned as a talesman. He could remember nothing he said except that he "hoped he could get out of serving."

He admitted having trouble with the police, but it was waived when he explained that the occasion was an arrest for automobile speeding. Mr. Dalton said he had been married twelve years. At 1 o'clock, out of twenty-three talesmen, two had been accepted, thirteen had been excused, six challenged by the prosecution and two by the defense.

James M. Faust, the third juror, was accepted at 1:15 o'clock. Like the other two, he is under forty years old and by his answers indicated a good natured feeling toward the police generally. He was the thirty-seventh talesman examined. District Attorney Whitman undertook all the work of examining the talesmen, entering into consultation with Mr. Delehanty and Mr. Groehl, while Mr. Manton was asking questions.

Mr. Manton, following up the charges made against Mr. Whitman by Mr. Cockran, asked each talesman whether he had read the newspapers in the last few days and whether what was printed had affected the talesman's opinion. Questions were also directed to learning whether talesmen knew the new witness, Harry Cohen.

a chemist and formerly a silk manufacturer. He has a wife but no family and no fixed opinions regarding the Becker case. He was the fortieth talesman. The prosecution, when he was chosen, had used six challenges and the defense four.

UNABATED INTEREST AT SECOND TRIAL. The time which has passed since Becker's first conviction and sentence, almost a month ago, has not lessened interest in New York's most celebrated murder case, judging by the crowds that tried to get into the courtroom. The execution of the four gunmen for the crime charged against Becker made Becker's plight seem the more dramatic. A part of the corridor of the main floor of the Criminal Court Building was blocked off with benches and only persons holding tickets issued by Clerk Penny were admitted. The rest of the floor was packed.

Along the railings of the balconies looking down into the rotunda, were row above row of curious faces. The wildest of rumors flashed among the fillers. A subpoena server with a summons and complaint in a civil suit against Jack Rose made inquiries for this chief witness of the prosecution and instantly started a tale that a desperate crew of gunmen was lurking about the building lying in wait. There was some shoving and sharp hustling through the crowd, which shivered expectantly until the truth came out.

The police had to jump forward to clear a way for Mrs. Helen Becker, who alone somebody recognized her and called her name and the hundreds pressed forward. Keeping her head high and showing excellent color, she acknowledged the aid of the policemen with a smile and took a seat at the back of the courtroom. Martin T. Manton, the successor of John F. McIntyre and Joseph A. Shay as Becker's counsel, entered court at 10:30 o'clock. His partner, W. Bourke Cockran, who has not before appeared in the case, was with him. District-Attorney Whitman and James A. Delehanty, Frederick J. Groehl and John F. Minton Jr. were early on hand. Justice Seabury appeared on the bench at 10:40 o'clock.

The prosecution, it is said, has six new witnesses, but the name of only one is known. This is Harry Cohen, better known as "Moe Levy," a chauffeur. According to the prosecution it was Cohen who drove Rose and Vallon to the alleged conference with Becker at One Hundred and Twenty-fourth street and Seventh avenue the latter part of June, 1912, and it was at the conference that details of the murder were agreed on. Cohen drove an affidavit that he did not drive any of the conspirators, and it was used by the defense. It is understood he has now repudiated the affidavit and made one saying he did drive Rose and Vallon, and saw Rose, Webber and Vallon talking to Becker.

WHETHER BECKER WILL TAKE STAND OR NOT IS DOUBTFUL. The exact date of the conference, which the Court of Appeals called "the heart of the conspiracy," has never been fixed, and it is not known whether Cohen is able to establish the date. It is said Cohen's story of why he made his affidavit for the defense may prove interesting. Whether Becker is to take the stand seems uncertain. It is generally believed about the Criminal Court Building that it will depend on the strength developed by the prosecution, and that no definite decision may be reached until the prosecution has closed.

Justice Seabury has announced he will sit from 10:30 in the morning until 1:30. One hour and a half will be allowed for lunch to permit the jurors to go to a hotel—probably the Murray Hill—where they are to be locked up each night. Capt. Lynch of the Supreme Court squad and twelve picked assistants will police the court room and take charge of the jury.

Becker was put on trial the first time Oct. 7, 1912, and found guilty seven days later. He was sentenced to die during the week beginning Dec. 5, but his appeal acted as a stay. In February of this year the conviction was set aside and a new trial granted him. At the same time the four gunmen, who were proved the actual murderers of Rosenfeld, were sentenced to hang against their affirmed. They were executed April 13 last.

SIMULTANEOUS ATTACK ON CITIES IS PLANNED

Villa Will Lead at Saltillo, With Herrera and Benavides at San Luis Potosi.

TORREON, Mexico, May 6.—Preparations under way here have made it evident that the plan of campaign of Gen. Villa against the Federals provides for a simultaneous attack on Saltillo and San Luis Potosi. He, himself, will lead the attack on Saltillo, while Gen. Macovic Herrera and Gen. Benavides will lead a strong force against San Luis Potosi.

The attack on San Luis Potosi will practically isolate the Saltillo garrison. Should the Federals, under Gen. Joaquin Maas, be unable to hold Saltillo nothing would remain for them but surrender or death by hunger and thirst, if they were cut off from San Luis Potosi by an attacking force there. There are approximately ten thousand men in the garrison at Saltillo now and about six thousand in San Luis Potosi. The Constitutional army, under Gen. Pablo Gonzales, has already engaged the Federal outposts at Saltillo, according to messages brought to Gen. Villa by native runners early today. Villa will go to Saltillo within a few hours to take command. More than 10,000 soldiers passed in review before Villa here yesterday in observance of the fifth of May national holiday.

WILSON APPROVES GEN. VILLA'S DEEDS, SENATOR DECLARES

Lippitt Says American Rifles Responsible for Murderous Carnival in Northern Mexico.

STONE BACKS ACTS.

Declares Whole Nation Supports President in All His Actions in Mexico.

WASHINGTON, May 6.—"American bullets, fired from American guns, have played their part in the murderous carnival which has been steepening the world with its details in Northern Mexico for the last year, and those bullets and guns were put in the hands of Villa and his associates with the consent, approval and encouragement of the President of the United States."

This was the declaration of Senator Lippitt of Rhode Island in the Senate this afternoon, championing his resolution calling upon the President for information regarding the report that he was in sympathy with the movement to make Villa President of Mexico at the conclusion of the present hostilities.

The resolution was tabled. "The suggestion that this Administration would have anything to do with the placing of such a man as Villa in the saddle of Mexico has been so sickening to me that I was loath to believe it," he continued, "but it is being forced upon me that the purpose of this Administration is to do that very thing."

"Up to date no effort has been made to get any satisfaction for American lives and property that have been lost through outrages permitted by the men in control in Northern Mexico. "I am fighting only Gen. Huerta and those who gave him their support. In one part of Mexico there has been peace and order for a year, and in the other part there has been a perfect carnival of crime. Apparently it is the definite purpose to aid and assist those people responsible for the atrocities in Northern Mexico and to discourage the people who have maintained law and order in the section surrounding the City of Mexico."

Senator Lippitt spoke of the Vera Cruz incident and the loss of Mexican lives as showing the length to which the Administration has gone to support the movement of war from getting into Huerta's hands. "I know what the Senator meant," said Senator Stone. "He meant to charge with the President with the death of 200 innocent Mexicans—think of it—innocent Mexicans at Vera Cruz. "The Rhode Island Senator seems to regard the Mexican army as a bunch of pro-Mexicans. Why, all the country approves of what the President did at Vera Cruz, with the possible exception of the Senator from Rhode Island."

"I neither condone Villa's acts nor do I agree with the Rhode Island Senator, who is a man guilty of treason and whose hands are red with the blood of his chieftain. "The Senator from Rhode Island was hasty at Vera Cruz because a German vessel was approaching laden with arms and munitions of war for Huerta and his army. I stand by the President what he has done. The President was taking the only means to enforce the ultimatum and make Huerta apologize."

The Senator from Rhode Island advises the Administration that it should have remained inactive until the rapid firing cannon, which he has charged with the millions of rounds of ammunition, had been delivered into the hands of the men who would fire at our flag and our soldiers when they landed at Vera Cruz. "If Carranza and Villa care to prosecute the war they have declared on Huerta I do not believe it is the intention of the Administration or of Congress or of the people of the United States to force war upon them," added Senator Stone. "If they come on as they are now doing, I confess I see no reason for opening hostilities upon them."

CONGRESS ADJOURNS JULY 10

WASHINGTON, May 6.—Congress will adjourn by July 10. That was the confident prediction of Senator Kern, Democratic leader of the Senate, after a conference with President Wilson by a sub-committee consisting of himself and Senators O'Gorman and Hoke Smith to-day.

GERMANS THANKED FOR AIDING AMERICANS. BERLIN, May 6.—James W. Gerard, United States Ambassador at Berlin, to-day received instructions from the State Department at Washington to make a formal expression of thanks to the German Government for the energetic assistance given by the German Government and crew of the German cruiser Dresden, in rescuing American refugees at Tampico.

PURE DELICIOUS WHOLESOME

Advertisement for Golden's Mustard, featuring a jar of mustard and the text: "To enjoy Sandwiches, Cheese or Hot and Cold Meats, USE GOLDEN'S READY TO USE. 10 CENTS."

Splash! Help! Too Late! Rubber Suit Saved Him



A crowd which thronged Pier A on the North River to-day watched four men as they demonstrated the efficiency of specially constructed rubber suits as life saving devices. When the exhibition ended the crowd and representatives of several steamship companies voted the demonstration a success. The suits, invented by David N. Aud, who was one of the demonstrators, were donned in ten minutes. Shoes weighing five pounds were first put on and then a regulation cork buoy was placed about each man's waist. Over all a one-piece rubber suit, fitting loosely, to permit the carrying of a certain amount of food supplies, was laced up to the neck. The demonstrators jumped from boats and piles and walked about in the water without difficulty. Even when the jumps were made their heads did not disappear, while afterward both head and shoulders were above the surface. It is claimed by the inventor that the suits will prevent death from cold.

FUNSTON TOLD TO ADVANCE AS FAR AS NECESSARY; BATTLE EXPECTED

jeopardy than the others. None of the delegation would discuss the nature of the conference and Secretary Bryan would not disclose the name of the property for which special protection was sought. He explained that while most of the interests represented by his visitors were American owned, one representative controlled English owned property. The delegation also wanted to know what protection would be accorded American refugees returning to Tampico. Mr. Bryan told them that Consul Miller has reopened the American Consulate under promise of protection by the Federal commander and that both of the Mexican warring factions in Tampico had agreed not to attack the oil properties. He called upon Consul-General Miller to report on all the inquiries made by the delegation. The South American envoys called at the State Department a few minutes after noon and went into conference with Secretary Bryan. After a short session one of the mediators decided to proceed without Carranza. The possibility that the attitude of the chief of the Constitutionalist was merely temporary was considered doubtful by the mediators. Gen. Funston is sending up daily despatches of protest against the restricted position of his forces at Vera Cruz. These messages vary from alarmist reports of threatening activity by Huerta's soldiers outside the city to predictions of danger from tropical fever and the limited food supply within the city. Another demand of the general staff is for permission to send more soldiers to reinforce the 10,000 now at Vera Cruz. Funston is clamoring for more men. The staff, endorsing his demand, assert that there is every good reason why another brigade should be sent now, and no good reason why he should be handicapped with a force that is barely sufficient for defense and totally inadequate for advance. If the time for an aggression should come it will be necessary to strike quick and hard. Funston could do neither and precious opportunities would be lost waiting for soldiers that are now lying idle at Galveston.

Admiral Badger reported to the Navy Department to-day that Constitutional forces made a sharp attack yesterday upon Federal troops in the northwestern portion of the province of Vera Cruz and to the west of Tampico. There was no decisive result, as far as he could learn, the report stated. Admiral Badger's report said further that Admiral Mayo informed him of persistent rumors current about Tampico that Gen. Villa was on his way with reinforcements for the Constitutionalist and intended "to take and burn the city."

Admiral Mayo stated that he did not put the slightest faith in the rumor supposed to have been artfully spread between the Constitutionalist and Federalists at Tampico. There had been no trouble recently in the oil well district, he said. A large party from New York, representing American oil interests at Tampico, asked Secretary Bryan to-day what steps had been taken to protect the oil properties in the Tampico district and urged Mr. Bryan to take immediate steps to safeguard one property thought to be in greater

their shoulders," and the slightest incident is liable to lead to skirmishing and reprisal attacks. Gen. Funston reported to the War Department to-day that he had no definite information regarding movements of Mexican troops and said he thought it probable that such concentration of the Mexican forces had been only for the purpose of defending the lines of railroads to Mexico City in case the United States troops should advance. Mexican natives reported that the track of the Interocceanic Railroad was being torn up. Adm. Badger reported to the Navy Department to-day that Constitutional forces made a sharp attack yesterday upon Federal troops in the northwestern portion of the province of Vera Cruz and to the west of Tampico. There was no decisive result, as far as he could learn, the report stated.

Advertisement for The Candy Penny a Pound Profit, featuring a large 'C' logo and text: "THE Heart of This Big Candy Making Organization... Penny a Pound Profit... Special for Wednesday... Special for Thursday... PURE DELICIOUS WHOLESOME... Let Us Tempt You with the Following: GLACE FRUITS and NUTS... SPECIAL ASSORTED CHOCOLATE... 10c, 10c, 19c, 34c... 147th Street and Third Avenue."

"SWEET MARIE" GETS GO DAYS FOR THREAT TO KILL JOHN D. JR.

Magistrate Imposes Short Sentence Because He Thinks Her a "Tool."

"Sweet Marie" Gants, who has publicly threatened to kill John D. Rockefeller Jr., and who has advised the use of dynamite instead of oratory in a fight on capitalists, was found guilty of disorderly conduct by Magistrate Daniel Murphy this afternoon and sentenced to serve sixty days in the workhouse on Blackwell's Island. Her counsel, K. Henry Rosenberg, announced that he will apply to the Court of General Sessions to-morrow for permission to take an appeal, but until the appeal question is settled the young woman must remain in the workhouse. The hearing was held at No. 300 Mulberry street in the office of the Chief Magistrate. Mr. Rosenberg will base his appeal on the contention that the proceedings should have been held in Centre Street Police Court, where the hearing started yesterday, and that Magistrate Murphy, by arbitrarily transferring the case to No. 300 Mulberry street, exceeded his jurisdiction. Half a dozen police officers told of the language used by "Sweet Marie" at various times in various public places. In pronouncing sentence Magistrate Murphy said: "There is no doubt as to the truth of the statements made by the policeman or as to the guilt of the defendant. But I believe she is the tool of

Advertisement for Original Genuine Horlicks Malted Milk, featuring an image of a woman and child and text: "Others are Imitations... The Food-Drink for all Ages... Pure nutrition, upbuilding the whole body... Ask for HORLICK'S."

D. PRICE & COMPANY Sixth Ave. Cor. 18th Street

New Styles That Have Just Arrived Added To This GREAT REDUCTION SALE

Women's and Misses' Suits Values to \$32.50 \$9.95 Values to \$32.50



Front and back view of one of the models in this sale, at \$9.95. Front and back view of one of the models in this sale, at \$9.95. We have made no exceptions in reducing our suit stock—suits that have just arrived and that are being sold all over New York at top prices, are subjected to the most radical reductions in order to enter this \$9.95 Sale.

Suits with the new Russian tunic skirts—Suits with the smart Roman stripe combinations—Suits with the fashionable white pique collars and vests—Suits with the rich taffeta and moire combinations—formerly priced as high as \$32.50—\$9.95 all at...

Most of the suits are lined with fine peau de cygne, although an innovation, shown in some of the lately arrived models, is to have the suit entirely unlined, making it particularly appropriate for wear all summer.

All Sizes from 14 to 44. Important—Alterations Free.

Advertisement for NEW Company for the Coast Artillery Reserves, featuring text: "Young men wishing to join must apply Wednesday or Thursday evening, May 6th and 7th, Eighth Artillery District Armory, 84th Street and Park Avenue. This is your chance to join and be entitled to all the athletic and other advantages to be had at the new Armory, the largest and finest in the World. Four and a half times larger than Madison Square Garden."

older persons with vicious tendencies. "Were she a ringleader, I should sentence her to six months in the workhouse, the extreme penalty. As a tool, she deserves punishment, and whatever sympathy the Court may feel for her position, must be subordinated to his duty to the community."

AMERICANS WOUNDED IN BATTLE AT MINES

Englishmen Are Reported Killed in Same Battle at Hostalpaquillo, Mexico.

GUADALAJARA, Mexico, May 6.—Rumors from the interior reaching here to-day declared that Walter Neal and Patrick Baird, both Americans, had been wounded, and C. B. Helly and G. H. Williams, English citizens, had been killed in trouble at the El Favor mines at Hostalpaquillo. The stories declared that a riot of mine workers had resulted in the casualties.

Advertisement for Original Genuine Horlicks Malted Milk, featuring an image of a woman and child and text: "Others are Imitations... The Food-Drink for all Ages... Pure nutrition, upbuilding the whole body... Ask for HORLICK'S."

HELP WANTED—FEMALE.

GITH, Norwegian, experienced for general book work, family and country for summer; good wages and pleasant surroundings. Call Theodor before 11 and 12 501 McDonough st., Brooklyn, carefree maid.

Advertisement for Raffles, featuring text: "BY THE AUTHOR OF 'RAFFLES.' A thrilling new serial story by E. W. Hornung begins in Sunday World, May 10th. Edition limited. Order from newsdealer to-day."