

GERMANS LOSE AT MANY POINTS, SAYS PARIS

WEATHER—Fair to-night and Tuesday. Colder.

FINAL EDITION

The



World.

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HIGHEST COURT ORDERS THAW BACK TO HIS MATTEAWAN CELL AT ONCE

BATTERIES SMASHED, TRENCHES CAPTURED ON WHOLE ALLIED LINE

Paris War Office Mentions Gains at Lens, at Albert, in the Champagne and Argonne Districts and Along Heights of the Meuse.

PARIS, Dec. 21 (Associated Press).—Progress all along the line is claimed in the French official statement given out in Paris this afternoon. There is not one mention of a German success or a French repulse.

Gains are recorded in Belgium; between the Lys and the Aisne; in the Champagne country and in the Argonne. At one point an advance of 1,200 yards is recorded, and at another the French made 500 yards.

Progress has been made between the Argonne and the Meuse, on the right bank of the Meuse and on the heights of the Meuse. The French heavy artillery is described as having been successful on the Aisne, near Rheims and elsewhere. The text of the communication follows:

"The day of Dec. 20 brought nothing of importance in Belgium, if exception is made of some progress in the region of Loubaertzyde and St. Georges, and at a point to the southeast of the town of Kortaker, which is southeast of Bixchoote; the occupation of some houses in Wartelem, south of Zillebeke, and the bombardment by the enemy of the Ypres hospital.

FRENCH WITHIN FIVE MILES OF LENS.

"Between the Lys and the Aisne we have occupied a forest near the route between Noulette and Souchez, and we also took possession of all the first line of German trenches between this highway and the first houses of Notre Dame de Lorette, southwest of Loos. The enemy has bombarded Arras."

[This indicates that in their movement upon Lens the French have advanced to within five miles of that town on the west and within two and a half miles on the northeast. Loos, where the first line of trenches were occupied, is to the northeast.]

"Our heavy artillery silenced on repeated occasions the artillery of the enemy to the north of Carnoy, which is to the east of Albert. This artillery also demolished the German trenches and smashed two cannon of a battery established near Hom, which is to the southeast of Carnoy. The heavy artillery also secured distinct advantages on the Aisne and in the section of Rheims.

[Carnoy, southeast of which the guns were destroyed, is five miles beyond Albert and more than one-third of the distance on the main road to Peronne.]

1,200 YARDS OF TRENCHES TAKEN.

"In the Champagne, in the region of Prosnès, Perthes and Beausjour, as well as in the Argonne, we made along our entire front appreciable advances. This is particularly so to the northeast of Beausjour, where we won and occupied 1,200 yards of the enemy's trenches. In the Forest of La Grurie we blew up four mined saps and we established ourselves in the positions thus made.

"Between the Argonne and the Meuse there has been progress along all the front, particularly in the region of Varennes—where the brook of Cheppes has been left 500 yards in our rear—and in the region of Gercourt-Bethincourt.

"On the right bank of the Meuse we have gained ground at La Croupe—a point two kilometres northwest of Brabant and in the forest of Consenvoye."

Trenches Stormed and Taken, Attacks Repulsed, Says Berlin

BERLIN (via wireless to London), Dec. 21 (United Press).—The official statement issued by the War Office to-day says:

"Yesterday we stormed and captured trenches held by Indian troops. They lost heavily. We took one cannon, five machine guns, two mine throwers and 270 prisoners, including ten officers.

"French attacks northeast of Chalons were repulsed. We took four officers and 310 men prisoners.

"In the Argonne we captured an important hill, three machine guns, one revolver cannon and 275 prisoners. French attacks northwest of Verdun failed."

German Cruiser Reported Sunk Off the Coast of Scotland

LONDON, Dec. 21 (Associated Press).—There are persistent rumors that a German cruiser has been sunk off the coast of Scotland. It is also rumored that two British destroyers arrived at Leith, Scotland, badly damaged.

DETECTIVES FOIL DAYLIGHT HOLDUP, TAKE 4 PRISONERS

Battle With Robbers in Hallway After Shadowing Them for Hours.

GUN AT CLERK'S HEAD.

Bold Attempt to Get Firm's Payroll Money in Twenty-Third Street Fails.

Morris Lieberman, shipping clerk of the Star Pleating Company, No. 197 West Twenty-third Street, went out at 1 o'clock this afternoon to draw from the bank \$320, the weekly payroll. Three holdup men followed his movements, one of them trailing him to the bank and back again to the hallway of his office. In the hallway a gun was put to his head and he was grabbed by the two other highwaymen.

Lieberman is small, but active. He gave battle and was struck across the nose with the barrel of the revolver. Then there was a rush and a yell. Three detectives seized his assailants, while a fourth, Detective Fogarty, chased down the street after the man who had followed Lieberman to the bank. The two bandits in the doorway put up a wild fight. When the detectives got through with them they were well marked for identification. Then the detectives went upstairs and arrested Morris Katz, foreman of the pleating shop, as a confederate of the holdup men.

Acting Captain Jones, of the Third Branch Detective bureau, in the Bronx, got a tip last night that a holdup was planned on a bank messenger for this morning, and that the holdup men made their headquarters in a poolroom on One Hundred and Twenty-third street, near Third avenue. Early this morning Detectives De Martin, Fogarty, McMahon and Quaine were at the poolroom. At 10 o'clock Joseph Strong, Barney Bruchansky and Thomas McCann, after a conference and many significant signs, left the poolroom. The detectives followed them.

At Sixth Avenue and Twenty-third Street Bruchansky left the others, and walking toward Seventh Avenue on Twenty-third Street, was joined by Katz, who spoke to him and then returned to the shop. Bruchansky rejoined the others and the police kept their eyes on the trio until 1 o'clock, when Lieberman emerged from the hallway of the pleating shop. Bruchansky nodded to the others and followed Lieberman, the other two taking up their positions in the hallway. While they held up the shipping clerk on his return Bruchansky hid in the adjoining hallway. He ran as soon as he saw the detectives, but Fogarty overhauled him before he reached Seventh Avenue.

It was a crestfallen quartet that piled into the patrol wagon, a few minutes later. Katz, the detective says, confessed he had informed the others of the movements of Lieberman and had expected a "piece" out of the loot—a little Christmas money, he put it. When he met Bruchansky, he told him the shipping clerk was going out at 1 o'clock.

The four men were arraigned in Jefferson Market Police Court, charged with assault and attempted robbery. Strong was charged also with violating the Sullivan law. It was he who placed the gun at the clerk's head. He is twenty-four years old, a laborer, and lives at No. 124 West One Hundred and Twenty-fourth street. Katz is twenty-seven and lives at No. 303

WHITMAN GRILLS SWITZSKY'S WIFE IN BAFF INQUIRY

Woman Smuggled to His Office by Detectives and There Quizzed.

GRAND JURY AT WORK.

Frankel, Secretary of Poultry Association That Fought Baff, First Witness.

A small woman of dark complexion and foreign type was smuggled to District Attorney Whitman's office this afternoon and held by him in close interrogation for more than an hour.

She is believed to be the wife or companion of Isadore Switzsky, one of the suspects now being held in secret detention by the District Attorney's office pending the outcome of the Grand Jury investigation into the Baff murder case and the filing of indictments.

Such an important figure has Switzsky become in the Baff case, as the result of the revelations of James Moore, the informer, and the corroborative evidence said to have been given by "Chicken Moe" Rosenstein, that the appearance of the woman at Whitman's office to-day pointed to an attempt to break down Switzsky's defiant attitude of innocence and bring a confession from him.

The fact that this new witness is approaching maturity and that Switzsky will be the father of the child was taken as corroborative of the belief that the District Attorney's office hoped to use her as a weighty argument against the other witnesses in the murder ring.

Assistant District Attorney DeLoach was asked if he expected Switzsky to turn State's evidence against the others he knows to be in the murder ring.

"We have enough evidence against him to force him to do so," said he. "Three witnesses in the Grand Jury investigation of which Gov.-elect Whitman himself has taken personal charge, were heard by that body before it adjourned for the day at 1:10 o'clock."

They were A. T. Pearson, H. A. Emerson and Morse M. Frankel, a man of wide influence in the live poultry market, and secretary of the Live Poultry Dealers' Association, with which Baff was at war when he was murdered.

Whether or not Frankel waived immunity before giving his testimony could not be determined.

Before adjourning the Grand Jury filed against Joe and Jake Cohen, the two chieftains in the "chicken pullers" gang, superseding indictments for assault in the second degree against A. T. Pearson.

These indictments differed from the originals, filed last week, in that they named as co-defendant with the Cohen brothers James Moore, the informer, upon whose story the whole

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St. Ann's avenue. Bruchansky is eighteen, has no occupation and gave his address as No. 72 West One Hundred and Eighth street. McCann is an electrician, twenty-one years old, and lives at No. 45 West One Hundred and Eighth Street.

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NEW YORK JURY MUST DECIDE IF SLAYER MAY HAVE FREEDOM

Thaw Fishing in New Hampshire; Photograph Taken a Few Weeks Ago



Thaw Says: "See Mr. Knox;" Refuses to Talk on Decision

Thaw has been staying at the home of Dr. Chauncey M. Clement, on North Elm Street, Manchester, N. H. He went there early in October, surrounding himself with servants and all the comforts possible to get or to bring into the White Mountain State. An attempt to get in touch with him over the long distance telephone was made by The Evening World as soon as news of the decision of the Supreme Court was made known.

Somebody, who said he was the doctor's secretary, answered the phone and said that Mr. Thaw did not wish to talk to anybody.

"What did you want to talk to him about?" came the query from Dr. Clement's house. "I will take the message."

"It's bad news."

"You needn't waste any time on that head," came the answer. "We know all about what the United States Supreme Court has done. Anything else?"

"Has Thaw any statement to make?"

"None at all."

"Is he there now?"

"He is right here."

"What does he say?"

"He says to see Mr. Knox, who will be the talking for him."

WILSON TO GIVE TURKEYS.

More Than 100 Will Be Distributed Among White House Forces.

WASHINGTON, Dec. 21.—President Wilson today gave orders for distribution of Christmas turkeys among employees of the White House and Executive offices. More than one hundred birds will be required.

The President has already received word from a number of sources that big crowds of turkeys are being sent from various parts of the country to great numbers on Christmas Day.

United States Supreme Court in Unanimous Decision Declares Man Who Killed Stanford White Is a Fugitive from Justice.

THAW REFUSES TO TALK IN NEW HAMPSHIRE HAVEN

May Enjoy Thirty Days More Liberty Unless His Lawyers Agree to His Removal Before That Time.

WASHINGTON, Dec. 21.—The United States Supreme Court handed down a unanimous opinion to-day which has the effect of ordering the Federal authorities to surrender Harry K. Thaw, the millionaire murderer of Stanford White, into the custody of the State of New York for return to the Asylum for the Criminal Insane at Matteawan. Thaw is now in Manchester, N. H., in the custody of specially deputized officers of the Federal District Court of that jurisdiction.

An indictment charging conspiracy to escape from the Matteawan Asylum stands in the New York State Courts against Thaw, Richard Butler, Eugene Duffy and others who aided in the escape. The United States Supreme Court decision orders Thaw's return to New York to be tried for that offense.

Justice Holmes announced the court's unanimous decision. He first overruled the contention that it was not a crime for a man confined in an insane asylum to walk out if he could, and that, therefore, a conspiracy to do so was not a crime. Said the Court:

NEW YORK COURTS MUST DECIDE.

"We do not regard it as open to debate that the withdrawal, by connivance, of a man from an insane asylum, to which he had been committed as Thaw was, did tend to obstruct the due administration of the law. At least, the New York courts may so decide. Therefore, the indictment charges a crime. If there is any remote defect in the earlier proceedings by which Thaw was committed, which we are far from intimating, this is not the time and place for that question to be tried."

Justice Holmes said the most serious argument for Thaw was that if he were insane when he contrived his escape he could not be guilty of crime, while if he were not insane he was entitled to be discharged, and that his confinement and other facts in the record required the Supreme Court to assume that he was insane.

"But this is not Thaw's trial," commented the Justice upon the line of argument. "In extradition proceedings, even when, as here, a humane opportunity is afforded to test them upon habeas corpus, the purpose of the writ is not to substitute the judgment of another tribunal upon the facts or the law of the matter to be tried."

LAW SAYS HE MUST BE RETURNED.

"The Constitution says nothing about habeas corpus in this connection, but peremptorily requires that, under proper demand, the person charged shall be delivered up to be removed to the State having jurisdiction of the crime. There is no discretion allowed, no inquiry into motives."

"The technical sufficiency of the indictment is not open. And, even if it be true that the argument stated offers a nice question, it is a question as to the law of New York which the New York courts must decide."

"The statute that declares an act done by a lunatic not a crime, adds that a person is not excused from criminal liability except upon proof that at the time he was laboring under such defect of reason as: First, not to know the nature and quality of the act he was doing; or, second, not to know that the act was wrong."

"The inmates of lunatic asylums are largely governed, it has been remarked, by appeal to the same motives that govern other men, and it well might be that a man who was insane and dangerous, nevertheless, in many directions understood the nature and quality of his acts as well and was as open to be affected by the motives of the criminal law as anybody else."

JURY TO SAY IF HE'S INSANE.

"How far such considerations shall be taken into account, it is for the New York courts to decide, as it is for a New York Jury to determine whether at the moment of the conspiracy Thaw was insane in such sense as they may be instructed would make the fact a defense."

"When, as here, the identity of the person, the fact that he is a fugitive from justice, the demand in due form, the indictment by a Grand Jury for what the Governor of New York alleges to be a crime in that State and the reasonable possibility that it may be such, all appear, the constitutionally required surrender is not to be interfered with by the summary process of habeas corpus upon speculation as to what ought to