

FIFTY SHOTS FIRED IN FIGHT ON RIVER WITH RUM PIRATES

Six Men Captured After Running Battle—Second Boat Taken, but Crew Escapes.

EAST CRAFT RUN DOWN.

Police Launch Takes Trail in Dark and Refuses to Be Shaken Off.

Four Marine Division policemen in a police launch had a revolver battle with seven alleged bootleggers in the twenty-five-foot launch Mary off Dock No. 7, Bush Terminal, Brooklyn, early to-day. Many shots were fired, but no one was hurt, the rum runners using sacks of bottled liquor as a barricade. They were all captured, but had thrown overboard all except 300 bottles of rum valued at \$1,400.

The Mary is said to be one of the fastest craft in these waters, and had been under suspicion for some time. Its trail was taken up late last night by the police launch, both running without lights. The police boat was in command of Frederick Graham, and with him were Policemen Thomas Dosscher, James Guthrie and Edward Donnelly.

The Mary darted under the bow of the Italian liner Presidente Wilson, which came in last Saturday. The police shut off their engine and listened. They say there was a whistle from the bootleggers' boat, answered by a signal from the liner. Then a rope ladder was slung over the side and several men from the Mary climbed aboard.

Rapidly canvas covered packages were lowered until the launch was filled. Then the motor was started, and the police boat backed away to give the bootleggers room to get out. The Mary headed for Manhattan, but at such speed the police saw their quarry would escape if they undertook to follow until they ascertained the destination of the cargo.

So Graham drew up abreast of the Mary and then cut across the bow. "We are policemen. Stop your motor," he shouted to the bootleggers. The reply was a volley of shots. The policemen, well protected, returned the fire. Close to fifty shots were fired before the outlaws made a desperate effort by putting on all speed. The Mary struck a submerged spile, almost capsizing.

The police launch closed in and three policemen boarded the smuggler. There was a brief fight with clubs and fists and the bootleggers surrendered. During the battle they had been throwing overboard their canvas covered packages as rapidly as they could. One of them said later there was \$700 worth of Bird of Paradise feathers in one bundle.

The bootleggers were taken aboard the police launch and the Mary was towed to the Battery. When the packages of rum were opened it was found that many bottles had been broken by bullets from the police revolvers. The Mary also was bullet scarred.

The prisoners, who were locked up in the Charles Street Station for arraignment to-day in Brooklyn, described themselves: David Kildorff, twenty-five, chauffeur, No. 6414 Second Avenue, Brooklyn; Howard Kennedy, twenty, chauffeur, No. 6902 Third Avenue, Brooklyn; Vincenzo Sica, twenty-six, peddler, No. 150 Baxter Street, Manhattan; Robert Carroll, twenty-two, chauffeur, No. 92 Horatio Street, Manhattan; Joseph Brown, twenty-four, fish dealer, No. 2713 Harway Avenue, Brooklyn; Richard Cocaron, twenty-three, longshoreman, No. 484 Sterling Place, Brooklyn, and Robert White, thirty, boiler-maker, No. 486 Sterling Place, Brooklyn. The police say the launch Mary belongs to a brother of one of the men.

As a police launch approached their boat at high speed late last night, six men, who the police allege are bootleggers, leaped into the river at the foot of Catharine Street and made their escape. The police captured their boat, which bears the number 9234.

According to Sgt. Peterman the boat was tied to the bar of the Missaford, an English fruit boat, at 26th St. and the six men were taking aboard packages from the liner. In the boat, the police allege, were twenty-five cases of Scotch whiskey, valued at \$1,700.

STOLE TO SPECULATE; GETS NO SYMPATHY

Judge Calls Him Thief Without Qualification.

George B. House of Lakewood, O., pleaded guilty to-day in Brooklyn to forgery in the third degree. He was employed as a private secretary in the shoe firm of Wicher & Gardner, and raised the amounts of certain checks until he had stolen \$7,000.

"I lost it all speculating in Wall Street," he said.

"I can't feel any sympathy," said Judge Martin, "for one who robs his employer just to speculate in an effort to accumulate wealth. To my mind, he is a thief without qualification. I can understand how a fellow may break under the strain when business has a sick wife or children or parents looking to him for help, and then steals to meet their wants. I would go a long way to help such a fellow."

House was remanded for sentence to-day.

ARBUCKLE FINISHES HIS STORY; REBUTTAL TESTIMONY STARTS

Continued From First Page.)

when she saw the crowd of guests he had—including Virginia Rappe. Many thought the State might call her as a surprise witness, while there was much speculation as to why the defense had not summoned her, since she appeared to have been friendly with Arbuclle.

Her identity is something of a mystery. Her picture was published in a San Francisco newspaper, showing her leaning from a window with Arbuclle at her side, both apparently happy. This picture was taken the day before the party. Arbuclle evidently regarded her as his friend, yet she had not come forward to help him.

Arbuclle came into court to-day red-faced and cheery after his ordeal on the witness stand. The defense closed its case after dark last night, and Arbuclle to-day seemed confident the State could not break down the wall of evidence he had built between himself and the penitentiary.

ARBUCKLE MAKES GOOD WITNESS FOR HIMSELF.

The cross-examination of Arbuclle was remarkable for the fact that the defense did not make a single objection to the questions of the prosecution. Through it all Arbuclle did not vary from the statements made on direct examination, and so far as the court room crowd and newspaper writers could judge, the cross-examination was valueless to the prosecution.

Arbuclle made a good witness for himself. He spoke in a clear voice and had good self-control. He was not shaken in his main story by cross-examination. He obviously realized the seriousness of his predicament and only once did his dignity depart. That was when he told how, when he was asked by Mrs. May Taube when she called to go riding: "Who are these people?" he replied: "You can search me. I never saw half of them before. I didn't invite them." Everybody smiled, including Arbuclle and the jury.

The defense for the first time challenged the story that has been told from the first of Arbuclle's threatening to throw Miss Rappe out the window during her sufferings in his room. Arbuclle admitted he said "Shut up or I will throw you out the window," but said he made the remark to Mrs. Maude Delmont, who had ordered him from the room when he tried to stop Miss Rappe from tearing her clothing. The jury seemed to take an interest in his explanation.

FOUND THE GIRL ILL IN HIS BATHROOM.

His story represented himself as annoyed by the illness of Miss Rappe, the uncertain state of his guests and their conduct and the prospect of Mrs. Taube returning in the midst of that situation.

He said he sought to obtain another room and attendance for Miss Rappe, and denied that Miss Rappe had said to him or of him in his hearing that he had hurt her.

"Miss Rappe was dressed in a green skirt and jacket," Arbuclle said. "I don't think her hair was down. I did not see her go into my room."

"I locked my door to keep the women and others out. Then I went into the bathroom. The bathroom door struck against the prostrate form of Miss Rappe. That was the first time I knew she was in the room."

"Then what did you do?" asked Leo Friedman, Assistant District Attorney, conducting the cross-examination.

"I picked her up and held her head."

"Did you say anything to her?" he was asked.

"Not a word. She was gasping and had a hard time getting her breath."

"Later I asked her: 'Is there anything I can do for you?' she said, 'No, just let me lie on the bed.' Before this I had given her two glasses of water."

"How did she get from the bathroom to the bed?"

"She walked. I helped her a little."

Arbuclle then went to the bathroom, he testified, and returning found Miss Rappe "thrashing about" on the floor. The witness said he picked her up and placed her on the bed, demonstrating the manner in which he did so. She was groaning, holding her stomach and twisting about, he said.

"Then I went out of the room. The first person I saw was Miss Prevost. I said: 'Virginia is sick.'" Miss Prevost was close to the door when I went out.

THREATENED MRS. DELMONT, NOT MISS RAPPE.

"When I returned, Virginia was tearing at her clothes. One sleeve of her dress was hanging by a few threads and I pulled it off. Later I said to Harry Boyle, assistant manager of the hotel: The girl is sick and I want to get her another room. Get her a doctor."

When asked if he told the doctor what was the matter with her, he replied: "No. How could I when I didn't know?"

"After Miss Rappe was taken away, I put on a golf suit and soft shirt. Later I changed to a dinner suit and went down to the hotel dining room."

Nobody had suggested getting a doctor until Boyle arrived, Arbuclle asserted. The witness said that while he was there all of Miss Rappe's clothes were taken off and Mrs. Delmont put an ice pack under her head.

"There was ice on the bed too," he said. "I took up a piece of the ice from Miss Rappe's body and Mrs. Delmont told me to put it back."

"I told her to shut up or I would throw her out of the window. Then I put the piece of ice back where I found it."

Arbuclle said while the guests were trying to relieve Miss Rappe, he told Mrs. Delmont to "go and dress," as she was attired in pajamas.

"Miss Rappe was unconscious at the time ice was being applied," he said.

Frank Dominguez, Los Angeles lawyer, was the first person he told about having found Miss Rappe in the bathroom, Arbuclle said. Dominguez was his former counsel.

Intense bitterness because of all he has suffered by the charges against him was evident but restrained in Arbuclle's testimony, escaping only now and then in a snappish answer to some question or to repetitions of

GARGAN IS NAMED FORDHAM COLLEGE GRADUATE MANAGE

Former Maroon Player Appointed to Succeed John Mulcahey.

Frank Gargan, football coach at New York University for the last three years has been appointed graduate manager and head football coach at Fordham University, as successor to John F. Mulcahey, whose contract expired this winter.

Gargan captained the Maroon eleven of 1909 that was considered the best team ever developed at Fordham. This team defeated Cornell and lost to Princeton in the last few minutes of play when Logan Cunningham kicked a goal from the field. Gargan also was mentioned for All-American quarterback honors that year.

With this change at Fordham a new athletic programme will be announced later that will be the greatest ever undertaken at the Bronx institution. In Gargan's appointment as head football coach he will succeed Joe Dumalo, former Lafayette star.

FALL GOING WEST AGAIN.

WASHINGTON, Nov. 29.—Secretary Fall will leave Washington to-day on another Western trip which will take him to the Pacific Coast. He will attend a meeting of the Southwestern League at Riverside, Cal., Dec. 2, when the utilization of water power of the Colorado River will be discussed. Secretary Fall will also hold a hearing at San Diego, Cal., on Dec. 12 on questions relating to use of the waters of the Colorado for power and irrigation.

LIVELY GOES ON TRIAL FOR GIRL'S MURDER

Negro Certain of Execution, He Says in Court.

MOUNT HOLLY, N. J., Nov. 29.—Louis Lively, negro murderer with a long record, went on trial to-day in Burlington County Court here, certain that he will be electrocuted. He is charged with brutally murdering Matilda Russo, seven years old, at Moorestown, N. J., on June 4, last.

Lively's chief concern is that his body will not fall into the hands of a medical college or hospital "to be cut up by students or have my brain examined." Upon being assured that his body will be turned over to relatives, he felt somewhat better. Lively absolved his wife of having guilty knowledge of the crime. She will be tried later.

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