mitted by the court to say that he met Hart and Becker at the Bar Association at about 8 o'clock on the second night after the murder, but he was not permitted to answer questions as to what he heard Becker say over the telephone to Rose. About all that Mr. McIntyre could get before the jury was that Mr. Jerome had heard Becker mention the initials "J. H." (Hart's sesame to the Pollok apartment.)

An early witness was Police Commissioner Waldo, but the watchfulness and persistent objections on the part of the District Attorney excluded the most significant questions he was called on to answer; whether or not he had ordered Becker to raid Rosenthal and whether or not Becker had any authority to station a uniformed policeman in the suppressed gambling house.

Defence Lays Groundwork.

The defence laid the groundwork for its case at the opening of the court in the morning, when Mr. Hart, who made the address to the jury, described Lieut. Becker as a farmer's boy of German blood, who came to the city and who made an excellent record; who was, in fact, so unswerving in his duties that the gamblers, and Rosenthal in particular, had cause to hate and fear him.

Counsel for the defence had been very careful to inquire when examining talesmen for the jury if the talesmen were country born, and Becker and his lawyers had tried to get as many citizens of German blood on the jury as possible. Mr. Hart told the jury that the only witnesses connecting Becker with the murder of Rosenthal were three criminals, Hallen, Luban and Margolis, and that the testimony of Rose, Webber, Vallon and Schepps was the perjury of murderers who had conspired to put the guilt on an innocent man.

Mr. Hart's address was not long. A good part of it he devoted to an explanation of his own acts as Becker's counsel before and just after the murder. The opening address and the character of the testimony submitted to the jury revealed the line of defence—that criminals who have felt the weight of Becker's hand are trying in revenge to send him to the electric chair.

The defence's first day in the trial was a day of surprises, a day that produced episodes more sensational than occurred even when Rose and Webber and Vallon were giving to murder a new dreadfulness by their heartless narratives, or when witness after witness was laying his hand on the raging gunmen or when Schepps, the jester of the gamblers, was lecturing lawyers and preening his vanity.

Sullivan Vindictive and Raging.

It was the appearance on the witness stand of Jack Sullivan that confused all orderly procedure and loosed such vindictiveness and rage as have been seldom witnessed in a criminal trial in this city. Innocent or guilty, he was a roaring defender of himself, and his shouts ceased only when he was led back to his cell in the Tombs.

Called late in the afternoon as a star witness for the defence, Sullivan, whose real name is Jacob A. Reich, threw his short, heavy body into the witness chair, thrust out a square and rugged jaw, cast defiant glances around the room and set himself for examination.

Mr. McIntyre did the questioning. Sullivan was so determined to answer every question put to him by the Becker lawyer that he shot out his replies before Mr. Whitman or Mr. Moss had time to interpose an objection. And many times he roared out answers despite Justice Goff's orders for him to be silent. This hapened continually throughout the direct examination, and the witness, evidently pleased with himself, turned often to the jurors, who were at times startled, at other times laughing.

But it was under cross-examination that Sullivan cast aside all restraint and so conducted himself that Mr. Moss, after suggesting to Justice Goff that the witness was not in a fit condition to be questioned, finally gave up questioning altogether. It was when exposed to the fire of the prosecution and compelled to reply to questions as to whether or not he had offered the Newsboys' Home as security for disorderly house keepers' bail bonds and how he had made his money and whether or not he was himself interested in disorderly houses that Sullivan shouted:

"There ain't no justice. If there was justice I wouldn't be in jail."

Robbed of Home! He Shouts.

"You've robbed me of my home and now you're trying to frame me up!" he yelled at Mr. Moss.

"You've got me wrong!" he shouted at another time. "Mr. Whitman knows I didn't have no more to do with this murder than his baby."

The first day of the presentation of the case for the defence began at 10:30 A. M. with Mr. Hart's address to the jury. He spoke about thirty minutes. He began:

An even week ago yesterday the District Attorney opened his case and began the taking of testimony, which has proceeded both day and night. This testimony has now reached more than two thousand pages. The law of the land requires that the crime must be proved beyond a doubt. The defendant intends to put in a defence to prove that he is not only not guilty but that he is an innocent man.

The defence will be divided into four parts: First, with relation to the gunmen, with whom we have little to do. Second, the testimony of Luban and Margolis, the self-confessed perjurer. Now, what is the defendant's defence here?

Will Show Testimony False.

The defandant denies any connection whatsoever with the death of Herman Rosenthal. He will support that position with proof that the testimony of the self-confessed accomplices is fa'se We will prove that the testimony of the crook, Luban is false. We will bring Luban's brother, who is a respectable business man, who will swear that Morris Luban told him after the murder that he was with a man named Goodwin on the night of the murder and knew nothing of it. We will also show by the brother that the only man he knew in the case was Sam Paul.

That will remove the last vestige of testimony that any man of intelligence could possibly be called upon to believe or even consider.

The third phase of the defence will be this: That Webber and Rose and Vallon and Schepps conspired to kill Herman Rosenthal independent of Becker and each with his own motive for so doing.

We will prove that Becker was born on a farm in Sullivan county. His father served with honor in the civil war and that he, young Charles Becker came to this city when about 19 years old to make his way. For some time he worked for a large furniture store, but later joined the police force when 22 years of age. That his record is one of the best we will show to you gentlemen.

Mr. Hart then said that Becker's command of the special squad was efficient; that the witness Krause had cause to hate the lieutenant and that a murderous feud had existed among the gamblers. He said that it would be shown that Rose was an information getter for Becker,

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VOP
SCOTCH
WHISKY
Quality Never Varies

that Rosenthal hated Rose and Rose's friends and that Rosenthal was enraged against Becker because of the arrest of young Fleming. Mrs. Rosenthal's nephew. He believed that the testimony of Ike White of the *World* that Becker had not made inquiries about Rosenthal's affidavit until the Saturday night before the murder was sufficient support for the contention that Becker had not known the affidavit was in existence until that time.

Thinks Rose Story Discredited.

Mr. Hart continued:

This I think will discredit Rose's story to a certain extent. Now, after that we come to Monday, July 15. On that day we will show Becker's movements from the time he left my office in the afternoon all through the night, and disprove the statements made by the witnesses for the State. As the case stood on Monday afternoon Rosenthal, a discredited man, had made charges against Lieut. Becker. Lieut. Becker was engaged in refuting these charges, and in the course of this work directed that an affidavit be obtained from Dora Gilbert, telling as much as possible of Rosenthal's past life.

While that affidavit was being gotten Becker and his friends were at a prizefight, and later went to the Prince George Hotel. Becker drove his reporter friend to the tube at Thirty-third street and Seventh avenue. He then drove to the World Building and then home.

At no time did he drive near the Metropole, as has been stated. Becker at first thought he should bring a libel suit. I advised against this. I did not think that Becker should be asked to shoulder the whole charges against the Police Department.

Of Mr. Jerome's connection with the case Mr. Hart said:

I went to my former chief, William Travers Jerome, and informed him what Waldo was urging Becker to do. I told him that I wanted some one to go to Waldo and show Waldo the injustice of what he was urging Becker to do. We went to the Bar Association, where I took a room, and chatted until Lieut. Becker came. We discussed the case, and when we got to the affidavit of Jack Rose about the $1,500 raised for Rosenthal the matter of Rose came up. Becker expressed his opinion of him and told what he knew about him. It was suggested that Rose's affidavit be procured.

He said that after his visit to Rose in Pollok's house he consulted Mr. Jerome again and that through Mr. Jerome Commissioner Waldo was informed of where Rose was in hiding.

Says Informers Made Up Story.

Mr. Hart spent some time trying to impress the jury with the belief that Rose, Webber, Vallon and Schepps had been allowed to mingle without restraint in the West Side court prison and that the informers had there made up a story to tell on the stand. He said that the defence would put Jack Sullivan on the stand, "a man who is absolutely innocent," he added, to prove that there was a conspiracy on the part of the informers.

Former District Attorney William Travers Jerome was the first witness called. Mr. Hart examined him:

Q. You are a mmber of the bar, a former District Attorney and an ex-Judge of the Court of Special Sessions? A. I am.

Q. Do you remember my calling you on July 17? A. I recall that you came to my office on Wednesday following the Rosenthal murder.

Q. State what occurred on that occasion?

Objection sustained.

Q. Did we dine together? A. We did.

Q. Did I subsequently go to a phone? A. You left the table. I don't know where you went.

Q. Then where did we go? A. To the Bar Association.

Q. Did you see Charles Becker there? A. I did.

Q. State what occurred there between the defendant, you and myself.

Objection sustained.

Q. State whether or not you heard Becker telephone to any one.

Objection sustained.

Q. I will ask you if the defendant, Becker, did not go to a telephone within your sight and hearing in that room? A. He did.

Q. Did you hear Becker say to Rose, "There are 200 cops looking for you"?

Objection sustained.

Q. Did you hear him call Jack Rose over that phone?

Objection sustained.

Q. Did you hear him say, "You stay right where you are until you hear from me"?

Justice Goff ruled out all such questions.

Q. Did you hear the defendant talk over that phone?

Objection sustained.

Waldo Asked About Becker.

The next witness was Police Commissioner Waldo, who had assigned Becker to command one of three strong arm squads. The testimony was:

Q. Did you detail the defendant as the head of the "Strong Arm" squad? A. Not the "Strong Arm" squad; it was Squad No. 1, sometimes called by that name.

Q. When did you make that detail? A. I do not remember the date; it was in the late summer or early fall of 1911.

Q. What were the duties of that squad? A. To suppress rowdyism and houses running in violation of the law.

Q. Did you direct him to obtain evidence against Herman Rosenthal? A. I directed him and a number of others to get evidence against Rosenthal.

Q. It has been stated here that after the raid a policeman was stationed inside of Rosenthal's place. Was that officer placed there by your direction? A. After the raid was made on Rosenthal I directed that a man be placed in the house to prevent him from doing business.

Q. Whom did you direct to place a man in Rosenthal's house after the raid? A. Inspector Hayes of that district.

Q. You know that an officer was kept there as a result of your directions? A. Yes, an officer was placed there and kept there as a result of my directions.

Ordered Not to Call Becker.

Frank H. Roberts, superintendent of the Belleclaire apartment house, in which Becker lived at the time of the murder, testified that it was on Sunday, July 14, not Monday, July 15, that he gave the hallboy orders not to ring Becker's phone. This was important because of Rose's testimony that he had called the Belleclaire number, Audubon 6,694, at 2:57 A. M. on July 16 and had been connected with Becker's apartment.

Alexander Luban, a brother of the State's witness who swore to hearing Becker's threats against Rosenthal, testified that he wouldn't believe his brother under oath.

Herman Goodman, a manufacturer of artificial flowers, and known Morris Luban for years and had a poor opinion of Luban's truthfulness. He testified that Luban was in his brother Alexander's house on the night of the murder until 1 A. M. at least. When Mr. Moss began to question Goodman counsel for the defence constantly interfered.

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 have made this affidavit on October 15? A. No one.

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 had an affidavit in the District Attorney's office? A. No, sir.

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. October 15, I think.

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

The question was ruled out.

The Court—Mr. Hart you are wasting time. You have been admonished by the court twice and that is enough. I will send the witness from the chair.

Justice Goff then excused Goodman. The Justice was plainly angry.

Reporter's Surprise Story.

Frederick H. Hawley of 214 Audubon avenue, a reporter, then gave the testimony that surprised the District Attorney and which led Mr. Whitman to put the young man under a severe cross-examination. He said that he had known Lieut. Becker for some time, having become acquainted with Becker in the course of his work. The essential part of his testimony on direct examination was:

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 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 262—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."

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.

With Becker All the Time.

Hawley then said that he went with Becker to a newsstand, where the lieutenant bought a paper, made the remark after looking at the headlines, "you are right," and that then he accompanied Becker to the police station. He swore that Becker hadn't been out of his sight for more than five minutes from 3:30 A. M. to about 8:30 A. M. He said that he had breakfast with Becker about 4:30 A. M. and that they then went back to the station house and remained there until after 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.

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 said that he had told his city editor about his being with Becker. He had not informed Deputy Commissioner Dougherty or the District Attorney. The cross-examination conutined:

Q. Did you report what you have stated here to the Police Commissioner or to any of the authorities? A. No.

Q. Did you tell it to anybody? A. I told the city editor and one or two men in the office.

Q. Did you tell anybody that you were with Becker from 3:30 until 8 o'clock? A. Yes.

Q. Did you tell a man named Morris, a reporter on the *Evening Telegram*? A. Yes.

Q. When did you tell Morris? A. About fifteen minutes ago.

Didn't Think It Important.

Q. Why didn't you publish that in your paper? A. I was writing the Rosenthal murder and didn't think that had anything to do with the case.

Q. Don't you know that that was one of the biggest news stories that you could have gotten? Didn't you know that you could not have had a bigger story? A. I didn't think so.

Q. Why, if you knew all this, didn't you come to the District Attorney and tell him? A. I didn't like his attitude.

Recess was taken after the cross-examination of Mr. Hawley was concluded.

The first witness at the afternoon session was Charles Monahan, who is in charge of the mailing department of the New York *World*. He was called to testify that the first edition of that paper was in the street at 1:19 A. M. on July 16.

Mr. McIntyre then called District Attorney Whitman, who was considerably surprised at being summoned to testify for the man he was prosecuting. The important part of the testimony was:

Q. On July 16 you were District Attorney of New York? A. I was.

Q. On that day you were in the station house where Herman Rosenthal's body was? A. Yes.

Q. What time did you get there? A. About 2:45.

Q. Did you see the defendant there? A. No.

Q. Did you see him in the captain's room? A. Not at that time.

Q. Did you see the witness Hawley there? A. I don't remember.

Q. Did you see the defendant come in? A. Yes.

Q. What hour would you fix that to be? A. About 3:30.

Q. Did you see Lieut. Becker in a motor car? A. I did not.

Q. Will you state about the time you last saw the defendant about the station house? A. I should say about 4 o'clock.

Q. Did you see him outside? A. No, I did not.

Q. Did you see him inside? A. I did.

Q. Do you remember going to the house of Mrs. Rosenthal in a taxicab? A. I remember going there, yes, sir.

Q. Do you remember the hour? A. I can't say exactly; it was about 5 o'clock.

Q. At the time you started to Mrs. Rosenthal's, did you see Lieut. Becker in the station house, inside of it or in front of it? A. I did not.

Asked About Immunity.

Mr. McIntyre's next questions concerned the stipulation which granted immunity to the informers on condition that they told the truth and that it was not shown that they had fired a shot. The document was produced and admitted in evidence. Mr. Whitman didn't want to cross-examine himself, and Mr. Moss had no questions to put to him.

Jack Sullivan's testimony followed.

He said first that his hom e was at 540 West 143d street; that he had worked for various papers in their circulation output and that he had founded the Newsboys Home. It had been shown, he continued under Mr. McIntyre's questioning, that 60 per cent. of the newsboys went to the bad, so he founded a home in 1905 to make good citizens of them. Whenever he could Sul livan shouted out a reference to his connection with the Newsboys Home. He worked that institution into many replies that were wanted on other matters.

Mr. McIntyre asked him how he made his living as a child, but the court wo uldn't permit him to answer, although the words were ready to leap from his mouth. He said he had known Webber, Rose, Vallon and Schepps for eighteen years and that his acquaintance with Lieut. Becker had covered seven years.

Mr. Moss was making frequent objections and Sullivan was getting excited. He began at about this point to turn to Justice Goff and demand that he be allowed to answer in his own way. After a few admonitions Justice Goff paid no attention to Sullivan's explosive appeals. Now and then the Justice tried to frown the witness into silence and restrained behavior, but frowns and gentle reproof were of no avail with that witness. He continued to yell and shout that he ought to be allowed to answer any and all questions in his own way.

"Where did you see Becker on the night of July 15th?" asked Mr. McIntyre.

"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 Sam Harris and George 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."

"Before you met Becker on that night did you meet Deputy Assistant District Attorney James E. Smith?"

"I don't remember," said Sullivan.

"Do you remember dining with him that night?"

"Not that night; but I had dined with him before then. I went to the theatre with him, too, with his wife and my wife."

Drove to Forty-second Street.

Stringing out his answers, Sullivan said that he had sat down at the Prince George Hotel with Becker and Terry, and that after they had talked prizefighting for a while they left in Becker's automobile. They dropped Terry at the Thirty-third street entrance to the Hudson tunnels, after which Sullivan and Becker drove down town to the *World*.

Becker went into the newspaper office and Sullivan waited outside, having a soda in Perry's. When Becker reappeared from the *World* office Sullivan drove back up town with him, he said, and got out at Sixth avenue and Forty-second street. He left there, he said, because he had $150 that he wanted to give to Sam Paul as payment of a loan, and he expected to find Sam Paul in Webber's gambling house.

Mr. McIntyre interposed here to suggest to the court that since Sullivan was under indictment for murder it would be fair to instruct him that he could refuse to answer any question put to him. Justice Goff complied, but Sullivan shook his head.

He was more than eager to talk. Previously he had been making a little speech as the answer to most questions. When Justice Goff asked him if he was willing to answer, he shouted:

"I certainly am!"

"When Becker left you," continued Mr. McIntyre, "in which direction did he turn?"

"Toward Broadway."

Sullivan then described how he had failed to find Sam Paul at Webber's; how he had gone to a soda water fountain in the Cohan Theatre building and how while there he had heard the shots. The soda clerk was excited and Sullivan yelled at him to watch the cash register. He took off his scarfpin and put it in his undershirt because he "knew the mob that was out there."

He struggled against the objections of Mr. Moss to tell what Rose and others had said to him about the killing of Rosenthal and to tell what Rose and others had said previous to the murder.

Admonishes Justice Goff.

"Look here," he said to Justice Goff, "if you will let me tell this story my way I'll tell you all you want to know about this frame up."

Mr. McIntyre then tried to show by Sullivan's testimony that the informers had admitted to Sullivan that they were lying about Becker to save themselves and that they had tried to get Sullivan to join them, promising him immunity. The testimony along these lines was explosive:

Q. On the 29th day of July did you talk in the Tombs with Rose when Webber and Vallon were present? A. Yes.

Q. Where was that conversation? A. In the counsel room.

Q. Who were there? A. We were alone ten minutes before the counsel came in.

Q. Who were you alone with? A. Jack Rose. He spoke to me.

Q. Did he say that Mr. Whitman and Mr. James M. Sullivan had written a stipulation and that if you would squeal Mr. Whitman would turn you out? A. Yes.

Q. Did he say that Harry Vallon, Webber and yourself were in bad? A. Not myself. My name was not mentioned. He said Webber and Vallon were in bad, that they had the chair facing them and that they wanted to implicate Becker—that that was their only hope.

Q. Did you say, "Who are you going to squeal on?" and did he say they were going to squeal on Becker? A. He told me they were going to frame Becker up and——

The Court—Halt! Strike that out. You must answer questions as they are put and not volunteer information.

Q. Did Rose or their accusers say to you, "You know the newspapers are howling about Becker and Whitman wants Becker, so I am going to squeal"? A. No, he didn't say that, he said he was going to frame him up.

The Court—Strike that out.

Q. Did you say to Rose: "You bald headed ——, you are up to your old game again! You are trying to frame somebody again!" and did Rose say to you: "We've got to frame Whitman, Waldo, the Mayor and everybody else to get out of here"? A. Yes, that's just what he said.

Q. Did you see Rose again? A. Yes, in the Fifty-third street prison on August 8.

Q. Who were there? A. Rose, Vallon and Webber. Schepps was brought up later.

Q. Did you then get a letter from Mr. Moss, the Assistant DistrictA ttorney? A. I got a friendly letter. Want it read to the jury?

The Court—Strike that out.

Q. Did Rose say: "Self-preservation is the first law of nature?" A. Sure. Me brudder, Bridgie and Bridgie's wife heard him too.

Q. Did Rose say he was going to frame up on Becker? A. Sure. He said he was clever enough to——

The Court—Strike that out.

"Did you mingle with each other in the West Side prison?"

Objection sustained, as were all questions relative to their commingling in prison.

Nothing to Do With Murder.

Q. Did you have anything to do with the murder of Rosenthal? A. No, and Mr. Whitman knows that. He said he was willing to sign an affidavit I didn't have any more to do with it than his baby.

Q. Krause, the waiter, says that you looked at the body of Rosenthal and smiled. Did you? A. No, I didn't.

Q. Krause says you spoke to one of the murderers after the shooting? A. I didn't get there until ten minutes after the shooting. How could I have talked to them?

Q. When you were in prison did Webber talk to you about the killing of Rosenthal?

Objection sustained.

After a few more questions of a similar nature Mr. McIntyre turned Sullivan over to Mr. Moss for cross-examination. Then the real uproar began. Mr. Moss asked first, "How long have you known Lieut. Becker?" Sullivan wheeled around to Justice Goff and shouted:

"The District Attorney is allowed to ask me anything and I wasn't allowed to answer anything before."

"Be quiet, sir!" admonished the Justice.

"Have you been intimate with him?" continued Mr. Moss quietly.

"Same as I have with you," said the witness.

Mr. Moss patiently repeated the question.

"Just what I said, friendly with him just like I was friendly with you," was Sullivan's reply.

The jurors were beginning to laugh openly by this time. Mr. Moss presently took up Sullivan's connection with the Newsboys' Home in Duane street.

Newsboys' Home as Security.

"Didn't you give the Newsboys' Home as security when you went bail for people?" he asked.

"That question is objected to, ain't it?" Sullivan appealed to Mr. McIntyre. The lawyer said nothing. "Yes," the witness answered after a pause.

"Were you ever a reporter?"

"No."

"Were you a professional strike breaker?"

"No."

"Did you carry that $150 you have spoken about from Rosie Hertz to Sam Paul to fix a disorderly house?"

"Now, Mr. Moss, my name ain't Mike Hines!" Sullivan yelled. "I ain't no fixer like he was. He got $800 for fixing disorderly houses and nobody knows it better than Mr. Whitman himself."

Sullivan denied that he ran a crap game or that he was interested in a gambling house.

"Didn't you work as a steerer for Bridgie Webber?"

"No I didn't. That ain't my line. You got me mixed up with somebody just like you got me mixed up with Mike Hines." Sullivan's voice was a roar by this time.

"Did you associate with Sam Paul?"

"I associate with everybody, from millionaires down."

No Stopping Torrent.

The stenographer by this time was overwhelmed with Sullivan's volubility and complained to Justice Goff. But there was no stopping the torrent of words. The witness seemed to be half hysterical, ready to break into a fit of weeping. His hands and feet and head were keeping time to the flow of words.

"I think," said Mr. Moss, "that in justice to yourself you had better listen to my questions."

"There ain't no justice," cried Sullivan. "If there was any justice I wouldn't be in jail."

"Did you tell Lieut. Becker how to get into Bridgie Webber's?"

"I ain't no stool pigeon!" Sullivan yelled. "You get me wrong, I tell you."

"Were you interested in the running of any disorderly houses?"

"No; you got me wrong, Mr. Moss."

The Assistant District Attorney read the names of several persons and asked Sullivan if these persons were known to him. The witness yelled a "No" to every question. Becker's lawyers were watching him in a puzzled sort of way, as if wondering what was going to come next.

"Didn't you take money from these men for suppressing evidence against disorderly houses?"

"No; you know that's a lie!"

"Did you collect money from a man named Bernstein in his saloon?"

"No. What's the use your trying to frame me up?"

Sullivan was yelling at the top of his voice.

Made Money a Few Years Ago.

"Where did you get the large sums of money you were lending Sam Paul?"

"I made a lot of money a few years ago."

"Did you say in the Tombs that Lieut. Becker and you cleared the street on the night of the murder by hiring men to clear the street of taxicabs?"

"No. You know I didn't."

Mr. Moss ceased the cross-questioning. Then Mr. McIntyre asked:

"Did Webber ever tell you about the plot to kill Rachel Braunstein?"

Justice Goff excluded this question but Sullivan broke out with:

"If the court will only let me tell that they'll know something. I wonder who they framed for that murder? They'd frame the Mayor."

Sullivan, still shouting, was dismissed from the stand. A keeper led him back to the Tombs.

The last witness of the day was Bessie Feldman, who testified on direct examination that she had seen Morris Luban at her stepfather's house in Brooklyn on the night of July 15 up to about 1 A. M. Mr. Moss forced her to admit that she had discussed dates and days with her stepfather in the hall outside the courtroom before taking the witness stand.

There will only be one session of the trial to-day, from 10 A. M. to 1 P. M. Justice Goff made the ruling in order to give the jurors an opportunity to register.

One of the Witnesses for Becker

ANOTHER ROW IN THE GARDEN.

Magistrate Warns Restaurant Manager to Be Careful.

For the second time in two days patrons of the Garden restaurant, Seventh avenue and Fiftieth street, yesterday appeared in the West Side court as prisoners on charges brought by the management and have retorted by saying that they were "beaten up" in the place. The Garden is the restaurant to which, according to witnesses in the Becker trial, the alleged murderers went on the trail of Herman Rosenthal, the gambler, a few nights previous to his murder.

The prisoners before Magistrate Kernochan in the West Side court yesterday were Joseph Friedman, 28 years old, and Charles Watson and his wife, Pearl. All live at 3609 Broadway.

Friedman and Watson were arrested at the restaurant at 5:30 o'clock yesterday morning and Night Manager Richard Green was in court to charge them with malicious mischief for the smashing of glasses, dishes and chairs. Mrs. Watson was arrested at the West Forty-seventh street police station, where she went to inquire about the arrest of her husband.

The prisoners denied the charges and Friedman told the Magistrate that he had been robbed of $200 in the place.

Magistrate Kernochan believed the prisoners and discharged them. Then he warned Manager Green that if any more such cases came before him from the Garden he will communicate with Mayor Gaynor with a view to having the Mayor revoke the Garden's all night license.

COUPE RETURNS INSURED.

Witness Here to Testify With Big Lloyd's Policy Behind Him.

Assistant District Attorney De Ford reached the District Attorney's office yesterday smiling and looking well, with Thomas Coupe, Jr., formerly night clerk at the Elks Club, whom he brought back from England as a possible witness in the Becker case.

Mr. De Ford said that he had no difficulty about getting his witness back except that Coupe was anxious to be insured. When Big Jack Zelig was shot insurance rates on Becker witnesses went up in England, Mr. De Ford said, and the only company that would accept Coupe as a risk was Lloyd's, and that concern wanted 10 per cent. for a policy running six months.

Mr. De Ford was asked if the $10,000 insurance policy which, it was said, had been taken out, had really been arranged for. He declined to answer.

Coupe said that he had two reasons for coming back to America, to show that he was no coward and to set at rest reports that he had been bribed to leave the country and stay away. He stated that if he was called to the witness stand in rebuttal he would tell all he knows freely. His intention is to return to England and settle down with his father in the dry goods business.

GUNMEN BERATE RED PHIL.

Accidentally Meet Zelig's Slayer on Bridge of Sighs.

The Bridge of Sighs, connecting the Tombs prison and the criminal courts, much trod nowadays, was the scene last week of a little encounter which became known yesterday.

Red Phil Davidson, who killed Jack Zelig on a Second avenue car, was being led back to his cell after arraignment before Judge Swann, when he met Lefty Louie, Gyp the Blood, Dago Frank and Whitey Lewis. Red Phil was handcuffed to a deputy sheriff, and the gunmen were well attended, but for a moment it looked like a violent encounter.

Language flowed freely, and thus it became known that Red Phil is not popular in his set.

LOST ON MOUNT WASHINGTON.

Three Searching Parties Out to Find E. K. Nelson of Philadelphia.

BRETTON WOODS, N. H., Oct. 18.—E. K. Nelson of Philadelphia is lost on Mount Washington.

Mr. Nelson left his hotel at 9 o'clock this morning to make the ascent with his travelling companion, Adolph Kutroff of New York. Leaving Mr. Kutroff at the base station at 11 A. M. Nelson started up over the railway track to the summit with the intention of returning over the Edmonds Path and the Mount Pleasant trail.

Mr. Kutroff walked over to meet Nelson at the foot of Mount Pleasant and waited until dark before returning to give the alarm. Gen. W. A. Barron has sent out a searching party from the Crawford House in charge of Frank Foote. Patrick Martin and E. R. Lucas are in charge of two searching parties from Bretton Woods.

LECTURES HALL BARS BRANDEIS.

Pittsburg Culture Arrayed Against That of Boston.

PITTSBURG, Oct. 18.—It became known to-day that Louis D. Brandeis had been refused the lecture hall of the Carnegie Institute for his lecture on "Labor and the Trusts," to be delivered here Sunday night. The Open Forum arranged for the lecture.

One of the members of the Brandeis reception committee said:

"The end is not yet. Carnegie Hall was built for the people of Pittsburg without regard to creed or class. We intend to learn why Mr. Brandeis has been discriminated against. We will have something to say later on the subject."

Old City Hall has been secured for the lecture.

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RELIGIOUS NOTICES.

Manhattan Church, Broadway & 76th St.
Henry A. Stimson, D. D., Pastor
PEOPLE'S FORUM MEETING
Sunday, October 20, 8 P. M.
What the Republican Party Stands For
By HERBERT PARSONS
Address by JOB E. HEDGES:
"Why I Want to Be Governor"
You and your friends are cordially invited.
Regular Sunday morning service, 11 A. M.
Sermon by DR. STIMSON.

FIFTH AVENUE PRESBYTERIAN CHURCH
5th Ave. and 55th Street.
Services at 11 A. M. and 4:30 P. M.
REV. J. H. JOWETT, M. A., D. D., pastor, will preach in the morning.
REV. MARK ALLISON MATTHEWS, D. D. of Seattle, Wash., Moderator of the General Assembly, will preach at 4:30.
Mid-week service on Wednesday evening at 8:15 will be conducted by Dr. Jowett.

FIFTH AVENUE BAPTIST CHURCH
4 WEST 46TH ST.
REV. CORNELIUS WOELFKIN, D. D.
PASTOR
9:40 A. M., Bible School Session
Young Women's Class: Mrs. Merrett, Leader.
Young Men's Class: Dr. Addison Moore, Leader.
11 A. M. & 8 P. M. Public Worship. Sermons by DR. WOELFKIN

Services are held in the following
Christian Science Churches
Sundays, 11 A.M. and 8 P.M. Wednesdays, 8 P. M.
First Church, Central Park West and 96th St.
Second Church, Central Park West and 68th St.
Third Church, 125th Street and Madison Ave.
Fourth Church, 600 West 181st Street.
Fifth Church, Madison Avenue and 38th Street.
Sixth Church, Park Avenue and 61st Street.

Central Presbyterian Church
WEST 57TH ST., NEAR BROADWAY.
Rev. WILTON MERLE-SMITH, D. D., Pastor.
Rev. G. A. JOHNSTON ROSS, M. A., will preach at 11 A. M. and 8 P. M.
3 P. M., Sabbath School.
Devotional Service Wednesday evening at 8; conducted by Rev. James E. Cochran.
ALL WELCOME.

St. Thomas Church
FIFTH AV. AND 53D ST.
Rev. ERNEST M. STIRES, D. D., Rector.
8 A. M., Holy Communion.
11, Morning Service and Sermon (Rector).
4, Evensong and Sermon (Rector).

MEMORIAL BAPTIST, Washington Square. EDWARD JUDSON, PASTOR, will preach: morning (11), "Christian Work in Unresponsive Environment"; evening (8), "Affection Deepened by Separation."

ST. MATTHEW'S CHURCH, West 84th st., near Central Park; Rev. Arthur H. Judge, rector; services 8 and 11 A. M. and 8 P. M.; annual service of the Sons of St. George.

Trinity Parish, Chapel of the Intercession, Broadway & 155th St. The Rev. M. H. Gates, S. T. D., Vicar. 8, 8:45, 9:45, 10:20, 11 A. M. and 8 P. M. Choral Service. Dr. Gates preaches.

GRACE CHURCH, Broadway and 10th St. Dr. SLATTERY, Rector. 8; 11 (Rector), 4 (Mr. Groton); 8 (Rev. Frederick Edwards).

ST. LUKE'S W. 141st St. and Convent Av. Rev. Ashton Oldham, Rector. Services 8, 11 A. M.; 8 P. M.

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