

GIBSON CASE TO JURY ON MONDAY

Evidence All In and Lawyers Will Sum Up on That Day.

WIFE WEEPS IN CELL Attack on Defence by Rebuttal Witnesses Affects Her.

EXPERTS HAVE HARD DAY One Doctor Admits Lack of Knowledge About Throat Muscles.

GOSHEN, Nov. 22.—The State devoted an hour to-day attacking the evidence of the most important witnesses who testified in defence of Burton W. Gibson, accused of murdering Rosa Szabo.

Six witnesses were called by Mr. Wasservogel within the hour. At the close of the session the prisoner left the court room with a more downcast manner than he has yet shown, and a few minutes later his wife was found in his cell, her arms about his neck, weeping.

Following the rebuttal by the State, Justice Tompkins adjourned court until Monday, when the lawyers will sum up before he charges the jury. The defence has the privilege of calling one more witness to refute the testimony of John Minurn, the Sterling Forest storekeeper who has given the most direct evidence of any violence that may have happened in the boat on July 16 at Greenwood Lake.

Before resting to-day the defence called two medical experts, Dr. Arthur S. Moore, third assistant at the Middletown State Hospital for the Insane, and Dr. Henry W. Cattell of Philadelphia.

Dr. Moore brought into court a bottle in which he had an ounce of beef that had contracted five-sixteenths of an inch after being immersed in formaline, an important element in embalming fluids. Mr. Elder expressed a wish to introduce the beef into evidence.

You might give it to the jury for judgment," suggested the court. When the beef was in evidence the young doctor described an experiment in a corpse performed last night in which he removed vertebrae in the neck making a "window" through which he looked into the throat while moving the body about and causing the organs to assume something of the same position found in the throat of the Szabo woman.

The doctor was rather severely taxed on cross-examination. He admitted the removal of the vertebrae would affect the freedom of movement of the neck. Then he admitted that the beef had contracted more from being shut up in a bottle and that he had never made an experiment to see if formaline has the same effect on human tissue that it has on beef. Then he was asked how many muscles there are in the throat.

"I couldn't say without looking them up," was the reply. "That is, you, an expert, testifying about the throat, say you don't know what muscles function in the throat?" declared Wasservogel. "That's all."

Dr. Cattell said that he had seen the condition in which the organs in the throat of the Szabo woman were found affected in corpses. He said it is not possible to say that Rosa Szabo was strangled. He declared the conditions described by the State to be due to post-mortem handling. Strangulation by ligation under the conditions assumed, he said, would leave left surface and subcutaneous marks.

Wasservogel's cross-examination the court asked who can tell best the cause of death the one who performs the autopsy or one who hears the conditions described by the State.

The expert had used the word "flap" in telling how the tongue in the Szabo body might have assumed the position in which it was found. He admitted to Mr. Wasservogel that through "flapping" of the tongue all the conditions in the throat of Rosa Szabo could not have been fulfilled.

Gibson has a habit of resting his hand on his throat. The hand is massive and fully conceals his thin neck. During much of his testimony his hand was about his throat. Mrs. Gibson once cross-examined his fingers and pulled the hand down to the table.

The defence rested after Dr. Cattell, Dr. Garrison, and William C. De Graw. The first witness in the State's rapid rebuttal, Dr. Garrison, denied the truth of the testimony of Tom Garrison, the one-eyed guide who said that he blocked up the body of Rosa Szabo after it was taken from the lake, elevating the chin and moving the neck.

"Did Tom Garrison place those blocks as he testified he did?" "That was the answer. "Did he wipe away blood flowing from the nose?" "He did not. There was no bleeding."

De Graw also swore that he had never taken with William C. Osgood, who testified for the defence that De Graw told him of intentions to give evidence that would acquit Gibson. De Graw was supported in his denial of Garrison's testimony by two Greenwood Lake guides, Lark and Fred Hazen.

An Elder was examining De Graw he suddenly turned and said, "As you left your seat by that lady with the white blouse did you tell that lady to be sure not to forget to testify that she saw marks on the face of the body when it was brought to shore?"

"No," roared De Graw. "The young woman was Miss Isabelle Roemert of Nutley, N. J., who said later that she did see marks on the throat of the body."

After the Graw came George Teichmann and two women witnesses to refute the contention of the defence that the woman Gibson represented as the mother of the Austrian widow was ever introduced by her as "nanna."

Teichmann swore that he sent, at the instance of Rosa Szabo, a letter to Vienna in reply to one announcing the death of her mother. This message occurred in the "nanna" case.

"She is very glad you are all in good health and spirits and that fate will allow me to meet all her dear brothers and sisters once more. She regrets she will no longer find her mother among the living for the first question with her was always 'Will mother be alive?'"

Mrs. Gertrude Merschwitz and her daughter, Mrs. Hendrick, of 417 East 10th street, told how Gibson came to them in July after the drowning, insisting that Mrs. Merschwitz's name must be "Petronella," if not her first name her middle name.



Quality Never Varies

WIFE MUST BE MODERATE IN ROBBING HER HUSBAND

Entitled to Change, but Possibly Not to Watch and Cuff Links.

Although the Supreme Court has decided that a wife can go through her husband's pockets while he is in bed, Magistrate Murphy raises a question as to her right to steal his watch and cuff links.

Such a case was before him in the West Side court yesterday with Walter E. Carman, a broker's clerk, as the complainant. Mrs. Maybelle P. Carman, who says she is his wife, but which statement she denies, has been in jail since Thursday for such admitted confessions. Carman says she took the property from his person and was aided in the act by John Martin Spindler, Jr., who is also in jail.

Because of Mrs. Carman's assertion, the Magistrate thinks that the marriage question is the transcending one and wants to settle that first. Consequently in order to have proof of the marriage he adjourned the case for a further hearing on Monday and has subpoenaed Alderman John F. McCort, who, Mrs. Carman says, performed the ceremony on November 13.

"I think you are married all right," the court told the complainant after reading the marriage certificate Mrs. Carman presented and thereupon he reduced the bail of the two defendants from \$2,500 to \$1,000.

Carman remembered going with the woman to the City Hall to procure a marriage license, but aside from receiving that and paying two \$1 bills, his mind is blank on all that transpired there.

"Were you drunk?" asked Supt. Goldstein, who represented the two defendants. "Then you were hypnotized?" suggested the lawyer. "I was under some influence," admitted the witness.

It was on hearing all these facts that the momentary question arose in Magistrate Murphy's mind. "An a wife rob her husband?" he asked of Assistant District Attorney Frederick J. Sullivan, who was prosecuting the action. "There's the nub," responded Sullivan.

NEW TRIAL IN T. R. LIBEL CASE.

Old Charge Against Editor Quashed Because of Error.

MARQUETTE, Mich., Nov. 22.—The trial of George A. Newett, an editor of Ishpeming, charged with criminal libel on complaint of Col. Roosevelt, will take place in the court of Justice Samuel E. Byrne in this city on November 26.

This new turn in the proceedings is a result of an error in considering criminal libel a misdemeanor under the common law, whereas it is merely the violation of an ordinance, the maximum penalty for which is a fine of \$50 or imprisonment for ninety days. A case of the kind can be tried only in Justice's court, from which, however, an appeal to the Circuit Court can be taken.

The action in holding the defendant for trial in the higher tribunal was quashed to-day. This case is distinct from the civil proceedings filed against Mr. Newett in behalf of Mr. Roosevelt and in which damages in the sum of \$10,000 are asked. The trial of this suit will be in Circuit Court.

AGAIN ACCUSES CHORUS WIFE.

William B. Enright Presses Bigamy Complaint at White Plains.

WHITE PLAINS, N. Y., Nov. 22.—William B. Enright appeared before the Grand Jury here this afternoon again to push a complaint of bigamy against his chorus girl wife after he had withdrawn the case once.

Several weeks ago, after a period spent under the white lights of Broadway, young Enright hired a taxi cab and with May Kelly, a chorus girl, and one other couple went to Tarrytown, where Enright and the girl secured a marriage license. They were married by the Rev. George R. Hageman.

Enright, penniless, went to his home and told his mother of the marriage. She said it would not go. The Enrights say that the new Mrs. Enright also was married to a New York man, and that John Kelly Enright, upon learning this, told the facts to District Attorney Winslow, but when Enright appeared here he refused to testify against the girl, and it was said he intended to send the girl to South Dakota to get a divorce.

Young Enright changed his mind, however, and to-day he appeared.

"AKE MAN" STRIKES AGAIN.

Murder of Family of Three Laid to Sacrifice Sect of Negroes.

PHILADELPHIA, Miss., Nov. 22.—The dreaded "axe man," who has slain nearly three score persons in Louisiana and Texas, has extended his operations to Mississippi.

Late on Thursday the family of William Walmisley, negro, were found at their home three miles east of here, with their heads crushed with an axe. Walmisley's wife and a four-year-old child were lying on the floor. The body of the man was 30 yards from the house in a fence corner.

The victims are supposed to have been outwitting to the "Sacrifice Sect," or "Church of God," an organization believed to consist of negro degenerates. Recently a negro, Clementine Bernabert, was sentenced for life following her confession that she committed the crimes, but now it is thought that she was one among many engaged in similar practices and that the laws of the sect require any accused member to assume all the blame.

Reports from various sections indicate that the dreaded cult is spreading rapidly and fears have been expressed that ultimately it may prove a menace to the black race throughout the South.

HOE LIBRARY SALE ENDS; TOTAL IS \$1,932,060

Record Prices for Collection Which Included Many Famous Works.

DAY'S FIGURES \$14,783

The \$50,000 Paid for Gutenberg Bible Highest Notch Reached in Bidding.

Last night with the selling of the Bibliography, the great Robert Hoe library sale passed into history. The total for the day was \$14,783.60. The total for Part IV, was \$262,924.85, making a total for the Hoe library complete of \$1,932,060.60.

This is, of course, a record price. It not only exceeds all previous book sales, but it overtops by far the combined totals of the four greatest previous sales.

There were few such libraries anywhere in the world. There are but two in this country that rival it and both are expected to eventually become public property.

Consequently the high prices constantly realized in this sale are not surprising. It is not so much a fad or a speculation, as a keener realization of values. The \$50,000 paid for the Gutenberg Bible surprised the world at large, but not the collectors. When will the opportunity come again for a collector to bid upon it?

In the sale of the books about books the highest price was \$130, paid by Mr. Smith for a Catalogue of Books relating to the Discovery and Early History of North and South America.

This ends the great Hoe library sale, but next week a miscellaneous collection, mostly French books, belonging to the Hoe estate is to be sold at Anderson's.

LOST CHILD TRAILS BLUECOAT.

Wanderer Likes Brass Buttons and Follows Policeman Around Beat.

Patcha Plascik, a five-year-old Hungarian girl who came down from her home in New London, Conn., with her father, a merchant, yesterday, promptly lost herself when she went forth alone to see the sights. It chanced that the sight which most took her fancy was a policeman in uniform. She followed him all over his post until her father, who had been looking for her, found her.

Frank Plascik, the father, came to New York to see some friends off on a ship sailing from Hoboken, on his return to Manhattan he became separated from the child in the Cortlandt street ferry station and she wandered off. The father reported her loss at the Greenwich street police station and at Police Headquarters.

Meanwhile the child had walked uptown from Cortlandt street to Fourteenth street and Ninth avenue. There she caught sight of Policeman McNerny and, attracted by the brass buttons, followed him around his beat. On the second lap McNerny became curious and tried to talk with her, but she spoke no English and he spoke no Hungarian. Father and daughter returned to New London last night.

NO DECISION IN WALDO CASES.

Pinochle Playing Policemen Are Tried in Brooklyn.

Deputy Police Commissioner Walsh of Brooklyn reserved decision yesterday in the cases of the six policemen against whom Commissioner Waldo preferred charges after a visit to the Fulton street police station. On that occasion the Commissioner interrupted a three-cornered game of pinochle.

Lieut. Dooley and Patrolman Charles Johnston were only lookers-on, they alleged. Both denied that they had played cards for money. He admitted that he should have put a stop to the game under the rules and have reported the players.

Doorman Reed, who was behind the desk in Dooley's stand when the Commissioner entered, denied that he had made a false report intentionally. He told the Commissioner that he was just filling in while Dooley washed his hands. Sergeant James McNamara and Policemen Planigan and Garner admitted that they had been playing 500 points at five cents a corner.

SOCIETY WOMAN ENDS LIFE.

Mrs. Maurice O. Williams Was Despondent Over Ill Health.

DETROIT, Mich., Nov. 22.—Despondent over ten years of illness, Mrs. Maurice O. Williams, society leader, ended her life Thursday night, swallowing about the contents of a two ounce bottle of chloroform and then placed the muzzle of a revolver in her mouth and fired.

Mrs. Williams is survived by her husband and young daughter. She was a member of the Y. W. C. A. and membership in women's organizations.

LATE RETURNS ELECT SALANT.

Overlooked Votes Give Him Senatorship in 19th District.

Henry A. Salant, Progressive candidate for the State Senate in the Nineteenth district, passed his Democratic opponent, George W. Simpson, who was declared elected on election night, according to revisions made yesterday by the Board of Canvassers.

Salant has a plurality of 108 votes. It was found that one of the precincts had failed to credit him with 118 votes, which properly belonged to him.

MOOSE SPENT \$30,000 IN KINGS.

Woodruff's Report Shows Brooklyn Campaign Cost That.

ROBIN ADMITS HE SOUGHT HYDE

Continued from First Page.

participation in the Marcus loan. In other words, it was explained, the Carnegie Trust Company had marked off a liability of \$150,000 by reducing an asset by just that amount.

Mr. Steuer put the one time banker through a pretty severe questioning when he reached the subject of the city bond for deposits. Robin explained that he understood that the bond must exceed the deposit, and Mr. Steuer produced ruled paper tabulations about three feet square, which purported to set forth the Northern Bank balances on city deposits for the entire year. Robin did not know, or could not recall, whether the balance had exceeded the \$150,000, and he was saved by objection from saying that it had been as high as \$300,000. Mr. Steuer went through it all, month by month, but never got an answer.

Evidently the counsel for the defence was curious about that interview with Hyde. He wanted to know about the September visit and got Robin, the man who had testified that he had lent money under pressure, to admit that when he went to see the Chamberlain in September he carried with him a copy of the city bond, "not exactly an introduction," he said. After that Mr. Steuer went back to the insanity cases. He was not satisfied. He questioned for nearly a half hour, but Hyde so steadfastly refused to permit him to get anything about that phase of the case from the witness.

"Were you sane? Did you plan with your sister to have yourself committed to an asylum about the time you were first indicted?" and a host of similar queries were stopped with the remark that that was not the proper way to get the evidence. When Mr. Steuer wanted to read from the stenographer's notes of the lunacy inquiry in January, 1911, he was stopped again. The notes were not evidence, Mr. Steuer contended. The stenographer was the proper one to say.

"Well, did you believe in January, 1911, when you were indicted, that Mr. Steuer, the District Attorney, was in a conspiracy with Messrs. Morgan, Belmont and others to ruin you?" "That was stopped right with the asking. Then the lawyer tried Robin out about Mr. and Mrs. Rabinowitz, who claim to be his father and another.

"Did you repudiate your father and mother?" "No," shouted the witness before Mr. Moss could interpose an objection. "Mr. Steuer wanted the old man and woman, who were out in the hall, brought in, but the Justice would not allow it. "How old were you when this alleged crime or act which would inculpate you was performed?" "I was five," was the reply. "You must have been very young to commit a crime at that time?" "I did not commit a crime. The laws of the country were responsible for it," was the reply.

"What country?" "Russia." "Mr. Steuer wanted to go into this, but the court would not let him. Robin, by this time, was not the calm witness he had been; he was distinctly animated. Once or twice he made gestures. He did not know what he was doing, as Mr. Steuer asked him if he knew William R. Montgomery, president of the Hamilton Bank, when it was a going institution. Mr. Robin knew him, remembered meeting him in the Tombs, where both were residing. Montgomery is now at Sing Sing.

Didn't Montgomery tell you that you did not know anything about Hyde, but pressure was being brought to bear on you to say something against him, and your own liberality was at stake?" Robin asserted that he had said part of that and a part he had not said. "Did you say you knew nothing about Hyde?" "A part of it," was the answer. "What part?" asked the lawyer. "Will you let me tell you what was asked?"

He was requested to answer questions, and then he said that many people had tried to talk to him about Hyde, and he had spoken with Montgomery, with the knowledge in his former state as District Attorney. He had made notes. "I want those notes," said Mr. Steuer. "He was told they would be looked for." Robin asserted that he had said part of that and a part he had not said. "Did you say you knew nothing about Hyde?" "A part of it," was the answer. "What part?" asked the lawyer. "Will you let me tell you what was asked?"

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Men's Mocha Gloves \$1.15 regularly \$1.50

we are the house that put the blue in gray Mochas!

Gray Mochas abound, but you must come to Saks' for the blue-gray variety. That is the only shade of Mocha to get, if you want the genuine article. It is a soft blue-gray, like the gray-blue dawn of the morning after that follows the night before. Scarce, even at 1.50 per pair, but we are hand in glove with the situation and have first call on blue-gray Mochas at a special price.

These blue-gray Mocha gloves are correct for dress and day wear. Made of excellent quality Mocha that is as smooth as silk and as soft as a pillow at two a m. Perfect in workmanship and finish, and may be had with regular or cadet fingers. Generous value.

Men's Tan Gloves 95c regularly \$1.25

in clever tan glovegear—now is the Saksological moment!

Better than some gloves at 1.50. The equal of good gloves at 1.25. The extreme of glove values at 95c. Made of fine imported Cape stock, with English cut thumb, and one clasp. Prix seam sewn. In a medium shade of tan which is a compromise between brown and yellow. Regular or cadet fingers. A practical, capable glove with a lot of snap and style.

Men's Walking Sticks \$1 regularly \$2 and \$2.50

a walking stick is an elongated first person pronoun

In a similar sale two weeks ago we disposed of the greatest number of sticks ever sold by one store in the space of a single day. There were two reasons for this. First, the popularity of the walking stick this season. Second, the remarkable values. The first reason is stronger than ever today—and we have duplicated the values.

Today we offer 1,800 walking sticks at the same price as before. The values are identical, but the variety is bigger and better. The woods are Cornell, lace wood, walnut, pimento, whiststone, castania, Manila, bamboo root, and genuine Malacca. Artistic with sterling silver mounts, or artistically plain. Mostly Prince of Wales hooks that will hang on your arm as affectionately as the girl who believes all you tell her.

Men's Sterling Silver Cigarette Cases at \$6.50

60 worth \$9.50. 24 worth \$12.50. 18 worth \$15.00

show this advertisement to your wife or your girl—and await results

These cigarette cases are made of sterling silver, and they are finely wrought in two artistic models. Large or medium sizes. We assume that large men will want the smaller size, and small men will prefer the large size—even as they choose their wives. We should add that these cases are gold lined; also, that they come etched, hand-engraved, engine turned, and plain. Great values.

Men's Accordeon Knitted Scarfs

the best knitted neckwear values in a month of Saturdays \$1 Knitted Scarfs at 55c

Knitted scarfs made to sell at one dollar, and still representative dollar value, despite the great concession in price. The assortment includes four color cross stripes in all the better two-tone accordeon effects.

\$2, \$2.50 & \$3 Knitted Scarfs at 95c

Yes, Sir, this really is a wonderful opportunity. They are the finest hand-framed accordeon knitted silk scarfs that ever yearned for bosom confidences. They include all the latest colorings, both in two-tone accordeon weaves and cross stripes. Plain and lace effects. Also, plain and striped crocheted weaves. Extraordinary values.

Men's Shirts at \$1.35 values \$1.75, \$2.00 & \$2.50

the last day of this shirt sale, though a good selection is still to be had

Just a few words about these big shirt values. They are plain, pleated or soft bosom effects, with starched or soft cuffs. Made of domestic and imported chevots, Madras, and mercerized cloth, in plain colors, whites, and clever stripes. Sizes 14 to 18. Sleeves 33 to 36. Mighty good values, even if we say it ourselves. Main floor.

Broadway Saks & Company at 34th St.

RELIGIOUS NOTICES. Trinity Parish, Chapel of the Intercession, Broadway & 15th St. Rev. M. H. Gaies, D. D. (Week 8, 8.45, 9.45, 10.20, 11 A. M. and 8 P. M. Choral Service.) GRACE CHURCH, Broadway and 10th St. Rev. STAFFORD, Rector; St. II (Rector); (Mr. Groton); 8 (Bishop Gallon).

A Subtle Distinction

"I understand you are a habitual drunkard," said the Court.

"You are wrong," said the man at the bar, "it is a gift with me."

Habit is one thing, and genius is another.

There is a saying among artists that drawing can be taught, but color is a gift.

This dictum holds good with respect to our business, too—tailoring can be taught, but Style is a gift.

Any man can operate a pair of shears, but not all men can endow them with intelligence.

When you buy Saks clothes you are not buying mere yardage and labor, but the brains of the finest tailoring organization in existence.