

POLICEMEN WHO AT TODAY'S HEARING ADDED MORE STORIES OF INJUSTICE TO THE BLOODY SCORE OF "FIFTH WARD" POLITICS



DAVID A. FITZGERALD

JOHN ALMENRADER

JOHN J. POWERS

THOMAS FOSTER

JOHN C. SHIELDS

CHRISTIAN BARTLESON

and report how soon, in their opinion, he could attend the hearing and testify against the Mayor. He asked that one physician be a general practitioner and one a surgeon.

PHYSICIANS TO EXAMINE MCNICHO. Judge Brown appointed Dr. John B. Deaver, Dr. Edward Kirby and Dr. Charles S. Potts, whereupon District Attorney Rotan arose and conferred with the court. This brought objection from the attorneys for the defense that the court was "in confidence with the attorneys for the prosecution."

"The District Attorney has informed me that he is attorney for Doctor Kirby," replied Judge Brown, who appointed Dr. J. C. Wilson in his stead. Former Judge Gordon, "admitting a clean breast of everything," as he put it, said that he had represented Doctor Deaver and also had been examined by the noted surgeon, but this was not considered sufficient by the court to cause substitution of another surgeon for Doctor Deaver.

The three physicians are to make a report tomorrow on Senator McNicho's condition, which was declared by Director of Public Health and Charities Krusen, a Vars-Smith appointee, to be too precarious to allow him to testify in court.

Judge Brown made it plain that he intended no reflection upon Director Krusen. Gordon then read as evidence the Act of Assembly of December 7, 1884, making the Mayor responsible for the actions of his subordinates, and several sections of the Bullitt charter, especially the provision regarding the "firing" of heads of departments by the Mayor.

The protection of speakables in the Third district, and how protection money paid by offenders of the law was divided among three parties was the sensational testimony of Policeman Robert Harris, a young Irish-bred policeman, attached to the Thirty-second and Woodland avenue police station. Harris, a former express wagon driver, was detained in the station house and was transferred August 28, 1917, because he refused to recognize Deutch, the South street butcher, as his boss.

"His rapping," were the words that passed from one policeman to another as Harris continued to tell in a frank manner of police persecution.

"CAREY IS OFF THE MAP." Not only did Deutch persecute policemen who refused to vote for him, but he was also permitted to remain in the rollroom of the Third and De Lancy streets police station while "Rieser" were being sent over the police wires. (It is a strict rule of the Department of Public Safety that any civilian be in a station house at rollcall.)

"About 11:40 p. m. on August 5 Isaac Deutch was in the station house at rollcall," testified the witness, "and he was Deutch by Lieutenant Bennett. Deutch stepped up to me and said, 'Harris, I am your boss.' Lieutenant Bennett, who was standing nearby, said over, 'Yes, your new boss, Harris, Carey is off the map.'"

"Deutch told me that unless I voted for him and got votes for him, he would be transferred. A few days later I passed a little store owned by a Greek and saw that beer was being sold there. I told the proprietor that if he didn't stop selling the beer I would get a warrant and arrest him."

"Aw, go away," said the man who ran the speakeasy; "I am paying \$75 a month for protection, and the money is being divided among three parties." The next day I was called into Lieutenant Bennett's room and there I saw the lieutenant, Special Policeman Murphy and the Greek who offered me to arrest him and who claimed he was paying protection money.

"The lieutenant charged me with accepting a dollar from the Greek. I denied the charge, and the lieutenant said he would have me before the police board. I took my badge off my coat and said, 'Here, you can have my badge now.' The lieutenant refused to take my badge and I am still waiting to be called before the police board."

Lieutenant Bennett assured policemen in the Fifth Ward that "Isaac Deutch has got the Vares, the Mayor and the whole Department of Public Safety with him," according to Harris.

SHERN ACT IGNORED. Revelations were made by the wholesale how Fifth Ward policemen "mixed" in politics in spite of the action of the Shern act forbidding political activity of city employees and the Mayor's repeated "warnings" to the police to stay out of politics and Director of Public Safety Wilson's oft-repeated statement that has become a byword:

"The police have been out of politics since the beginning of my term."

Policemen, admitting that they were Carey supporters, testified that they were transferred to outlying districts, as far as fifteen miles from their homes, because they refused to "turn in" for Deutch. As yet after jail came from the blue-onale on the witness stand, "Isaac Deutch" testified and his attorneys did not attempt a cross-examination.

The transfers were made by order of Superintendent of Police Robinson, Director Wilson's right-hand man.

Policemen, who are not the only employees under the Smith-Vare administration who were persecuted and transferred and subjected to other indignities, but the same "dons" was meted out to the city firemen, some of whom in years gone by distinguished themselves as heroes by saving burned lives.

Captain John J. Brown, attached to Engine Company 28, Tacony, and whose home is down in the "Bloody Fifth," testified that he was transferred to his new post fifteen miles from home because he refused to be converted into a "Deutchite." Similar testimony was given by other firemen. One fireman, who refused to recognize the South street sausage dealer as his boss, was Henry Hartman, a young ladsteman of Truck No. 4, next door to the Third and De Lancy streets station.

"I was humiliated by Lieutenant Bennett and by others, but I refused to come over," Hartman smilingly added, "but in the present time I have not been transferred."

CAREY POLICEMAN SHIPPED. "Thomas J. Brown, one of the transferees," witnesses related a conversation that he had with Deutch before the election.

"A friend of mine said to Deutch, 'The voters getting fat,' I refused to come over," Deutch said to him. He said, 'The voters are getting fat and choney, now that I am a salad leader.' He turned to me and said, 'What I had Powers refused and put a street in uniform today. The same name will have to be followed if you don't come in.' 'Well, I said, 'I am one who never turns in for Jimmy Carey and was going to stick with him.'"

to have a bad reputation. He is a man-driving man."

"I said, 'You can suit yourself about that. I will do my bit, do police duty wherever I am sent. Suit yourself. I am for Carey, and if it is necessary I will swing a pick or shove a shovel tomorrow to serve Jimmy Carey—that's me.'"

Brown shortly afterwards was transferred to the Eleventh and Winter streets station, outside the ward.

Policeman John C. Shields testified that Special Policeman Murphy, one of the defendants, ordered him to join the Deutch Club under pain of being transferred.

"Did you join?" asked former Judge Gordon.

"Not me," said the policeman.

"Did you go?" meaning "Were you transferred?" replied the blue-onale. He was one of the few cross-examined by the defense.

John P. Fraimouth, formerly of the traffic squad, testified that when he was referred to an outlying district he asked his former commander, Lieutenant Bucher, if there had been any complaint about him. Bucher, he said, was surprised at the transfer and assured him that his record was clean.

Charles Sonntag, a brother-in-law of Deutch, who is believed to be the right hand of Deutch, and transferred to the Tenth and Burtonwood streets station, he testified.

SENT TO BRANCHTOWN. Thomas K. Foster, sent to Branchtown, the farthest point in the city from the Fifth Ward, where many "good cops" were for Carey went," said Deutch told him:

"I have been in to see the Mayor, three or four times in the ring and have got the whole works behind me."

He said Deutch told him he must "turn in" for him or face transfer. "I told him I could look for anything in wartime, and was transferred to Branchtown," said Foster.

John J. Powers, another policeman sent to Branchtown, said he was first demoted from district detective and then transferred.

Other policemen testified how they had been transferred and demoted for not obeying Deutch's orders. They included David A. Fitzgerald, shifted to the Germantown station; John I. James, to Eleventh and Jefferson; Christian Bartleson, demoted from the traffic squad to a beat on the street, was transferred to the northeast, and Edward Quinn, transferred to Germantown. Sergeant Frank O'Brien was shifted to Twentieth and Federal streets, but was not demoted. He said he is a "Tenth Warder."

George Dingwall was demoted from the traffic squad and sent to Tacony. George J. Ryan was shifted to Sixty-first and Thompson streets, and John Almenrader was sent to the Thirty-ninth and Lancaster avenue station.

All of the policemen gave the same testimony. "The all live in the Fifth Ward and some of them testified that they live as far as fifteen miles from their work."

City Hall Detective Richard Doyle testified that he was called off investigating the riot at the Elks Club the night before the shooting of Detective Spilly.

Lieutenant of Detectives Wood, he said, told him to "take a walk out of the ward and beat for the day," although he was on duty that day.

SOUDER CAUSES RIPPLE. A ripple of comment was caused when former Captain of Detectives Alfred I. Souder, the Mayor's own personal investigator, took the stand.

Souder testified, under cross-examination, that he had said:

"If I were chief of police, whether it might be the Director of the Department of Public Safety or the Mayor or the Superintendent, I would not have tolerated the conditions that existed in the Fifth Ward."

The report of conditions in the ward prior to the primary election was made by Souder at the request of Mayor Smith and which District Attorney Rotan has been in the Mayor's room prominent place in the proceedings when Souder was called to testify.

Souder said that he personally had not gone into the "Bloody Fifth" to make the investigation, but that he had sent Detectives Walsh and Le Strange in charge of other City Hall detectives, who made the probe between September 7 and September 12, when the report was turned over to the Mayor.

Walsh and Le Strange made half a dozen reports to Souder which were turned over to the Mayor. He said he had only "looked it over."

Souder refused to answer several of the first questions Gordon asked him, and was apparently trying to evade other questions. Judge Brown rebuked him.

"Mr. Souder, you have a reputation for being an honest man. Try to keep it here," Judge Brown said.

"I intend to," Souder answered.

"IF I WERE MAYOR" Under a grilling cross-examination by Mr. Gordon Souder admitted that he told District Attorney Rotan that he was the Mayor or Director of Public Safety, he would not stand for the things which were shown by the reports of the men that he, Souder, sent to make an investigation for Mayor Smith.

At this point Mr. Connor objected to Mr. Gordon's reading from what Souder had said to Mr. Rotan. Mr. Gordon sprang to his feet and retorted:

"This man is subject to dismissal by a Mayor who is being tried for a high crime. He is looking into the eyes of this Mayor, who has his official life in his hands."

Mr. Gordon said that Mr. Bettler, who had suggested to Souder, on the stand, that he thought Souder was a detective when he Bettler, was Director of Public Safety, was giving Souder a "certificate of character" to be retained in his position under several administrations—despite the fact that he was a "man with eyes," a "gunner's guide" and a witness for the Commonwealth, who is under arrest accused of murder.

A test case, according to Nell Bonner, president of the Retail Liquor Dealers' Association will be made to ascertain the scope of the law. In Mr. Bonner's opinion, the brewers' association has misapprehended the meaning of the act. Should the test case prove their contention to be correct, however, it is thought that at least half of the saloons in Philadelphia will have to "shut up shop."

"The saloonkeeper has never been made to stand on his own feet," a representative of the Berger & Engel Brewing Company said in commenting on the letter; "simply force of habit has made the brewer contribute to his support, and he is not necessary. I consider this act very like the anti-trust law, or many other laws, in its ineffectiveness. It will be hard to tell just what it's all about until we get a ruling on a test case."

Wool Workers Get Wage Increase. LAWRENCE, Mass., Oct. 4.—A wage increase of 10 per cent, effective next Monday in the western mills here, will benefit approximately 45,000 operatives. The increase is a flat one, it was announced today by the American Woolen Company, and affects the Wood, Ayrer, American, Prospect and Washington mills here.

\$150,000 for Cape May Aviation Field. WASHINGTON, Oct. 4.—An appropriation of \$150,000 for an aviation field at Cape May, N. J., was approved today by the House of Representatives.

Frank A. Freeman Dead. Vice President of Methodist Hospital Succumbs to Heart Disease.

Frank A. Freeman, vice president and acting president of the Methodist Hospital, died suddenly of heart disease in his home, 6446 Drexel road, at 5 o'clock this morning. He leaves a wife, Margaret Jackson Freeman, and an only son, Richard Jr., who is secretary and treasurer of the Mathias & Freeman Paper Co.

Mr. Freeman was fifty-five years old, and had retired from business three years ago. He was at that time president of the Pioneer Suspender Company. He has been for many years president of the board of trustees of the Park Avenue M. E. Church and was actively engaged in Methodist charities.

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"POLICE BUREAU ON TRIAL"—ROTAN

"Discredited," Says District Attorney as Vares Lose Fight to Get Maloney

DENIES KIDNAPPING TALE

A second counter-attack by the Vares-Smith administration police to get possession of Samuel G. Maloney, promoter or "strong-arm" men and "fix" witness in the "Bloody Fifth" Ward murder conspiracy here, was made today.

It was repudiated by the Commonwealth. In blocking the effort by the Department of Public Safety, District Attorney Rotan declared that the police bureau was discredited and on trial from top to bottom.

He branded as untrue the story that Congressman Scott had been kidnaped by the police bureau. Maloney, former harbor master and "boss" of the "Bloody Fifth" and manager of the Philadelphia Bureau of Maloney, is in the custody of the Commonwealth and the independent prosecution, for whom he has given testimony naming State Senator Edwin H. Vares and Congressman William S. Vares as "men higher up" in the plot to defeat the McNichol-Carey faction in the Fifth Ward.

COURT REFUSES SCOTT'S PLEA. Judge J. Willis Martin, sitting in the miscellaneous branch of the Court of Quarter Sessions, today refused the second application of Congressman Scott for revocation of the writ of habeas corpus which Maloney is immune from a Department of Public Safety warrant accusing him of murder conspiracy. He continued Maloney in the custody of former Judge James Gray Gordon, attorney for the prosecution, until next Monday morning, when argument on the original writ of habeas corpus will be heard. Bail was fixed at \$10,000 to insure Maloney's appearance at that time.

Frank Reilly, a saloonkeeper, of 317 Race street, entered his name as surety for the properties at 314, 316 and 318 North Nineteenth street as security. They are valued at \$15,700, subject to an incumbrance of \$10,000.

Charges that District Attorney Rotan had "kidnaped" Maloney were made at the hearing by Congressman Scott, who said that he represented the Department of Public Safety. He demanded that Maloney be turned over to the police to answer the charges against him.

"As I understand it," said Congressman Scott, "representatives of the District Attorney kidnaped Mr. Maloney and sealed him in the District Attorney's office. We ask for the execution of the warrant issued by Magistrate Watson, so that the hearing may be conducted before the Magistrate in an orderly manner. Mr. Maloney already has made a statement to the District Attorney. We respectfully ask that you rescind your original order granting permission for Maloney to remain in the custody of Judge Gordon."

Mr. Rotan and Mr. Scott exchanged heated words several times. Scott asserted that Maloney had been arrested at Maloney's office by City Hall Detectives Farrell and Hodge and was then taken from there by Mr. Gordon and the Young, two detectives of the District Attorney's office. The facts were, Rotan said, that Farrell and Hodge did not have a warrant and that Maloney was actually served until Maloney had been taken to the District Attorney's office. Scott termed the taking of Maloney by Maloney's detectives as "kidnaping." Rotan declared to Scott that "You have no standing here." And Scott flung back:

"I show you whether I have any standing here. We will not permit this man Maloney to continue to travel the streets a free man; we will not allow him to escape 'kidnaping' for the crime he has confessed."

Rotan, in his answer, declared: "The police have nothing more to do with Maloney. He is in my charge. I am not going to allow you to ride roughshod here when you represent a discredited police department which is on trial from top to bottom. We will order Maloney before Magistrate Watson when our case before Judge Brown is complete. But I am not going to let Maloney go before Magistrate Watson at this time while any fraction of the Police Department under arrest and while they are attempting to intimidate this man Maloney."

Mr. Daily, Maloney's attorney, said he was willing to have Maloney out on bail, but said he considered Rotan possessed a right higher than that of Maloney himself. Scott, the Police Department or anyone else, and that he and Maloney yielded to Rotan.

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GAS COMPANIES WANT TO INCREASE RATES

Say They Are Doing Business in Vineland, N. J., and Landis Township at a Loss

MORE SOLD, MORE LOST

Gas is being sold to the consumer in Vineland borough and Landis township at less than its cost of manufacture and unless the Citizens' Gas Companies of those communities are permitted to raise their rates from \$1 to \$1.50 per 1000 cubic feet, they will face an enormous deficit at the close of the fiscal year.

This, in substance, was the testimony of the officials of the companies before Chairman Ralph W. E. Domes, of the New Jersey Public Utilities Commission, in Camden today, in answer to the petition of the New Jersey Gas Company, which seeks to increase its rate from \$1 to \$1.50 in those

communities to raise their rates accordingly.

Gilbert L. De Huff, attorney for the Millville Gas Light Company, which is operated under a lease by the Citizens' Gas Companies, testified that the company was selling gas at a loss of eleven cents on August 1, and that during the last four months the cost of manufacture had increased 20 1/2 cents per thousand cubic feet. He presented a mass of figures showing that coal had increased 57 per cent, oil 35 per cent, natural gas 55 per cent, boiler fuel 25 per cent, and labor 14 per cent, a general increase of 34 per cent for raw materials.

For the last eight months, he told the commission, the actual cost of manufacturing gas was \$1.61 and that this cost had increased 20 1/2 cents, making the total cost \$1.21 1/2 per 1000 cubic feet for gas that is being sold at \$1.

MORE SOLD, GREATER LOSS. S. J. Franklin, general manager of the Millville Gas Light Company, said that under present conditions the companies faced a deficit of \$48,828 in the actual cost of manufacture at the close of the year, unless an increase to the consumer is allowed. "We have either got to make a readiness-to-serve charge of sixty to seventy cents to every consumer or charge a flat rate of \$1.50 per 1000 cubic feet, if the commission will allow it," he said.

"The more gas we sell, the more money we lose," he answered in reply to a question of Chairman Domes to the effect that the cost might be less if the consumption were greater.

Franklin said that \$1.43 per 1000 cubic feet and running expenses without any return on the money invested by the stockholders. "But," he added, "it must be remembered that we are facing extraordinary conditions and that the cost is becoming greater all the time. For instance, we have had to increase the wages of our laborers, but the office force has not had an increase commensurate with the increased cost of living, and we will have to raise their salaries in January."

VINELAND CHARGES DODGING. S. D. Hard, representing the borough of Vineland, accused the New Jersey Gas Company of dodging the increased rate and charged its representatives with dodging. He asked that the company produce its records, showing what it actually costs to make gas and distribute it in Vineland, rather than for the entire territory covered by the company, which embraces about seventeen communities in south Jersey.

Chairman Domes adjourned the hearing until Saturday, October 13, to allow this testimony to be presented. H. C. Bartleson represented the Citizens' Gas Companies and Theodore J. Grayson and Norman Grey the New Jersey Gas Company. Mayor Benjamin Stevens of Vineland was present in behalf of Landis township.



Good-Bye Broadway, Hello France

Columbia Record A2333, 75c

Here is a stirring song—a song that is more than a popular air, because it strikes a deep, true note of patriotism. 'Tis a song with the swing and rhythm of marching men. It will start your blood tingling—when you hear it sung by the Peerless Quartette.

Somewhere in France is Daddy

Columbia Record A2336, 75c

Another song-hit; one that has a real heart-throb tucked away in its exquisite quartette harmonies. On the other side is "Laddie Boy," a war-time song with a burlesque interlude that thrills one through and through.

From Me to Mandy Lee

Columbia Record A2328, 75c

Here is a rich and rollicking harmony from those two splendid tenors—Campbell and Burr—men who know how to put life, swing, and sweetness into a song like this.

That's the Kind of a Baby for Me

Columbia Record A2334, 75c

This great hit stops Elo Ziegfeld's Folies 20 minutes every night. Samuel Ash sings it as only he knows how. Everybody's whistling and humming these popular pieces—go to the Columbia Dealer's today and hear them. You'll find all the big song-hits on Columbia Records—while they are hits.

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