

5th Ward Police Go to Jail Monday

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In touch with Sheriff Ortilp. The latter informed him that the convicted men would have to go to jail unless an appeal to the United States Supreme Court was made.

Counsel for the convicted men were in a quandary. They hesitated as to whether it would be advisable to make such an appeal. Mr. Congan got in touch with District Attorney Wade, and the latter allowed him two days in which to reach a decision.

Should the appeal be taken the men will have an extra extension of liberty pending decision on the appeal.

State Court Denied Appeal
The Supreme Court denied the litigation in which they became involved following the murder of a young detective George Eppley, in the Fifth ward, in September, 1917, when it denied their appeal for a new trial.

The only possible appeal now left to the men is to the United States Supreme Court. The defense attorneys for the men in the case stated that the constitutional rights of their clients were denied.

The men who will go to jail with Lieutenant Bennett, who was held in Moyamensing avenue and the street police station, are: Patrolmen Michael Murray, Lewis Johnson and Clarence Hayden, a negro, John Wietzschauer, discharged from the force, and Emanuel Urgan, who resigned to become a baker.

No Further Delay Seen
In addition to Lieutenant Bennett and the five patrolmen, Isaac Deutsch, vice leader in the "Bloods" organization, was arrested at West Chester, and was convicted. Deutsch, however, died suddenly several weeks ago on the street near his home.

Lieutenant Bennett and the four patrolmen worked yesterday as usual. And as usual Lieutenant Bennett refused to comment when informed his appeal had been denied.

"It's up to my attorney," he said, at the station house.

Feldman Blames Politics
Feldman blamed "politics" for the conviction.

"Well, if this is final and I have to go, I'll show them I can go like a man and a good soldier ought to go," he said in the Second and Chestnut streets station, where he is stationed. "I think though, if we could get a fair trial we would all be acquitted."

"It is significant that nine out of the twelve witnesses who appeared against us at the trial have since been arrested and convicted of crimes ranging from pocket-picking to highway robbery."

"It was politics got me, I know. In all my career as a patrolman I had never done a cent for assessment on club dues, but politics was my downfall, just the same."

Wietzschauer was informed of the decision in his home at 233 Monroe street.

"What's that?" he demanded as his wife and several children crowded to the door behind him. "Refused the appeal? I can't believe it. There must be some mistake. I can appeal. I'll get in touch with my attorney right away."

"Why, say," he continued, "I don't want to go to jail now. I just started in the printing business for myself, and the thing was going fine. It certainly seems hard."

"But I'm not going to give up without a fight. If there is any chance to go higher, my case is going," he said energetically.

Urgan and Hayden were found outside the baker shop of Urgan's father at 509 South street. Both were sitting with their heads in their hands, whispering to each other, in an effort at consolation.

"See, 'Billy' Gray," Urgan replied when asked what he would do.

Hayden silently shook his head in assent, but did not venture to talk.

Murray said, "See 'Billy' Gray," when he was found.

Mayor Smith, nominal and actual head of the Police Department, sidestepped the question of why he was going to do to regard to the members of the force who are scheduled to go to jail.

"My dear fellow, you'll have to talk to Director of Public Safety Wilson," he said. "Perhaps he'll tell you what you want to know. I know nothing about it."

"But you are the head of the department," he was reminded.

"That has no bearing upon the case whatever," he said. "See Director Wilson."

"That's as far as you care to go on the matter, then?"

"It's not a question of how far I other seven offenders, and was acquitted.

Following the murder of Patrolman

care to go, it's a question of how far I intend to go," he replied.

Mayor Smith stood trial on charges growing out of the Fifth ward scandal, also, but he managed to secure a reversal of his case from that of the Eppley, acting as detective, in the Fifth ward by "Butch" Masia and sixteen other gunmen imported by Deutsch to help him carry the ward against Mercantile Appraiser James A. Carey for Select Council and political leadership of the ward. Mayor Smith, Deutsch, Lieutenant Bennett and the five patrolmen were arrested on September 21, 1917, for conspiracy. They were given a hearing before Judge Brown, of the Municipal Court, sitting as a committing magistrate, and held for court. They were indicted in Philadelphia on the following December 19.

A little more than a month later a fight for delay, Mayor Smith was granted a severance from the seven other defendants, Judge Wessal awarding him a separate trial.

Asked Change of Venue
Lawyers representing Deutsch and the patrolmen then went into the state Supreme Court with a petition in which they declared that they would find it impossible to obtain a fair trial in the courts of Philadelphia. They asked for a change of venue to have the case tried in another county of the state. District Attorney Rotan, to their surprise, joined in this petition, and the Supreme Court transferred the trial of the case to Chester county.

Attorney Gray, representing the convicts, appeared in the Chester county courts early in last July and argued before Judge Butler and Hayes to have the indictments quashed. The court overruled the motions and Deutsch and the six patrolmen were placed on trial on July 15, 1918, before Judge House at West Chester.

The trial was the most sensational in the history of the rural county and an attempt was made by Patrolman Allen J. Ryan, the constable machine's leader of the Thirty-sixth ward, to bribe one of the jurors. He was arrested, jumped \$2000 bail put up by Ryan and fled the jurisdiction of the court. He has never been found by the authorities.

Seven Found Guilty
Deutsch and the six patrolmen were found guilty on last August 14 of conspiracy to prevent a free and fair election, and conspiracy to violate the Sherman law, which prohibits the political activities of municipal officials.

Immediate application was made by their counsel for a new trial.

Judge House, on last January 6, overruled the motion for a new trial. A week later District Attorney Wade, of Chester county, called the seven men to the bar of the court and they were sentenced to prison terms. An appeal was taken the same day to the Superior Court, in which attorneys for the convicts claimed that the Chester county court had erred in refusing a new trial.

Mayor Smith was placed on trial in Philadelphia on the same charges about this time. His trial was not so lengthy.

He went before the jury on January 31 during the time that one of his lawyers, John R. K. Scott, pleaded to the jury to acquit him. When the jury returned a verdict of "not guilty," the Mayor openly embraced and kissed three of his four lawyers in the courtroom.

The appeal of the Fifth ward convicts was heard by the Superior Court in Pittsburgh on April 28. It was when the appellate court had the appeal under advisement that Deutsch died near his home in the Fifth ward, of heart disease. He died on the same bed in the Jefferson Hospital on which Eppley had died after he had been shot during the bloody reign of terror on election day.

The Superior Court, a month afterwards, denied the petition for a new trial. The case was then appealed to the Supreme Court.

Prosecution of the Fifth ward patrolmen, as well as the eleven gunmen who are serving prison terms, was conducted by District Attorney Rotan, Assistant District Attorney Taulane and Assistant District Attorney Gordon, conducted all of the prosecutions in the Philadelphia and Chester county courts.

Republican party, and, of course, guarding against the unfortunate consequences of Mr. Wilson's surrenders at Paris, engrossed all attention.

Only Argument Apologetic
No argument is heard for the French treaty except the apologetic one that it would be a graceful thing to do because requested by an ancient friend who is somewhat harassed by recent terrible experiences. The President has primed his spokesmen with no reason for its adoption. He is apparently not interested in its fate.

One of the Democratic Senate leaders made this curious argument for the treaty: It was perhaps unfortunate that the treaty had been agreed to by the President; but now that it had been the effect of rejecting it both in France and Germany would be bad. Sentimentally, it would be appropriate to give this little thing to France just because France was suffering from shell-shock and asked it.

That is the positive argument for the treaty. Sentimentally, it would be bad to refuse to give it now that it had been accepted, because the refusal might be misconstrued in France and Germany.

President Not Concerned
It appears unlikely that the President will do more than he has done to secure the acceptance of the treaty. Indeed, he is reported to have told a senator yesterday that he was not greatly concerned about its fate, that its object had been to secure certain political stability in France and that at most it was a graceful and harmless thing.

Every indication bears out this report of the President's attitude. It has been plain from the first that Mr. Wilson was not proud of his French treaty.

He concealed it in France, the press being told in a semi-official way that Mr. Clemenceau had been satisfied and would be permitted to make public the assurances he had got from the United States in his own time, because he was in political difficulties and would know best how to produce the most telling effect upon his enemies by his announcement.

Even after Mr. Clemenceau's announcement, Mr. Wilson kept silent. He was only dragged into sending the treaty to the Senate by the request of the Senate itself. His attitude has all along been apologetic.

The President performs his graceful act in a particularly graceful way, as if he were a trifle ashamed of the emotions we all ought to show. When you keep the left ventricle of the heart so long in ignorance of the deep feelings that fill the right ventricle the result is not likely to be a full burst of enthusiasm or sympathy, but a visit of a cardiac specialist.

sole support up till that time, swung to France.

Decided On In Emergency
President Wilson was in a panic. The American delegation held one of its few meetings at Paris and viewed the situation as critical. The President called the George Washington to Brest. A few days later, Mr. Clemenceau saw Colonel House and it was announced, as already said in this article, that the French premier was satisfied with the assurances of support given by the United States and that he could announce them in his own good time.

Mr. Wilson then got his Monroe Doctrine amendment, France and Britain withdrawing their objections apparently in view of the treaty of support promised to Clemenceau. Mr. Wilson then said Japan's relief and the league of nations was served.

There are all the circumstances of the French treaty. And it is all very different from throwing a rose to France because we love her. Nobody believes that the President's apologetic explanation of the French treaty is the full and true explanation.

The damage the French treaty does is that it contributes to the atmosphere of confusion and hesitancy which surrounds all of Mr. Wilson's work at Paris. We know that the President abandoned his professions to sign this French treaty and to accept the Shantung arrangement with Japan.

Lack of Frankness Seen
If the President had the habit of frankness, he might have taken the difficulties into his confidence regarding the country of getting peace at Paris and his surrenders and compromises been excused. But he is trying to represent his very surrenders as triumphs.

The result is that every one fears that more yieldings, inconsistent with the American ideal of fair international dealing are hidden in the German treaty that have yet to come to light.

All the force of the demand for reservations springs from this lack of confidence. America was outplayed at Paris. Mr. Wilson is concealing his defeat trying to make it appear a victory. No one knows how grave his compromises have been; therefore the counsel of the country is "go slow." That is the background of the Washington situation.

Capital Stepped in Politics
In Washington there is little but politics and personal animosity. But these two things could not survive if the country liked the situation as revealed at Paris.

The French treaty, with the sentimental explanation given by the least sentimental man at Paris, the man who did more than any one else through Peace Conference propaganda to destroy the sentimental relations between this country and France, is one of the factors destroying confidence.

It is little more. I have given the Democratic attitude toward it, namely, that it would be a graceful thing to accord to France, or, more tenuous still, that it would be ungrateful to deny it to France. The Republican attitude as on all questions, is more confused, because the opposition is less disciplined than the administration party.

Lodge Wants an Alliance
Senator Lodge would like to see the alliance accepted but objects to it because it is complicated with the league of nations. The real league of nations

Republicans, the middle western idealists, object to the treaty as inconsistent with the league of nations.

The German treaty defeatists, like Senator Borah, want to keep the United States out of European affairs and the French treaty is anathema to them. There seems to be no possibility of union among these groups. Besides, all dislike Wilson, and the French treaty affords them a chance to testify their distrust of the President without incurring political danger.

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Clinton W. Gilbert, writer of the foregoing illuminating article on the French treaty, is a staff correspondent of the EVENING PUBLIC LEDGER. He represented the EVENING PUBLIC LEDGER at Paris during the entire period in which the German treaty and league of nations covenant were drawn up.

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The first arrest made by soldiers, however, was that of five white men, whose automobile was searched because of their rowdiness, and found to contain a revolver.

While the soldiers were taking their stations a crowd of whites surrounded the home of John Coles, a negro policeman in Englewood, and rained bullets on him and his wife. The house was severely damaged before policemen came to the rescue.

Interference with the United States mails has carried the riot situation through official channels to Washington. Federal officials hinted that troops would be asked to surround the post-office, affording protection for employees of both races and guaranteeing delivery of mail.

Failure of 1000 chauffeurs, carriers and clerks to report for duty yesterday was declared by Postmaster Carille to be a result of the rioting. The riots and strike being assigned as the reason of the inability of employees of mail in that section to a great extent, to reach their employment. The interference was reported to Postmaster General Burleson.

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Soldiers Quickly Curb Race Riots
Continued From Page One
Wabash avenue, while other soldiers were fired on from ambush on the way to duty. No soldier was killed or wounded and after the troop had taken their places, disorders died down within the region patrolled.

Negroes Welcome Troops
The law-abiding negroes who had not participated in the rioting and had been herded within doors for three days for fear of attacks rushed out doors as the tramp of the militia echoed down the streets of the black belt, but they had been too much overwhelmed by fear apparently to offer any greeting, merely watching with lightened countenances the men in khaki.

As each regiment reached its headquarters the men were split into patrols of eight, who were sent out under non-commissioned officers to see that order was preserved. Even the truculent negroes for the most part refrained from fighting the soldiers, and by 2 o'clock in the morning all was quiet in the trouped-guarded territory.

The most serious riot of the night took place at Fifty-third and State streets, where 200 policemen fought nearly two hours a crowd of negroes, firing several hundred shots before the rioters were subdued and forty-five of them arrested. It was only after the patrolmen had chopped their way into some of the buildings and seized a dozen snipers with their rifles and 500 cartridges that the fighting ceased.

Patrolman is Shot
Although many heads were cracked as the police charged the rioting negroes, the fight resulted in the injury of only one white person—Patrolman Emil Johnson, driver of a patrol wagon. He was shot as the policemen dashed up to the scene, and thereafter the bullets kept in the shelter of their vehicles while approaching the row of houses.

Before the troops had all been assigned there were some minor clashes with roughs, however. The first melee occurred in front of the shop base of the motor transport corps at Fifty-first street and Wabash avenue. Nine negroes, armed with revolvers, drove back and forth in front of the bus, firing promiscuously, but hitting no one.

A squad of soldiers soon came up and

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ROYALISTS KILL RUSSIAN
Court-Martial Red Near Stockholm and Execute Him
London, July 31.—(By A. P.)—Ten persons, including a Russian general, a colonel and several women, have been arrested in connection with the death of Nikolai Ardasjeff, a prominent member of the Russian colony in Stockholm, says a Stockholm message.

Ardasjeff has been missing since July 3, and it now develops that he was murdered. He is declared to have had close connections with the Russian Bolsheviks, and it is believed to be probable that he was made away with by supporters of the old regime.

Ardasjeff was made prisoner by several of his countrymen and conducted to a villa outside of Stockholm, where he was sentenced to death by a court-martial, subsequently being hanged and his body thrown into the sea.

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