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ONE CENT.

SAYS GANGSTERS CLEARED STREETS BEFORE MURDER

Louis Kreso, Waiter, Testifies That Forty Men Prepared for Rosenthal Shooting.

SULLIVAN AND WEBBER HELD

Arrested on Coroner's Order—Mayor Gaynor Orders Becker Kept on Police Force.

New York, July 26.—Positively identifying "Bridges" Webber and Jack Sullivan as two of the men who ran to the curb in front of the Metropolitan Hotel immediately after the shooting of Gambler Herman Rosenthal on the night of July 15, Louis Kreso, a waiter, to-day presented the most damaging testimony yet adduced against the alleged slayers of the man who had threatened to expose police graft.

Kreso told his story before Coroner Feinberg at the latter's examination of Webber, and as a result Webber was committed to the Tombs without bail until August 1. Charged with being an accessory to the murder, Jack Sullivan was also arrested, charges against him being based on Kreso's story. Kreso declared that the street was cleared in preparation of the assassination by a band of forty men. He told how he was ordered to move on by one of the gangsters when he stopped to see what a group of four or five men was doing in the middle of the street. These men, he said, went to the entrance of the Metropolitan at a signal from a man in the doorway. Immediately thereafter the shots which killed Rosenthal were fired and the same four or five men hurried to the waiting auto and disappeared.

Identifies "Bridges" Webber. "Did you see any one standing in this group of men who is now in the court room?" asked District Attorney Whitman of the witness.

"Yes, there he is," said Kreso, pointing his long forefinger straight at the face of "Bridges" Webber.

The scene was dramatic in its intensity and, for the moment, not even the court officials spoke. Then sensation followed sensation when Kreso identified Jack Sullivan, and Coroner Feinberg ordered his arrest.

Despite the arrest of Frank Croford, alias "Dago Frank," and his arraignment to-day, District Attorney Whitman this afternoon identified the man who shot the murderer of Rosenthal as weak. He attaches little importance to the arrest of Croford.

"I have enough evidence, I believe, to convict two men, but the one man I would like to get hold of is Sam Schupp. With him in the Tombs we would have the key to the situation.

"It developed before the trial that the police of New Haven, Conn., had Schupp under arrest two days after the murder, but released him because the New York police said he was not wanted.

More Damaging Testimony. William Shapiro, who made a complete statement to the District Attorney, has established the identity of the men who used the gray murder car on the night of the tragedy. His evidence is strong against Jack Rose, Harry Vallon, and "Bridges" Webber, as well as against the missing Schupp.

Three other witnesses, whose names have not been made public, declare they saw Vallon at the Metropolitan before the murder. Mayor Gaynor to-day wrote to Police Commissioner Waldo a 2,000-word letter in which he orders the commissioner not to suspend the evidence alleged to be the man who received the gambling graft, except on evidence strong enough to convict. In this letter the Mayor says:

"This is the third attempt by hunters and other criminals to break down the police administration inside of two years through their paid press agents. Do not suspend Lieut. Becker and put him on trial without evidence to justify his conviction and dismissal. You do not need a single bit of clamor and especially to clamor chiefly created by the paid press agents of the gamblers with whom you are at war."

Plays "Foreign Gamblers." "We have in this city the largest foreign population of any city, and a large number of them are degenerate and criminals. The gambling of the city is almost all in their hands, not to mention other vices and crimes. The published names of every one connected with Rosenthal and his murder shows them to be of this same class of lawless foreigners to whom he belonged. When the police arrest them one by one and close their places they open others."

Regarding the writs of replevin by which in the past gamblers have secured the retention of more than \$70,000 worth of paraphernalia confiscated by the police, the Mayor said:

"Take these gambling instruments hereafter as absolutely contraband, and upon seizing the gambling places where they are knocked them into splinters with an ax." The Mayor adds that the courts might as well suspend the writs of replevin as to "rescue dynamite bombs to an assassin" as gambling machinery to a gambler.

Mayor Rebuffs Aldermen. Alderman Curran this afternoon called on Mayor Gaynor to tell him of a proposed aldermanic investigation of the Police Department's connection with the tragedy, and was met with a sharp rebuff.

Commissioner of Accounts Foelck to-day learned that a letter sent by him to Police Commissioner Waldo giving information of gambling houses in the district controlled by ex-Sheriff Tom Foley, a well-known Tammany district leader, had been put into Foley's hands by the police, and was copied in Foley's office. Foelck has written to Waldo, asking for an explanation, but he received no reply.

Formal charges were made at police headquarters to-day against William J. File, the patrolman who was in the Metropolitan dining-room at the time of the shooting. He is charged with neglect of duty. It is hinted that the real reason for the suspension is the fact that File had collected evidence to show that one of his

ACCUSED POLICE OFFICIAL WILLING WITNESS.



LIEUT. CHARLES G. BECKER.

Of the New York Police Department, who was accused by Herman Rosenthal, the murdering gambler, of having been connected with the scandalous system existing between certain police officials and gambling house keepers, the promise of exposing which is believed to have been the direct cause of Rosenthal's death. Becker has announced his willingness to appear before the grand jury investigating the Rosenthal murder, and tell of his connections with the many gamblers who have been arrested "on suspicion," or are held as witnesses. He declares he will make his statement in full, with no grant of immunity.

'KID' M'COY HELD ON THEFT CHARGE

Noted Pugilist Arrested in London Accused of Stealing \$250,000 in Jewelry.

BAIL IS REFUSED AND FRIENDS ARE IN ARMS

Marc Klaw and Charles Dillingham Attempt to Secure Fighter's Release but Are Unsuccessful.

London, July 26.—Norman Selby, the ex-pugilist and health expert, popularly known as "Kid McCoy," was arrested this afternoon in his apartment at the Hotel Cecil at the request of the Belgian government on a charge of grand larceny, alleged to have been committed last Sunday at Ostend. Bail was refused, and Selby was taken to Brixton jail to await extradition papers, which will take a week to come.

The theft, according to Scotland Yard authorities, consisting in the taking of \$250,000 worth of jewelry belonging to the Princess of Thurn and Taxis, formerly Mrs. Gerald Fitzgerald, of Uniontown, Pa., who is stopping at the Palace Hotel. Mrs. Selby, admitted to-night that her husband visited the gay Belgian watering place Sunday for the purpose of attending the opening race meeting, and also to arrange a prize fight in the autumn. She said he saw a number of good crooks while he was there, got wind that there was some crime soon to be committed and then left, so as not to become involved in any way.

Friends Believe in Him. Most of McCoy's friends here believe he is innocent, and that his arrest has been caused by his being seen in company with the guilty persons at Ostend, and then suddenly returning to London. Three arrests have been made at Ostend, two Belgians and one notorious English crook, known as "The Squaker."

To-night several friends, including Marc Klaw and Charles Dillingham, motored to Brixton to give bail, but were not allowed even to see the prisoner. The arrest has caused much feeling, because the prisoner is an American and has been locked up and refused bail by another and friendly government. McCoy has been in London several months promoting his health ideas from a sanatorium patterned after Muldoon's.

The Princess of Thurn and Taxis is the wife of Prince Victor, the Austrian royal family, and was married only a few months ago. Josephine Moffitt, a former New York chorus girl, also claims the title, saying she was married to Prince Victor in Newark, N. J., several years ago.

Woman Moral but Not Sane. London, July 26.—According to a detailed report of the census of England and Wales, the women of those countries are more moral than the men, but not as sane nor as sober.

31.25 to Baltimore and Return Saturdays and Sundays via Pennsylvania Railroad. Tickets good to return until 9 a. m. Monday. All regular trains except the "Congressional Limited."

BURNS' SLEUTHS NAB BOODLERS IN DETROIT COUNCIL

Fourteen Aldermen in City of Straits Held on Charges of Graft in Railroad Deal.

DICTAGRAPH PLAYS A PART

Mon. Are Caught Red-handed Accepting Bribes—Arrested as They Come from Room.

Applied for Street Closing.

It was shortly after the referendum election January 23, that the Wabash Railroad, at the solicitation of Andrew H. Green, the millionaire manager of the Solvay Process Works and other business men, applied to the Common Council to vacate part of a street upon which the railroad owned all the abutting property for the purpose of building large freight sheds to relieve the congestion in the West End.

The council refused permission. Mayor Thompson believed that certain of them who managed to control had blocked the plan for the purpose of holding up the railroad.

Burns sent one of his best men to the city, W. J. Brennan, his chief assistant. Brennan opened offices in the Ford building, representing himself as a representative of the Wabash Railroad. As such he began to approach the aldermen with arguments as to why they should vote to close the street.

Played for Inducements. Pretty soon Secretary Schretter approached with an intimation that the street closing could be effected by proper inducements. Schretter let it be known that he was to act as go-between; but Brennan insisted on dealing directly with the aldermen.

He wrote to the aldermen, the approachable ones, to vote for the closing of the street, agreeing with them individually upon what they were to receive. He insisted on the council passing the ordinance first. They stuck to their bargain, passed the measure and to-day called at the offices in the Ford building for their pay.

They were handed their money they were arrested and confronted with the dictagraph records of their bribe bargaining.

Colonel Comments Upon His Coming Speech at Chicago Convention. Attack on Interest.

TO PLAY DEMOCRATS AND CRITICISE COMMONER

Minimum Wage Scale, Six Working Day Week, and General Readjustment to Be Urged.

Oyster Bay, N. J., July 26.—A savage attack upon Bryanism as well as Bryanism will characterize the speech before the third party convention in Chicago August 5, when Col. Roosevelt will exploit his campaign for the Presidency in the former President's territory.

The former President intimated to-night that he intends to tear the Bryan theories to tatters. Roosevelt regards Bryan as a platform orator who shoots arrows at the sky. He argues that Bryan expounds vague ideas. In his effort to strike a solution of the economic problems of the day, ideas that, as the colonel puts it, would be as harmful as the free silver bubble if carried into effect.

The entire Democratic platform, he insists, reflects Bryanism and looks to no definite working out of the industrial crisis facing the country.

As to Bryanism, the colonel will maintain in his speech that the financier is like all others of his ilk, who are watched to see that nothing in the way of government regulation happens to curb the greed of the corporations. Bryan and Ryan, the colonel will contend, are equally hurtful in their influence upon the progress of real Democracy.

Colonel Is Inquisitive. In speaking of his forthcoming pronouncements, Roosevelt expressed an inquisitive concern to know how big business was going to take it. He hoped, he said, that the moneyed interests "would not shy at it." His Columbus speech, he remarked, struck the business element of the country the wrong way at first, as while he made it clear early in his speech that he intended no harm to business, his later references to the regulation of the courts and their relation to the corporations produced a scare.

"It is not a thing that can be worked out in a year or five years," the colonel went on. "No given set of principles can be laid down. What we must strive for is a greater diversification of ownership, a system that will put a stop in a fair way to the concentration of the country's wealth. Everything must be adjusted to that end."

Urges Minimum Wage. "We have got to come to the minimum wage," said the colonel, in referring to this part of his speech to-night. "The men who control our industries must wake up to it. A complete readjustment of the industrial situation is inevitable." Roosevelt's speech is in the hands of the printer now. Comprising more than 15,000 words, it is the most comprehensive document the colonel says that his pen has yet produced.

31.50 Harpers Ferry and Martinsburg; 31.50 Berkeley Springs, 32.00 Cumberland and Gettysburg. Baltimore and Ohio Special Train leaves Union Station 8:29 a. m. Sunday, July 28, stopping at principal stations on Metropolitan Branch.

SENATE PASSES EXCISE BILL OF LOWER HOUSE

Income Tax Measure Dropped by Democrats at Morning Caucus.

PARTY LINES ARE BROKEN

Every Person, Firm, or Corporation to Pay One Per Cent on Income of \$5,000 or Over.

The Senate, after about eight hours' consideration of the House excise bill, passed that measure last night by a vote of 27 to 13. The bill is the one reported and passed by the House, and extends the special corporation tax that was a feature of the Payne-Aldrich law to individuals and copartnerships. The Democrats in the Senate were reduced to a choice between the excise bill and a straight income tax. It required a party caucus for them to decide what they would do. The caucus was hastily called in the morning, and lasted for over two hours, and resulted finally in the adoption of a resolution offered by Senator Newland of Nevada, in which the Democrats went on record as favoring an income tax, but declared that in view of the fact that the ratification of two States was yet necessary to the constitutional convention legalizing the income tax, that they would support the special excise bill for the present.

Senator Borah of Idaho brought forward an income tax bill, which he offered as a substitute for the excise measure, but the substitute was voted down by a majority of ten, twenty-three Senators voting for it, and thirty-three against it. The defeat of the income tax amendment was accomplished by the votes of Democrats. Some of the Democratic Senators are very restless under the outcome, and declared that it was poor politics to defeat an income tax bill for the sake of a temporary party advantage. Republicans are also angry at the outcome, and declared that the progressive Republicans voted for it.

Bill Is Amended. The excise bill as it finally passed the Senate was amended in several particulars, but the amendments were all in the nature of supplemental legislation. Senator Cummins' bill creating a tariff commission was passed by the Senate October 1, 1911, by President Taft. Amendment that was defeated last night when offered to the La Follette wool bill, was adopted yesterday. The vote was 28 to 16. The Senate also adopted an amendment offered by Senator Gronna of North Dakota, repealing the Canadian reciprocity act and imposing a general duty schedule, and a resolution, proposed by the Gronna amendment, repealing the reciprocity act, amounts to a repeal of the free print paper provision in the Canadian reciprocity act. The Senate has heretofore passed an amendment repealing the Canadian reciprocity act, which was offered by Senator Cummins and was adopted by a vote of 27 to 25.

Senator Fletcher of Florida added an amendment to the bill extending the exemptions under the present corporation tax law to the new excise law. This was adopted without a division. It provides that religious and fraternal organizations and benevolent societies, when incorporated, shall not be subject to the tax.

Senator Bacon put in an amendment providing that a tax of 1 per cent should be imposed on the earnings of stock owned by one corporation in another corporation, regardless of whether the corporation the stock of which was thus owned, had once paid the excise tax.

The closing act in the proceedings just before the final vote was taken was supplied by Senator Heyburn of Idaho, who read the Senate a lecture on its tendency toward radical legislation. He declared that such legislation as the bill that was before the Senate was inspired by a spirit of hatred on the part of some people for the few persons in the community who had been successful and acquired wealth. He declared that he would not dare to put into execution the bill that he advocated on the floor of the Senate.

Senator Hitchcock of Nebraska sought continued on Page Two.

NIPPON'S RULER NEAR TO DEATH

Emperor Mutsuhito Sinking Rapidly and Physicians Work Hard to Sustain Life.

Tokyo, July 26.—Emperor Mutsuhito entered on a condition of extreme gravity about noon, and the physicians have been doing their utmost ever since to sustain for a brief time the feeble spark of life. The suspense in the capital has been intense since the official bulletin, which told that the beloved ruler was sinking. At 8 o'clock to-night another bulletin was issued, which read:

"No change." And this only served to increase the feeling of anxiety which is holding the entire city.

At 10 o'clock to-night thousands of people are gathered in the great parks outside the palace, and the lawns are filled with men and women who have been on their knees for hours praying for the life of the Emperor. Through the extreme heat of midday this crowd waited while inside the palace the cabinet held a meeting and prepared for eventualities.

Ready to Announce Booklovers' Winners. A complete list of all the winners in The Herald's Booklovers' Contest will be announced in to-morrow's issue of the paper. The judges have given final consideration to the submitted answers and have decided upon the prize winners.

Much interest is centered in the contest, because of the large number of readers of The Herald who entered the competition. The first prize is a \$1,000 building lot at Randle Highlands. The second is a \$750 inner-player piano. The winner of the third prize will be awarded a \$500 library of choice books. Two hundred and fifty dollars in the form of credits at the Citizens' Savings Bank will be distributed among the other lucky contestants.

Order your copy of The Herald to-day.

HIS FREEDOM A MESSAGE TO SOCIETY

Slayer of Stanford White Sent Back to Matteawan by Judge Keogh.

OPINION OF COURT SHORT ONE

White Plains, N. Y., July 26.—Harry Thaw will be returned to Matteawan Asylum for the Criminal Insane, according to a decision handed down by Supreme Court Justice Martin J. Keogh this afternoon. Justice Keogh, denying the application of Thaw's mother, Mrs. Mary Copley Thaw, for an order releasing her son, was brief, and said in part:

"Having listened to all the testimony and seriously considered it, I am of the opinion that Harry K. Thaw is still insane, and that his discharge would be dangerous to the public peace and safety."

"The writ, therefore, must be dismissed on its merits and Harry K. Thaw delivered to the authorities at Matteawan."

The slayer of Stanford White was much downcast at the Justice's decision, and wrote the following statement asking that it be given to the public.

"I would have glad news to my family. It would have been better had I been acquitted, like Capt. Hains."

"HARRY K. THAW." Spends \$1,000,000.

The result of Thaw's latest fight for liberty comes after the expenditure by his family of probably \$1,000,000 in the process of habeas corpus proceedings. His mother has appealed from every adverse decision, going in one case to the United States Supreme Court, but all to no avail.

The recent hearing has again drawn attention to the enormous expense connected with the Thaw case. New York State, for instance, has spent \$200,000 to place Stanford White's slayer in Matteawan and to keep him there. This makes the White homicide one of the most expensive in the history of the country.

This amount, however, is but small when compared to the enormous sum put up by Thaw and his family. It is estimated that they have spent more than \$1,000,000 in his two trials and the many subsequent hearings, and it is said that they are ready to spend as much more should young Thaw again be returned to the insane asylum.

The estimated cost of the present hearing would cost the State just about as much. But by this time the authorities have gotten used to spending large sums to prevent Thaw from getting his freedom.

Thaw's first trial began January 22, 1907, and lasted seventy-nine days. When the jury, after forty-eight hours' retirement, returned, the State had spent for nothing a trifle more than \$100,000.

Lawyers Got Thousands. Thaw said he had spent nearly all he possessed. He gave Hartridge \$304,000 and the lawyers, not being satisfied with that, entered suit for \$200,000 more. Dolphin M. Delmas, the San Francisco attorney, was paid \$40,000. Other lawyers received sums from \$15,000 up.

On top of this came the trial which cost the State another \$100,000. At the end of this trial, when he was adjudged insane, Thaw, from Matteawan, declared he was a bankrupt. The two trials had cost him \$48,000 in money spent and he owed \$25,000.

In 1909 Thaw made another fight for freedom before Justice Mills at White Plains. District Attorney Jerome had gone out of office, but the State hired him to present its case. Thaw lost and the cost to the State was about \$40,000, Thaw more than \$200,000. After a lapse of two years Thaw succeeded in getting another hearing.

In this hearing 75,000 words of testimony were taken. This makes 2,500 type written pages. In book form it would make eight novels the size of the best sellers.

DEMOCRATS PLAN BOLT OF CAUCUS ON NAVAL POLICY

Thirty-five Members of House Determined to Get Two Battleships.

Leaders Want Harmony "Pork Barrel" Held Out as Bait to Recalcitrants—Suizer Stands Firm.

Deeply Concerned.

The Democrats want to adjust their troubles over battleships in caucus before the question is again thrashed out on the floor. They are deeply concerned over the notice that has been served on them by Representative William Suizer of New York and other advocates of "an adequate navy" that they will not be bound by caucus on this proposition.

Under the rules of the caucus no member is bound to subscribe to a declaration of opinion or any proposition which he may be bound by previous made to his constituents or declaration in his platform. One who declines to do so is bound by caucus on this proposition.

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