

KABER ACCUSED WIFE, TWO WITNESSES SAY

Medium Testifies Defendant Sought Aid in Killing Wealthy Husband.

LOVED ANOTHER MAN Prisoner Plotted to Slay Publisher for \$50,000 Policy, Charge.

SENT \$500 TO 'EMMA'

Grandmother of Adopted Child Tells of Threat by Woman to Rid Self of Ties.

CLEVELAND, July 7.—Testimony tending to show that Daniel F. Kaber, for whose killing his widow, Eva Catherine Kaber, is on trial for first degree murder, suspected her of having planned his assassination was introduced today by the State.

"My wife ordered this done! My wife ordered this done! My God, my wife ordered this done!"

These exclamations were uttered by Mr. Kaber to Police Lieut. L. B. Miller of Lakewood upon the officer's arrival at the home soon after Mr. Kaber had been stabbed, according to Lieut. Miller's testimony.

"My God, doctor, my wife must have done this!" Dr. W. J. Quigley, who was called to attend the wounded man, said Mr. Kaber exclaimed to him.

Both Lieut. Miller and Dr. Quigley declared that Mr. Kaber made these statements while yet conscious and while he lay on the floor by the side of the bed in which he was attacked.

This and assertions by two women witnesses that Mrs. Kaber told them that she wanted her husband murdered were the high points in this State's testimony today.

Mrs. Mary J. Wade, an alleged medium, testified that Mrs. Kaber on the last several visits to her said: "I want you to try to get rid of Dan Kaber for me."

Asked by Mrs. Wade how she was to go about it, Mrs. Kaber was alleged to have replied: "I want you to kill him—any way to get rid of him. The man I love has no money, only brains, and Mr. Kaber has \$50,000 life insurance."

Mrs. Bertha Mitzke, grandmother of the little Patricia whom the Kabers had adopted, testified that Mrs. Kaber said to her: "I hate Dan Kaber and am going to get rid of him within the next six months in some manner or other."

These statements were made to Mrs. Wade in April, 1919, and to Mrs. Mitzke in January before the murder, they testified.

The State also in an effort to substantiate its claim that Mrs. Kaber sought to poison her husband introduced testimony of Dr. Quigley and Dr. Alfred Masechke along this line.

Both physicians said they had treated Mr. Kaber and made examinations of him during a period of several months before his death. They asserted that he was suffering from neuritis and secondary anemia.

Based upon a hypothetical question asserting that an analysis of Mr. Kaber's internal organs after his death disclosed the presence of arsenic in quantity "sufficient to kill four men," both physicians said they would diagnose the cause of the anemia and neuritis as arsenical poisoning.

Poison Evidence to Be Given.

This hypothetical question was admitted by Judge Maurice Bernon only on the State's promise to show by later testimony that an analysis of Mr. Kaber's organs showed the presence of the poison in the quantity alleged.

Attorney William J. Corrigan on cross-examination of the physicians sought to establish that the poison might have been absorbed from powder sprinkled over the organs by the undertaker who prepared the body for burial. He based a hypothetical question on the assumption, but Dr. Quigley maintained that the poison could not have been absorbed in this manner in such an amount as claimed by the State.

Attorney Francis W. Poulson, Mrs. Kaber's personal counsel, asserted this evening that the testimony of the undertaker would show that the powder sprinkled over Mr. Kaber's internal organs was arsenic, and according to Mr. Poulson, "enough to kill a whole regiment of men."

Attempts by the State to introduce additional statements alleged by Police Lieutenant Miller to have been made to him by Mr. Kaber soon after the stabbing were ruled out by Judge Bernon, as the alleged statements were in answer to questions asked Mr. Kaber by the officer and not the wounded man's own unsolicited offering.

Lieut. Miller identified the dagger with which the stabbing is alleged to have been done. He said it was found on the bed in Mr. Kaber's room. It was made from a file about ten inches long. It still bore spots of blood.

Other Women in House.

The police officer also testified that he was the first person outside the Kaber household to arrive after the murder, having been summoned by Mr. Kaber's male nurse, F. W. Utterback. He said the only persons in the house, except Utterback, were Mrs. Mary Brickel, mother of Mrs. Kaber; Marian McArdle, daughter of Mrs. Kaber, and a girl friend of Mrs. McArdle.

Mrs. Maria Matthews, a palmist, testified that Mrs. Kaber brought a large box of silver and linen to her house a few days before the murder, and later Mrs. Kaber gave her the articles. She also testified that Mrs. Kaber brought an envelope to her some time after the murder and asked that it be given to "Emma"; that it was delivered to "Emma" the next day, and that "Emma" opened it and displayed \$500 in bills.

The State will attempt to show that "Emma" was Erminda Colavito, midwife nurse, who is alleged to have procured the actual murderers for Mrs. Kaber and to have turned the money over to them. Mrs. Colavito also is under indictment for first degree murder.

KILLED BY BAD AIR IN WELL.

MALONE, N. Y., July 7.—Earl Durant, aged 23, was asphyxiated by black damp and his brother Leo, 18, nearly suffered a similar fate, in an attempt to clean a well on their father's farm at South Bangor this afternoon.

FIRE DEPARTMENT SAVES GIRL ON OPERATING TABLE

Boston Hospital Physicians Call City Employees When Patient Stops Breathing, and They Revive Her With Pulmotor in Seven Minutes.

BOSTON, July 7.—A case in which the Fire Department was called to save the life of a young woman who was on the operating table at a hospital and succeeded became known today.

The patient had stopped breathing after a major operation and heart and pulse beats became weaker. Physicians and nurses had tried for an hour to revive respiration without success when the Fire Department was called upon to send a pulmotor.

The patient was so weak that pure oxygen could not be pumped safely into the lungs at first and clear air was alternated with a dash of oxygen. After seven minutes breathing was begun and in half an hour the patient's respiration was normal. Dr. S. L. Strong, the physician in charge, said today that the pulmotor proved effective and he praised highly Captain William Swan and the Fire Department squad in charge of it.

PERJURY CHARGED IN STOKES BRIEFS

Littleton Asks Court Action Against Witnesses Who Attacked the Wife.

William E. D. Stokes is accused of "procuring an array of disreputable witnesses to give false testimony against his wife" in the final brief of Martin W. Littleton, chief counsel for Mrs. Helen Elwood Stokes in her defence of the divorce action begun by Stokes. The lawyer hopes "the facts will be referred to the proper authorities for such further action as justice may require."

This brief, replying to the plaintiff's brief, the main brief of the defendant and both briefs of Francis L. Wellman and Herbert C. Smyth, Mr. Stokes's counsel, were filed yesterday with Supreme Court Justice Finch, thus winding up the presentation of testimony in the case. Justice Finch's decision is not expected within a month.

"As to every one of Mr. Stokes's witnesses, the ancient maxim falsus in uno, falsus in omnibus applies," the defendant's brief declares. "And since every one of them is his offspring and part and parcel of the same conspiracy, if any one of his witnesses has knowingly testified falsely as to any material fact the perjury of that one is deemed to be the perjury of the rest and of their principal as well."

"Whatever Mr. Stokes may have to say without the sanctity of an oath in his reply brief with respect to his wife's counterclaim, he has said nothing under oath on the trial, nor has he called a single witness to contradict or impeach in any material particular, however minor, the testimony introduced by her, so that the same stands wholly uncontradicted."

"While we were writing this brief the public press recorded the significant protest of a judge of this court, sitting in an adjoining county, against the prevalence of corrupt practices in divorce cases. There are detective agencies throughout the country," says this judge, "supplying professional perjurers for the divorce courts, and we judges are powerless against their scheming systems."

"Here Mr. Stokes had a special private detective agency of his own, with its appropriate racial departments; and because he has succeeded by the lavish use of money and possibly more effective method of uninterrupted vilification and abuse, in procuring an array of disreputable witnesses which is after all formidable alone by reason of its number to give false testimony against his wife, he has the hardihood to stand before the court and continue the cynical taunt which was thrown at his wife from the start to the finish of the trial: 'Oh, of course, all the witnesses are lying. You alone are telling the truth.'"

The Littleton brief goes into detail in attacking the character of the Stokes witnesses and points out conflicting details in their testimony.

In the plaintiff's briefs criticism is made of the comments of Mrs. Stokes's counsel during the trial. The direct testimony offered by Mr. Stokes's witnesses is characterized as convincing and sufficiently cumulative to be accepted as ground for granting a decree to the plaintiff.

Reference is made to the non-appearance at the trial of several persons whose names were mentioned and who, it is claimed, would have made good witnesses for the defence if the defence had not some reason for not calling them. On the other hand, nine of the Stokes's witnesses are extolled as "white and disinterested."

MRS. PULLMAN LEFT CRAZED BY HEAT, KILLS MOTHER, WOUNDS TWO

Winsted Man Leaps Into Reservoir; Is Rescued.

Special Despatch to THE NEW YORK HERALD.

WINSTED, Conn., July 7.—William Hahn, 35, formerly a policeman, was driven insane by the heat yesterday and killed his mother, Mrs. Charles Schlosser, 54 years old, fracturing her skull with a butcher's cleaver. He also seriously wounded his sister, Mrs. John Hagen, and a neighbor, Mrs. Joseph Michel. Hahn fled to the woods and, with a posse close upon him, jumped into the Reservoir. He was taken out and sent to the hospital for the insane in Middletown.

Hahn was working in his garden when the heat began to affect him. He ran into the kitchen, snatched a cleaver from his mother's hands and inflicted deep cuts on her head and shoulders, from which she died later in the day. He then turned on his sister, and she ran from the house, carrying her baby with her. Mrs. Michel heard the noise and ran out of her house. When Hahn attacked her she managed to take the cleaver away from him. As soon as he was disarmed he made off for the woods.

SIX MEN HOLD UP BANK; ESCAPE IN MOTOR BOAT

Airplanes Join in Search for Bandits Near Ashtabula, O.

ASHTABULA, Ohio, July 7.—Tugboats, fast cruisers and launches, manned by Ashtabula and Cleveland police, scoured the Erie heretofore to-night in search of a power boat used in the escape of six bandits who at noon today held up six clerks and robbed the Marine National Bank here of approximately \$6,000.

A girl clerk, with a revolver pointed at her face, pressed a burglar alarm with her foot, which attracted the robbers away. Almost \$12,000 was left untouched in one cage.

The bandits, after escaping from the city, abandoned an automobile stolen in Cleveland. Five miles from here they are thought to have boarded the Merry G., owned by Howard Staley, Vice-Commodore of the Cleveland Yacht Club, which was stolen Wednesday night. This evening the bandit boat was said to have been sighted near Geneva.

Two airplanes aided in the search for the bandits between Fairport and Ashtabula. Night darkness made their efforts useless.

UNEMPLOYED ARMY FURTHER INCREASED

Hope of Betterment Said to Lie in Cut of Rail Rates and Construction Costs.

WASHINGTON, July 7.—A decrease in employment of 2.9 per cent in June, compared with May, is indicated by a survey made by the Department of Labor of reports from 1,428 firms employing normally 1,600,000 persons. The decrease since January in these establishments, situated in sixty-five principal industrial centres, has been 6.2 per cent, a statement issued today said.

All industries reported decreased employment except those engaged in the manufacture of food products, textiles, leather, liquors and beverages, stone, clay, glass and tobacco.

"Detailed examination of the present returns indicates clearly the fundamental causes of the protracted industrial depression and the mounting tide of unemployment," the statement declared. "Continued unsatisfactory conditions of transportation, with freight rates in many cases considered almost prohibitive, lack of anything like a normal foreign market, the present low value of farm produce, stagnation in iron and steel, high costs of construction and the general dullness of the retail trade stand out prominently as leading factors in the situation."

While there still is an almost nationwide housing shortage, the statement said, the only resumption of building operations noted has been on a restricted scale. "Industry generally is optimistic," the survey continued, "and while the likelihood of a dull summer in almost all lines is fully recognized, the tendency is to count on improvement by fall and a healthy, though not spectacular, business revival by the spring of 1922."

Peoria, Ill., showed the heaviest decrease among industrial centres, with a drop of 36.5 per cent. San Francisco was second with 25 per cent and Syracuse next with 17.4. Among twenty-six cities reporting increase, Atlanta was first with 16.7 per cent, Sioux City second with 15 per cent and Toledo third with 13 per cent.

In New England continued unemployment was reported, with the industrial situation relieved somewhat by recent improvement in the textile trades. New York, New Jersey and Pennsylvania noted increased employment, with the usual summer slump offsetting some of the improvement of the previous month. There has been "no great change in the industrial situation" of the East, north central district, the summary said, "and none is expected until construction costs and railway rates are materially reduced."

WORKING FORCES AND WAGES CUT IN CHICAGO

197 Firms Report on Conditions for One Year.

CHICAGO, July 7.—One hundred and ninety-seven firms in the Seventh Federal Reserve District, employing 130,917 men, reduced their forces an average of 23.8 per cent in the year ended May 31, according to a report made public today.

The figures were obtained by the Federal Reserve Bank of Chicago from questionnaires. The average payroll decrease in the same period was 46.3 per cent. Employees were reduced 4.3 per cent from April to May of this year, and payrolls were cut 7.5 per cent in the same period.

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DEPOSITIONS MADE IN \$100,000 BRIBE CASE

Bay State Attorney - General Gets Them From New York.

BOSTON, July 7.—The depositions of Adolph Zukor and Hiram Abrams, motion picture producers of New York, in connection with charges on which Attorney-General Allen seeks the removal of District Attorney Nathan A. Tutts of Middlesex county, were received at the State House today.

The reports relate to incidents at a party at Woburn Road House and to subsequent proceedings, the Attorney-General having charged that through a conspiracy in which Mr. Tutts had a part certain persons present at the party paid \$100,000 to avoid prosecution. Details of the depositions will not be known until next week, when the case comes up for trial before the full bench of the Supreme Court.

THREE DROWNED AT SYRACUSE

Special Despatch to THE NEW YORK HERALD.

SYRACUSE, July 7.—Three persons were drowned here today and more than thirty have been prostrated by heat here in the last twenty-four hours. George M. Ramsden, 22, a salesman, was drowned in the Jamesville reservoir. Paul and Harry Muelo, brothers, aged 10 and 8, were drowned while in bathing with a number of boy companions this afternoon. Of the thirty or more persons prostrated several are in a serious condition.

LOAN TO ROADS WILL HELP ALL BUSINESS

Decision to Distribute \$500,000,000 Means Big Revival, Say Cabinet Members.

Special Despatch to THE NEW YORK HERALD.

New York Herald Bureau, Washington, D. C., July 7.—The Government's decision to rehabilitate the railroads of the country through a funding arrangement on pending claims, under which the carriers will receive upward of \$500,000,000 in Federal loans, will greatly stimulate business and aid general industrial recovery leading members of the Cabinet said tonight.

Secretary of the Treasury Mellon and Secretary of Commerce Hoover declared it to be a forward step in reviving business upon an extensive scale. The funding negotiations, which involve claim and counter claims between the individual roads and the Government for maintenance costs during the period of Federal control, are progressing rapidly, and should be satisfactorily concluded within a short period Secretary Mellon announced.

Congress will be asked to provide probably \$300,000,000 to supplement about \$200,000,000 which the Treasury has under authorization in existing statutes for rail operations. This demand upon Congress probably will follow the approaching agreement between the Government's representatives and the railroad executives headed by T. Dewitt Caylor of New York, head of the Association of Railway Executives.

In the opinion of both Secretaries Mellon and Hoover the advances to the railroads to be made after the roads have turned over to the Treasury bonds which the Treasury may hold or sell will produce a pronounced improvement in the general financial situation and help business and industry, especially in lines which now are lagging because of lack of demand from the carriers and affiliated interests. One of the immediate effects of the Government advances would be the settlement by railroads of outstanding accounts with industrial companies for supplies. The largest railroads are said to be indebted on this account in sums running into hundreds of millions.

The Treasury funding operation with the railroads applies solely to capital expenditure claims. The funding does not apply to a lengthy list of other claims, among which are those for alleged losses due to inefficiency of labor during the war and post-war period, until Federal control ended.

The method to be followed, as explained by Secretary Mellon, will merely be to give the railroads cash and take over railroad bonds as security. In effect it is a loan to the carriers to enable them to make betterments, repair rolling stock and put them on a more efficient basis to handle fall crops and other business as it increases in volume.

Secretary Hoover was optimistic over the probable stimulating effect of the Treasury's proposed operations. "The loans will help to rehabilitate the carriers and get them started," Mr. Hoover said. "Between \$500,000,000 and \$600,000,000 is necessary to put the roads on their feet. The roads are badly crippled because improvements have been so long deferred. As matters now stand they are badly handicapped on the eve of the new crop season and without Government help will not be able to handle the crop traffic demands."

NON-PARTISANS TAKE UP NEWSPAPERS' CHARGES

Dakota Leaders Declare Accusations False.

FARGO, N. D., July 7.—The State executive committee of the National Non-Partisan League met here this afternoon to consider published charges against members of the committee made in a special edition of the Fargo Courier-News Wednesday morning. A. A. Miederbach, chairman of the committee, who presided, said the charges that he and the committee treasurer would not make an accounting were false.

The committee members and appoint successors to C. K. Gummerson and George A. Totten, Jr., deposed editor and manager, respectively, of the Courier-News.

Publication of the charges against committee members, Miederbach added, followed months of effort by a "local red radical, revolutionist element, to exert control of the Courier-News from the farmers of North Dakota."

ATLANTIC CITY BATHER BROUGHT BACK TO LIFE

Joseph O'Hara of New York Was Thought Drowned.

ATLANTIC CITY, July 7.—Joseph O'Hara of New York was brought back to life to-night after he was to all appearances dead. O'Hara, who was in a whirlpool two hundred feet off shore and among the pillars of the Million Dollar Pier.

While his wife and brother-in-law watched from the shore he was swept against the piling and appeared in a swirl of foam. It was shortly before 7 o'clock and the beach guards were off duty. John Hurley, a former beach guard, was bathing near by and fought his way through the surf to the whirlpool. There he dived and grabbed O'Hara, who was unconscious. A strong swimmer, Hurley was able to drag the man ashore of the pier. O'Hara's body was cold and, according to Dr. L. H. Bewley, showed absolutely no signs of life. After forty-five minutes of vigorous work the physician said his assistants were rewarded by noting a feeble movement of the pulse. A few minutes more and the pulse became more pronounced. O'Hara was breathing normally after an hour's rest in a hospital tent, when he was sufficiently recovered to be taken to his hotel.

LIBERTY MOTOR IDEA CLAIMED BY HERRING

ROCHESTER, N. Y., July 7.—Augustus Herring, on the stand here today in his suit against Glenn H. Curtiss, the airplane manufacturer, for an accounting, testified that the German Mercedes airplane and the American Liberty motor were developed by Curtiss.

Herring claims that much of Curtiss's success in developing aircraft resulted from scientific courses which he gave him. He developed the first heavier than air flying machine, a glider, in 1896, he said, and in 1898 brought out the first power machine.

BROOKLYN STUDENT DROWNS AT ITHACA

ITHACA, July 7.—Miss Lillian Birnbaum, 22, of 346 Marcy avenue, Brooklyn, was drowned this morning while swimming in a pool in a creek near the Cornell University grounds. Her body was recovered. She was a student in the agriculture course at the university summer school session.

A companion, Miss Dora Berger, 21, of 1408 Franklin avenue, Bronx, New York city, was rescued from the pool and was revived. Both girls became exhausted while in the pool.

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