

COUPE GETS HIS TERMS; SAILS FOR N. Y. TO-DAY

Eye-witness of Rosenthal Murder to Have Strong Personal Guard of Detectives While He Is Here.

(By Cable to The Tribune.) London, Oct. 11.—Cable advices reached here to-day that Charles S. Whitman, District Attorney of New York county, after several days of negotiations, had at last agreed to give Thomas Coupe, the eyewitness of the Rosenthal murder, the amount of the little hotel clerk has been asking as the price of his return to New York to testify at the Becker trial.

Whitman, District Attorney of New York county, after several days of negotiations, had at last agreed to give Thomas Coupe, the eyewitness of the Rosenthal murder, the amount of the little hotel clerk has been asking as the price of his return to New York to testify at the Becker trial.

District Attorney Whitman's cable message accepting Coupe's terms reached Mr. De Ford at 10:30 o'clock this morning at the Savoy, and Coupe took the noon train from London to his home in Preston, Lancashire, to pack his bag. He will meet Mr. De Ford at Liverpool to-morrow afternoon.

Assistant District Attorney De Ford goes from London by the regular boat-train to-morrow from Euston Station. In endeavoring to throw off the track the emissaries of the gamblers who have been keeping close watch on Coupe, hoping to prevent his return to New York, many subterfuges were adopted by De Ford, but the mystery with which the latter attempted to cloak himself during his visit to England, refusing at any time to admit that he was here to see Coupe, might as well have been saved, as the whole question has been one of barter and sale from the beginning.

Mr. De Ford arrived at Plymouth last Saturday and came to London in an automobile by easy stages, arriving on Monday, on which day he paid two visits to Scotland Yard, where he learned that the English police have been keeping close watch on Coupe since the latter got here. Scotland Yard, however, told Mr. De Ford that they could give him no help except to keep Coupe in sight.

Mr. Whitman's emissary accordingly went to Preston on Tuesday, where he found Coupe's father, who is the owner of three drygoods stores there, and who said he had an income of \$30,000 a year. He did not want his son to go back to New York, but Mr. De Ford soon learned that it was only a question of money with the boy, who, as soon as he reached England, in September, began selling his story to the newspapers. Coupe sold two stories for \$125 each, and then tried to hold up the newspapers a third time for \$250, but the newspapers refused to pay.

When Mr. De Ford arrived Coupe

missioner in his legal capacity. Terence F. Casey, executive clerk of the Mayor's office, delivered to Mr. Buckner all the papers on file in the Mayor's office concerning the reinstatement of Lieutenant Foody and thirteen other policemen. They consisted of six documents, and there was among them no application from the dismissed lieutenant to the Mayor or requesting a rehearing of his case, as provided for in the charter. In response to a request from Commissioner Waldo that the case be reopened, the Mayor gave his consent, but added that he believed the man merited severe punishment.

The hearing was adjourned until Wednesday at 2 o'clock.

You Have a Right to Object If a railroad charged you a higher rate than it charged your competitor— Or if an electric company charged you more for your light than your neighbor pays—

You would be the first to protest to the Interstate Commerce or the Public Service Commission, wouldn't you? In all probability, your competitors in Bush Terminal are paying less for insurance, less for light, less for power, less for cartage, less for service than you are. Some of them are likely paying less rent, too.

This being so, you are discriminating against your own business every day in the year.

Learn about the advantages awaiting you at Bush Terminal. Write for our book on "Economy."

Bush Terminal Co. General Offices: 100 Broad Street, New York City

Advertisement for 'Around the Fleet' featuring a steel ferry boat and other services. Includes contact information for the company.

Advertisement for 'CARPET CLEANING' services, including contact information and a phone number.

pect any money from the District Attorney for his services, he said. He didn't need it.

Jurors Seem Alert. Stanish was thereupon excused and court adjourned for the noon recess. The jurymen who spent their first night in custody at the Murray Hill Hotel did not show any wearying effects from their unusual experience in court yesterday. The jurors and the seven court attendants who guard them occupy nineteen rooms at the hotel. They are not allowed to communicate with their friends. Some of them spoke laughingly of their "incarceration" and seemed to think that they would enjoy it. They are taken to and from the hotel in several automobiles. They had luncheon at the Broadway Central Hotel.

"Bald Jack" Rose was called to the witness stand just before the adjournment of court for the day. Justice Goff was inclined to hold a night session, provided the lawyers on both sides could finish with Rose at the session. Mr. Whitman and Mr. McIntyre both said that it would be impossible, and Justice Goff adjourned until to-day at 10 a. m. with the announcement that he would sit until Rose had been examined and cross-examined.

POLICEMAN ON TRIAL Hyland Accused of Larceny of \$1,900 in Gems.

John F. Hyland, a patrolman attached to the West 17th street police station, who is now under suspension, was placed on trial yesterday before Judge Crain, in General Sessions, charged with grand larceny. It is alleged that on January 22, Hyland stole diamonds valued at \$1,900 from John De Cock, a jeweler, whom Hyland arrested on that date for intoxication.

T. Channon Press, the Assistant District Attorney prosecuting, said in his opening address that he would be shown that Hyland searched De Cock in the station house, that the next day De Cock found his jewels missing from the envelope and that later he recovered \$50 worth, which had been left with an anonymous letter at the Carmelite rectory, in East 29th street.

Handwriting experts, Mr. Press said, would testify that the anonymous letter was in the handwriting of Hyland, and John De Cock, a jeweler, would testify that certain other jewels belonging to De Cock had been sold to him by a patrolman named Farley, who was at that time in the same precinct with Hyland, but who has disappeared.

The only witness called yesterday was James Sanger, an engineer on the Finland, of the Red Star line. He was with De Cock on the night when De Cock was arrested. He did not remember much about the events of the night except that they both had been drinking.

STANTON'S ACCUSER TRIPS Oliver Admits Being Arrested Before Joining Force.

Lieutenant John F. Stanton, who testified at the Aldermanic investigation that about 10 or 12 per cent of the police applicants whom the bureau of which he had been the head had investigated had criminal records, was placed on trial yesterday before Deputy Police Commissioner McKay. The specific charge against Stanton is the result of an affidavit by Acting Detective Sergeant Richard F. Oliver that Stanton had attempted to extort \$50 from him three years ago, as the price of getting on the force.

Under grilling at the hands of David M. Neuberger, Oliver admitted that when he had the alleged conversation with Stanton regarding the \$50 he had in his pocket a summons to appear at Police Headquarters and be appointed. He also admitted he knew that the lieutenant had no power to appoint or reject him.

Oliver seemed to have only a hazy recollection of certain matters regarding his character or of other things that he had done since his appointment. Later, however, he admitted that he had been twice arrested prior to his getting on the force, once for speeding and once for assault. Former Deputy Commissioner Bert Hauson, Josiah Stover and former Police Commissioner Bingham all testified that the investigating bureau of which Stanton was at the head was created at Stanton's suggestion, and that his reputation was of the best.

DAVIDSON HELD TO PLEAD "Big Jack" Zelig's Slayer Says He Has No Money for Counsel.

"Red Phil" Davidson, still showing signs of the beating which he said "Big Jack" Zelig gave him, was arraigned before Judge Swann in General Sessions yesterday to plead to the indictment charging him with the murder of Zelig. Davidson said he had no money with which to retain counsel, and Judge Swann adjourned the pleading until Monday, when counsel will be assigned.

Although apparently Davidson was a minor crook or "lobbygown" who was finally goaded by continued affronts and insults to shoot Zelig, so many stories have come to the District Attorney concerning his motive for the murder that a serious investigation is under way. Davidson's own story of the alleged theft of his money by Zelig has had many variations. His wife has given more than one account of the affair. The relation of Pauline Fuchs to the case has not been satisfactorily explained.

There is a belief on the part of some of the Code of Civil Procedure forbade a lawyer to divulge any matter of discussion between himself and his client. He was backed up in this stand by William McMurtrie Speer, appointed by Corporation Counsel Watson to attend the hearings of the committee, who rose to his feet for the first time since the beginning of the inquiry.

Mr. Buckner then tried to discover what Mr. Sterling considered "conduct unbecoming an officer," with a view to ascertaining, if possible, why he had contradicted his own earlier opinion when the case of Lieutenant Foody was brought before him. Mr. Sterling replied that different people defined the offense in different ways, and that he himself might change his idea of it at different times and under different conditions.

"Would you consider a commissioner within his rights if he charged a lieutenant with becoming an officer," with a view to a police station with beer in front of him, when he should have been at the desk, with conduct unbecoming an officer," inquired Mr. Buckner.

"I think he would be within his rights," answered the witness. "Well, that is the Foody case," Mr. Buckner declared.

"You say it is," responded Mr. Sterling. "I don't recall whether the stand was taken by Maurice Hannon, who was transferred to the Far Rockaway precinct on July 21, 1911, after having served in the legal bureau at Headquarters for four years. As soon as Mr. Buckner began to question him as to whether Commissioner Waldo had conferred with him in regard to the Foody case he met with the same obstacle which Mr. Sterling had thrown in his way. The witness explained that he had been admitted to the bar in 1903, and that he feared he would jeopardize his standing should he divulge conversations which he might have had with the Com-

FRANK MULLER, ALIAS "WHITEY" LEWIS. Identified as one of the men who shot at Rosenthal by an eye-witness of the murder.



The best Mr. McIntyre could get was that she lived somewhere near 119th street and Fifth avenue.

"Where was the girl during the shooting?" resumed Mr. McIntyre. "With me; I was struggling to hold her back. She was frightened and broke away and ran toward Broadway," said the witness.

Mr. McIntyre tried to have the witness identify Policeman Fife, the taxicab driver, Ryan, and other witnesses who were at the scene by having them stand up in court, but Luban said he didn't recognize any of them.

He went to the Belvedere Cafe, in Broadway, after the shooting, he said, and waited to go home until about 5 a. m., so he would not disturb any one of his family. He said his wife did not know he was with his girl friend.

In answer to further questions Luban told of seeing Becker in May at Dennis Fox's place, in Allen street. He asked who Becker was, for, he said, it appeared strange to him to see a man of Becker's appearance in such a place. Becker was talking to "Dennis" Fox, he said.

Luban denied he had ever been a stuss dealer in Fox's place. Mr. McIntyre led the witness over the ground of his visit to the Lafayette Baths at the time he saw Becker and Rose and overheard their conversation. He said he sat near Becker and Rose in one of the sweat rooms, and that Rose nodded to him and said "Hello" when he came in. He knew Rose well, he said. Luban was then excused.

Luban said the girl was standing with him when the shooting occurred and that she witnessed it. He refused to give the girl's name and address to Mr. McIntyre.

"Why won't you give me the girl's name and address; she would know that you were at the Metropole and would be an important witness because she saw the shooting?" asked Mr. McIntyre.

Luban said he had several reasons for not giving her name. In the first place, he didn't know her last name, and wouldn't want to cause her trouble if he had known her name.

"I don't want to break up the home of that girl, and besides I have been under arrest for two months and don't know exactly where she is now," said the witness.

Thomas F. Ryan, a chauffeur, who was employed by the Cadillac Motor Company and stationed near the Hotel Metropole on the night of July 13, was the first witness called at the opening of court yesterday. Ryan was an eye-witness to the shooting, and the prosecution expected that he would be able to identify some of the gunmen. He was unable to pick any of them out when they were brought into court, however.

Ryan appeared to have lost his nerve completely, and fairly quailed before the witness stand to look at them closely. Mr. Moss was surprised, and indicated in his questions that Ryan had told him, in the presence of Policeman Fife, that he could identify at least one of the men. Justice Goff examined the witness at length, but Ryan stuck to it that he could not identify any of the prisoners.

Ryan testified he was only about fifteen feet away from the men who did the shooting, and, though it was "light as day" in that particular place at the time because of the big electric lights in front of the Metropole, he could not recall the features of any of the four men. The witness admitted that he had said in the Tombs he was afraid to put his hand on one of the men. He was afraid because he feared he might pick out the wrong man, he said.

Giovanni Stanish was the next witness called. Stanish is a rather distinguished looking Austrian, tall and slender with a bushy head of hair and long tapering fingers, which he kept entwining nervously during his examination. He wore a flowing bow tie and eyeglasses. He said he was an electrical engineer and an inventor and had been in New York for one year.

Becker's complicity as instigator of the murder of Rosenthal in support of the prosecution's contention of Becker's guilt.

It developed that the Lubans, or at least Jacob, had been in communication with counsel for the defence, and Mr. McIntyre, Becker's chief counsel, seemingly had expected that the brothers would be important witnesses for the defence.

According to Becker's lawyers the brothers had communicated with them, and said they could testify to conversations they had overheard between Rose and other alleged accomplices indicating that it was intended to make away with Rosenthal and "frame up" the murder on Becker.

Morris Luban was the third and last witness called by the prosecution during a day of sensations. Lieutenant Becker apparently was laboring under a great nervous strain during the testimony of Luban. He whispered excitedly at intervals to his counsel, Mr. Hart, who sat beside him, and watched the witness the rest of the time with a grim and serious countenance.

After the close of court for the day Becker endeavored to mitigate the effect of the testimony of the dark featured Luban. He laughingly said he had never seen or heard of the man before in his life. He professed to be inclined to think that the man's story was palpably false.

Assistant District Attorney Moss conducted the direct examination of Luban. The witness is a tall, angular young man of sallow complexion and with dark, piercing eyes. In general aspect he is a good counterpart for some of the four accused gunmen who have been brought into the courtroom so often for identification by the people's witnesses. His attitude on the witness stand was one of nervousness, which he gradually overcame. He bore up well under the sharp cross-examination of Mr. McIntyre, but, at best he spoke in such a low voice that many of his answers had to be repeated by the stenographer.

Talked to Rosenthal. In answer to Mr. Moss's questions, the witness said he had gone into the Metropole Hotel on the night of the murder and had been talking to Herman Rosenthal, whom he had known for twelve years, shortly before he was shot. He had not expected to see Rosenthal at the hotel, he said, but

had gone there to look for "Sam" Paul, whom he wanted to see on a personal matter. He saw Rosenthal later come out of the dining room and start to go out of the front door, he said.

"I was standing near the door, and as Rosenthal started to go I started to follow him, when I heard the shots," the witness said. "I could see Rosenthal plainly from where I stood, and I distinctly saw two or three men fire at him. There were four men in front of Rosenthal and they all had guns. I saw the flash from the revolvers. Then I saw the men run across the street to an automobile and drive away.

"Did you see the chauffeur in the automobile?" asked Mr. Moss. "Yes, sir," replied the witness. "Did you know him?" asked the prosecutor.

"Yes, by sight," was the answer. "Who was he?" was the next question. "William Shapiro," said Luban. The witness said he had known the four gunmen by sight for a year and a half on the East Side and knew the names they went under. At this point the four gunmen and Shapiro and "Jack" Sullivan were brought into court, and Luban led the witness stand and picked out "Dago," Frank Clorick, "Gyp," the Blood Horowitz and "Lefty" Louie Rosenberg, touching each one of them as they stood in front of the railing. He identified them as the men he had seen fire at Rosenthal. He also identified Shapiro, the chauffeur.

Led by "Lefty" Louie, the prisoners protested that it was unfair for them all to be brought in together without any one else and identified in that manner. Justice Goff waited silently until the gunmen had made their protest and then ordered them taken back to the Tombs.

Moss Springs Surprise. Mr. Moss surprised every one by suddenly asking the witness if he knew "Bald Jack" Rose. Luban said he did. "Did you see Jack" Rose at the Lafayette Baths?" asked Mr. Moss. "Yes, sir," Luban replied.

"Did you see Lieutenant Becker there with him?" asked Mr. Moss. "Yes, they were there together when I saw them," said the witness. "Did you hear them in conversation there?" asked the prosecutor. "Yes," was the reply.

"How long was that before the shooting?" asked Mr. Moss. "A few days," replied the witness. "Did you hear the name of Rosenthal mentioned in that conversation?" asked Mr. Moss. "Yes," Luban replied.

"Who spoke first—Becker or Rose?" "Mr. Becker," he said. "What did Becker say to Rose in the conversation in which Rosenthal's name was mentioned?" asked the prosecutor.

"Becker said," the witness replied in a low voice, "If that — Rosenthal is not croaked I will do it myself."

A deep silence pervaded the courtroom and every one was straining to catch Luban's answer. Becker showed considerable agitation at the time, and leaned over and whispered to his counsel, Mr. Hart. He spilt cynically after the tension in the courtroom had ceased.

Mr. Moss turned the witness over to Mr. McIntyre for cross-examination.

years, and never asked her her last name. The witness said they went to Hammerstein's Victoria and had 21 seats, in the first balcony. "Now, don't you know that on July 15, 1912, Hammerstein's was not open, and that only the roof garden was open?" shouted Mr. McIntyre. "Then it must have been the roof garden," said the witness, complacently. Luban said he and his girl friend left Hammerstein's about 11 o'clock, and went to several cafes, where he drank "colony tonic." Then he went to the Hotel Metropole. The girl was with him, he said. He inquired of Rosenthal for "Sam" Paul, and Rosenthal told him he would probably find Paul at the Hotel Lincoln.

DENIES OFFER TO PROVE "FRAME-UP" ON BECKER

Mr. McIntyre led the witness rapidly over the ground with the following questions and answers: Q.—Were you brought here handcuffed from Jersey City yesterday? A.—Yes. Q.—Have you ever been convicted of a crime? A.—No. Q.—Do you remember writing a letter to Lieutenant Becker? A.—I didn't write any. Q.—Were you present when your brother wrote to Becker? A.—No. Q.—Mr. Moss objected and was sustained. Mr. McIntyre produced three letters and asked: Q.—Were you present when your brother wrote these letters? A.—Yes. Q.—Mr. Moss objected and was sustained. Mr. McIntyre had the three letters marked for identification and asked the witness to tell him if they were in the handwriting of his brother. Q.—An objection to this by Mr. Moss was sustained and the defence took an exception. Mr. McIntyre continued:

Q.—What has been your business? A.—Artificial bowlers. Q.—Were you in a gambling house? A.—Yes. Q.—Were you in the gambling house of "Bridgie" Weber? A.—Yes. Q.—Were you in the gambling house of "Rose" and "Lefty"? A.—Yes. Q.—Did you gamble? A.—A little. Q.—Where were those houses? A.—In several places. Q.—Do you know Scheps and Harry Vallon? A.—Yes. Q.—Did you gamble with them? A.—With Harry Vallon, about nine years ago. Q.—With "Jack" Rose? A.—No. Q.—You were with "Jack" Rose yesterday? A.—Yes. Q.—How long? A.—Fifteen or twenty minutes. Q.—Who was there? A.—Mr. Minton (of the District Attorney's staff). Q.—Was you in the "A" lobby? A.—Yes. Q.—Who was he going to? A.—Walking around the room. Q.—Was "Bridgie" Weber there? A.—No. Q.—You were never alone there yesterday? A.—No. Q.—Did Rose tell you to say you saw the men who identified here to-day? A.—No. Q.—Where did you see the four men? A.—Standing over there, this morning. Q.—Who was with you? A.—An officer. Q.—Did you hear their names called? A.—No. Q.—Did you see them pointed out by Mr. Moss? A.—Yes. Q.—How long were you in the court this morning when the men were brought here? A.—An hour. Q.—Where did you stop last night? A.—At the Astor House.

Uncertain Why There. Q.—Why did you come here? A.—That is something I want to know. Q.—Did you tell any one of this? A.—Yes. Q.—Where was the "A" lobby? A.—135 Forsyth street, and several friends. Q.—When? A.—The first week in August. Q.—Did you go out of the city after that time? A.—Yes. Q.—How did you get to come here to testify? A.—I didn't. Q.—Did the State's Attorney in New Jersey speak to you? A.—Yes, yesterday. Q.—How long were you in the court here, and if the defence could get you out would you appear for the defendant Becker? A.—No. Q.—Will you swear that you did not write to the defendant Becker, and say that you are going to frame you up and

that reputable people will bear us out? A.—I did not. Q.—Did you say, "They are trying to frame you up and will show you how some people stand in the District Attorney's Office"—did you say that? A.—No. Q.—Did you and your brother cause to be sent indirectly to counsel for the defendant a letter written to you by "Sam" Paul? A.—I can't remember. I can't say anything for my brother. I did not. Q.—Did the District Attorney state to you that if you testified in this case you would receive immunity in the State of New Jersey? A.—He did not. He said he would do all he could for me if I'd prove my frame-up. Q.—What did you have such a conversation with? A.—Yesterday. Q.—When that statement was made to you by the District Attorney was your brother present? A.—Yes, sir. Q.—Did he make the same statement to him? A.—I don't know. Q.—He was in the room, wasn't he? Can't you tell what the learned District Attorney said to your brother? A.—No, sir. Q.—Was "Jack" Rose present when the learned District Attorney made the statement to you? A.—I don't know.

Had Agreed Before. Q.—After that, did you agree to be a witness for the state? A.—I agreed before. Q.—Did you have any conference with the other officers before coming here? A.—Yes. Q.—With whom? A.—Mr. Mook. Q.—Did Mr. Mook assure you of any immunity if you came over? A.—No. Mr. McIntyre wanted to know if the witness sent a keeper from the Essex County Jail, in Newark, to his office, at No. 25 Broad street, in this city. The witness said he had not. He didn't know whether his brother had sent a keeper.

"Tell All," Rose Said. "What did 'Jack' Rose say to you?" Mr. McIntyre asked. "He told me to come out and tell the court all I knew," was the reply. "Did Rose ask you to be a witness?" asked Becker's counsel. "Yes, sir," replied Luban. "Tell me why you talked with Rose at all," demanded Mr. McIntyre. Mr. Moss objected to the question, and Justice Goff sustained the objection. The witness said he had asked Mr. Minton if he could talk to "Jack" Rose, and Mr. Minton had told him that Rose was there and would see him. "You say you have gambled?" asked Mr. McIntyre. "Just once in a while I blew in a few dollars," Luban replied.

Luban denied he had ever pleaded guilty before Judge Mulvosen, in General Sessions, and had got off on a suspended sentence. He said he had never been in trouble until he was arrested in New Jersey on August 12.

Mr. McIntyre brought the witness down to the night of the shooting, and made him trace his movements. He said he left his home, on Gates avenue, Brooklyn, and came to New York about 7 o'clock to meet a young woman by appointment in front of a moving picture show theatre, at 110th street and Fifth avenue. Asked who the young woman was, he said he knew her only by her first name, which was "Aggie." He had known her seven

PEOPLE'S WITNESS DUMB UNDER GUNMEN'S GAZE

Thomas F. Ryan, a chauffeur, who was employed by the Cadillac Motor Company and stationed near the Hotel Metropole on the night of July 13, was the first witness called at the opening of court yesterday. Ryan was an eye-witness to the shooting, and the prosecution expected that he would be able to identify some of the gunmen. He was unable to pick any of them out when they were brought into court, however.

Ryan appeared to have lost his nerve completely, and fairly quailed before the witness stand to look at them closely. Mr. Moss was surprised, and indicated in his questions that Ryan had told him, in the presence of Policeman Fife, that he could identify at least one of the men. Justice Goff examined the witness at length, but Ryan stuck to it that he could not identify any of the prisoners.

Ryan testified he was only about fifteen feet away from the men who did the shooting, and, though it was "light as day" in that particular place at the time because of the big electric lights in front of the Metropole, he could not recall the features of any of the four men. The witness admitted that he had said in the Tombs he was afraid to put his hand on one of the men. He was afraid because he feared he might pick out the wrong man, he said.

Giovanni Stanish was the next witness called. Stanish is a rather distinguished looking Austrian, tall and slender with a bushy head of hair and long tapering fingers, which he kept entwining nervously during his examination. He wore a flowing bow tie and eyeglasses. He said he was an electrical engineer and an inventor and had been in New York for one year.

On the night of the shooting he was standing leaning against the railing by the Cadillac Hotel, in 43d street, talking with a friend when he heard the shots and turned and saw the gunmen, one with an automatic revolver in his hand.

The gunmen were brought into court at the request of Assistant District Attorney Moss and the witness stepped down to the railing and touched "Whitey" Lewis (Frank Muller) as a man he saw shoot. He thought that "Gyp" the Blood was another one who fired, but wasn't sure.

The witness was turned over to Mr. McIntyre for cross-examination and the lawyer for the defence immediately tried to connect the witness with the water Krause, another eyewitness, who proved a good witness for the prosecution the day before. Stanish denied that he knew Krause.

The defence evidently wanted to create the impression that Krause, Stanish and some of the other witnesses were merely cogs in the great wheel of conspiracy and "frame-up" of which Becker's lawyers are expected to contend the defendant was a victim.

The witness said he had seen "Whitey" Lewis and the other gunmen when they were brought into court before he testified. He identified Lewis first from a photograph which he picked out of several that District Attorney Whitman showed him. He went to the District Attorney the day after the shooting and told what he had seen, he said. Stanish didn't ex-