

Eye-glasses, McNichol's Son, Hotel Clerk and Telephone Girl Weld Chain of Evidence at Fifth Ward Murder Hearing

Bloody Fifth Murder Provides Many Thrills

Remains from Five Men Identified by Separate Witnesses

CROSS-EXAMINATION

By Mr. Conner—Q. This letter, which you wrote to Mr. Maloney in New York, what hour in the day did you write it?

A. I mailed that from the postoffice at 10 o'clock. I had to go there to buy special delivery stamps, and I judge that must have been around 7 or 8 o'clock. A. No, it was on Sunday. A. No, I believe it was on Monday.

Q. Where were you staying when you wrote this letter? A. No, I was in the hotel. Q. In the Hotel St. Theresa? A. Yes, Mr. Conner.

Q. You sent it by special delivery. I understand. A. Yes.

Q. Have you seen that envelope since? A. No, sir.

Q. Did you ask any one to show you the envelope when they showed you the letter, which you saw in New York at 7 o'clock in the evening? A. No, sir, I haven't seen it.

Q. As far as you know, Mr. Maloney got it and was it? A. Yes.

Q. You are quite sure it was around 7 o'clock in the evening of the day before this telegram was sent? A. Yes, sir.

Q. What kind of an envelope did you use in sending it? A. I used a plain envelope.

Q. Where did you get the envelope? A. Well, I guess I had it in my traveling bag.

Q. As I understand you, on the night of the primary election you went to your home and slept that night? A. Yes.

Q. Where was that? A. Sharon Hill—not my home, my sister's home.

Q. You came into Philadelphia the next day? A. Yes.

Q. What time did you arrive in Philadelphia the next day? A. Well, the only way I can designate that is, I went to the railroad station, after buying some cigars, and I asked them what was the next train. They told me fourteen minutes, I believe, and I said, "All right, then," and I bought the ticket.

Q. You took that train? A. Yes.

Q. What station did you leave? A. Here Broad street.

Q. Where did you arrive in New York—uptown, Thirty-third street, or did you go downtown? A. I arrived downtown. What is downtown?

Q. What station did you get in New York? A. I got to the city hall.

By Mr. Gordon—Q. The ferris? A. Oh, the ferris—I never arrived there. That's all I know.

Q. Don't you know whether you arrived in a boat or in a train? A. No, I arrived in a train.

Q. Did you change cars at any place? A. No, no. I went right through.

Q. What time did you get to New York? A. I don't know. I don't know.

Q. Did you get to New York before dark, or were you over there in the afternoon? A. Yes, it was before dark.

Q. Did you eat your supper that evening? A. Yes.

Q. Where did you eat your supper? A. At some restaurant over there.

Q. This hotel, that you went to, where in that located in New York? A. That is at 15th street and Seventh avenue, I believe.

Q. When was it you had your mistake on? A. Oh, I had that off—well, about three or four weeks ago.

Q. Did you have it on an election day? A. No, I did not.

Q. Did you not have it on? A. I had a bad cold and I had fever blisters here (indicating), and the serum would come out and the hairs would stick out or prior to just took the scissors and I clipped it off and put some ointment over it.

Q. You mean to say that you did not wear a mustache on an election day? A. No, sir, I did not.

Q. When did you clip it? A. Oh, I guess a couple of weeks before that.

Q. Why did you stop wearing glasses? A. Well, I was going for reading.

Q. You wore them on primary election day, didn't you? A. Only when I was marking my ballot.

Q. Didn't you wear them as you were writing around? A. No.

Q. Let us understand it. You went to New York on the first day after election and stayed there all night? A. Yes, sir.

Q. You met Mr. Maloney on Friday night? A. Yes.

Q. And you had been in communication with him before that? A. I sent him a letter where I was.

Q. When did you send this letter? A. That very day I arrived there for reading.

Q. And sent your word he was coming? A. Yes, he sent me word.

Q. How did he send you word? A. It must have been by letter because I was to see him on Tuesday.

Q. Where is the letter? Let me see it. A. I do not know where it is.

Q. What did you do with it? A. I guess I laid it down in the room in the hotel.

Q. And what was said in that letter? Suppose you tell us. A. I cannot remember the exact words any more than "Dear friend, I will see you at the Alhambra Theatre tonight at 8 o'clock." That very brief.

Q. What did you and he do in New York on Friday night after you met him at 8 o'clock? A. We stood there at the Alhambra Theatre speaking. He says, "Do you want to go to the theatre?" I says, "No, I do not care to go in."

Q. You took the 10 o'clock train back to Philadelphia? A. Yes, sir.

Q. Did you buy any ticket that night? A. I think I did.

Q. Where did you buy that ticket? A. At the Pennsylvania Railroad station.

Q. Did Maloney buy a ticket? A. I think he had a mileage ticket or bought a ticket. I cannot recall that.

Q. Did you meet anybody as soon as you got on the train, the man from the District Attorney's office? A. Yes, afterward.

Q. Where did you meet them—about as you got on the train? I didn't meet anybody but Mr. Gordon, Jr.

Q. As soon as you got on the train that night? A. No, not as soon as I got on the train. I didn't know they were on the train, in fact.

Q. On election day, what time did you leave your sister's home at Sharon Hill? A. Oh, I guess about midnight.

Q. And you came to Philadelphia on the elevated? A. Yes.

Q. You got off at what station? A. At Fifth and Market.

Q. You went down to the Fifth Ward? A. Yes.

I understand that the first place you went to was this club? A. No, sir, I didn't. I went to the polling house first.

Q. How long did you stay at the polling house? A. I stood there talking Mr. Blumberg. I guess, about fifteen or twenty minutes.

Q. Then where did you go? A. I went around there and saw this man, Davy Harris, and he told me he would try to find Goldstein and also a man by the name of Broderick. He said "he just left here. I think to get something to eat."

Q. Well, where did you go after that? A. I went to the clubhouse.

Q. Who did you see there at the clubhouse? A. Well, I saw—oh, yes, that was when Mr. Blumberg told me that there was a warrant for me. Then I saw Mr. Isaac Goldstein and a man by the name of William Goldstein and his son, and three or four others I don't know.

Q. You don't know anybody but Goldstein and his son and Broderick? A. I didn't look at him to know, and he just shook hands with me.

Q. How long did you stay in the clubhouse? A. Well, until there had been some talk, just long enough to converse with this man for a few minutes, and then there was some talk about some trouble in the division.

Q. What station did you get in New York? A. I got to the city hall.

By Mr. Gordon—Q. The ferris? A. Oh, the ferris—I never arrived there. That's all I know.

Q. Don't you know whether you arrived in a boat or in a train? A. No, I arrived in a train.

Q. Did you change cars at any place? A. No, no. I went right through.

Q. What time did you get to New York? A. I don't know. I don't know.

Q. Did you get to New York before dark, or were you over there in the afternoon? A. Yes, it was before dark.

Q. Did you eat your supper that evening? A. Yes.

Q. Where did you eat your supper? A. At some restaurant over there.

Q. This hotel, that you went to, where in that located in New York? A. That is at 15th street and Seventh avenue, I believe.

Q. When was it you had your mistake on? A. Oh, I had that off—well, about three or four weeks ago.

Q. Did you have it on an election day? A. No, I did not.

Q. Did you not have it on? A. I had a bad cold and I had fever blisters here (indicating), and the serum would come out and the hairs would stick out or prior to just took the scissors and I clipped it off and put some ointment over it.

Q. You mean to say that you did not wear a mustache on an election day? A. No, sir, I did not.

Q. When did you clip it? A. Oh, I guess a couple of weeks before that.

Q. Why did you stop wearing glasses? A. Well, I was going for reading.

Q. You wore them on primary election day, didn't you? A. Only when I was marking my ballot.

Q. Didn't you wear them as you were writing around? A. No.

Q. Let us understand it. You went to New York on the first day after election and stayed there all night? A. Yes, sir.

Q. You met Mr. Maloney on Friday night? A. Yes.

Q. And you had been in communication with him before that? A. I sent him a letter where I was.

Q. When did you send this letter? A. That very day I arrived there for reading.

Q. And sent your word he was coming? A. Yes, he sent me word.

Q. How did he send you word? A. It must have been by letter because I was to see him on Tuesday.

Q. Where is the letter? Let me see it. A. I do not know where it is.

Q. What did you do with it? A. I guess I laid it down in the room in the hotel.

Q. And what was said in that letter? Suppose you tell us. A. I cannot remember the exact words any more than "Dear friend, I will see you at the Alhambra Theatre tonight at 8 o'clock." That very brief.

Q. What did you and he do in New York on Friday night after you met him at 8 o'clock? A. We stood there at the Alhambra Theatre speaking. He says, "Do you want to go to the theatre?" I says, "No, I do not care to go in."

vania Railroad detective and he said he wanted a blackjack? A. Yes.

Q. Who that man was you did not know? A. No, didn't know.

Q. Never saw him before? A. Have seen him, but I didn't know his name.

Q. Can you describe him? A. Yes, pretty well.

Q. Suppose you describe him? A. He is a man of about thirty-five or forty, dark complexioned, very chunky. He didn't have a moustache.

Q. Do you remember how he was dressed? A. No.

SPEAKS OF SAM DEUTSCH

Q. As I understand, you spoke about Sam Deutsch. You saw him outside the club, didn't you? He wasn't inside the club?

A. Well, there was somebody upstairs besides Bugdonoff, and he appeared so suddenly in front of the club that he must have come out of the club.

Q. Well, you didn't see him in the club. You are here testifying. A. No; I didn't see him in the club.

Q. No; you did not see him in the club. After that you went to the police station, I understand? A. Yes, sir.

Q. Whom did you see at the police station? A. I saw Officer Murphy, and Wirtschfer and Uram, and lots of police. They were all strange there excepting them that I knew.

Q. They are the only three men you knew? A. I knew Charles Stevenson, a colored officer and Mike Sullivan.

Q. What happened there at that time? A. Well, in the sergeant's room there were about twenty-five or thirty people, and some man at the desk, and it looked like they were searching them, and I couldn't see into the room, and I went around from the street and I went around to the front door, and Officer Stevenson was there, and I says, "What is this, Charlie?" I think they are taking revolvers from them.

By Mr. Gordon—Q. They were what? A. They were taking revolvers from the men.

By Mr. Conner—Q. Anything else you saw before that? A. Well, I asked Mike Sullivan if the lieutenant was in. He says, "No, he isn't in."

Q. That is all that happened? A. And I says, "Why was that thing occurred?" "Why," he says, "They overstepped themselves. They shot a fellow and blackjacked people around there."

Q. And then you got disgusted and went out of the ward? A. Yes, sir.

Q. When did you first learn or have any knowledge of any kind of these men going into the ward? A. On the Monday previous to the primary election.

Q. What was told you? A. Well, when I went into the office where I work, to make a report on some business that I had.

By Mr. Gordon—Q. What was it? What was it to report on? A. It was an investigation of labor troubles.

By Mr. Conner—Q. An investigation of some kind was being on? A. Yes, sir.

Q. You folks had been employed by the employers of labor? A. Yes, sir.

Q. Now, go back to that man who was the first to tell you that? A. In the other office I met Mr. Sullivan, and finally Judge Persch came to the door, Magistrate Persch, and he opened it and was walking in. He was walking in, and Judge Persch was sitting in there, and also Mr. Deutsch, Ike Deutsch, and Mr. Maloney. Mr. Maloney was sitting in the office.

Q. To shorten matters, are they the only people who were there? A. Yes.

Q. Some one said something about a picket line, didn't they? A. Yes, sir.

Q. Who said that? A. The Deutsch.

Q. Nobody said what they were coming for? A. No, I didn't know that.

Q. The picket crowd? A. Oh, the Tenth Ward.

Q. Of course, from that time on up until the day after election, didn't they? A. Yes.

Q. And I understand that on Tuesday night they were in the street, didn't they? A. Yes, they were.

Q. And I understand that on Tuesday night they were in the street, didn't they? A. Yes, they were.

Q. And I understand that on Tuesday night they were in the street, didn't they? A. Yes, they were.

Q. And I understand that on Tuesday night they were in the street, didn't they? A. Yes, they were.

Q. And I understand that on Tuesday night they were in the street, didn't they? A. Yes, they were.

Q. And I understand that on Tuesday night they were in the street, didn't they? A. Yes, they were.

Q. And I understand that on Tuesday night they were in the street, didn't they? A. Yes, they were.

Q. And I understand that on Tuesday night they were in the street, didn't they? A. Yes, they were.

Q. And I understand that on Tuesday night they were in the street, didn't they? A. Yes, they were.

Q. And I understand that on Tuesday night they were in the street, didn't they? A. Yes, they were.

Q. And I understand that on Tuesday night they were in the street, didn't they? A. Yes, they were.

Q. And I understand that on Tuesday night they were in the street, didn't they? A. Yes, they were.

Q. And I understand that on Tuesday night they were in the street, didn't they? A. Yes, they were.

Q. And I understand that on Tuesday night they were in the street, didn't they? A. Yes, they were.

Q. And I understand that on Tuesday night they were in the street, didn't they? A. Yes, they were.

Q. And I understand that on Tuesday night they were in the street, didn't they? A. Yes, they were.

CLARK, TODAY'S STAR WITNESS



This is James I. Clark, private detective employed by "Sam" Maloney. He testified that he piloted the gunmen from New York to Isaac Deutsch's club in the Fifth Ward.

WILSON REFUSES TO TRANSFER BENNETT, McNICHOL'S SON SAYS

HARRY A. McNICHOL, sworn.

By Mr. Gordon—Q. You are the son of Senator James P. McNichol? A. Yes, sir.

Q. Did you see Thomas E. Smith the Monday before election? A. Monday night before election.

Q. Where did you see him? A. Atlantic City.

Q. Please tell me the conversation you had with him. A. I called on the Mayor and he asked me the condition of my father, and I told him that it was a very serious case, and the doctor had told me that afternoon, that if he received any great shocks it might be fatal to him. So the Mayor told me he was banking on it. He would do anything in his power he could to help him. So I told him he was very much interested in Jimmy Carey's fight in the Fifth Ward and I thought if he read on the day after election that he had been defeated, it would be a shock to him, and I was down there then to ask him if he would transfer to the Third District, and he said that he would do anything he could. So I told the Mayor my father had told me he had promised to put Captain Callahan in charge of the Third District, and he said, "Well, I never did promise him, but under the conditions, and seeing the serious condition he is in, I will put Captain Callahan in charge tomorrow."

Q. In charge of what? A. The Third District police station, and I think him very much, and I also told him that Mr. Carey and Mr. Stern had told me that there were nine men transferred from the Second District to the Third and were doing strong-arm stuff down there.

Q. What strong-arm stuff did you tell him they were doing? A. I told him just what I had heard from Mr. Stern and Mr. Carey—that they were strong-arm stuff.

Q. What did you tell him? A. That if any of the Carey men were walking along the streets and they would bump into them, they would transfer to the Second District officer would come along and grab them and take them to the station house, and I told him I didn't see anything fair in it.

Q. You said there were nine men removed from the Second to the Third District? A. That was my understanding; that is what I was told.

Q. What did he say? A. That he would tend to that tomorrow; that he didn't intend to go to the city until Tuesday afternoon about 10 o'clock, and he would have to have Director Wilson meet him at noon-time and have those men transferred back to their own district.

Q. Did you tell him who some of those nine men were? A. I mentioned three names, all that I could remember.

Q. What were they? A. Uram, Feldman and Wirtschfer.

Q. Did he say he would have them removed back to their own district the next day? A. He was to meet Director Wilson at noon-time and he was to put him there, and he said that he would have those men transferred back to their own district. A. Captain Callahan sent down to the Third District.

Q. What about Tuesday? A. Tuesday I learned from Mr. Carey, about, I guess, about half past six or a quarter to seven, that those men were still in the district; that the Mayor's home on the phone at Atlantic City about ten minutes of eight.

Q. That night? A. Tuesday night. They told me they didn't expect him down until about 10 o'clock, so I called them. At about five minutes of nine I got the Mayor on the phone and I told him—first I told him the condition of my father, and I told him I had promised my father, but you promised me absolutely, on Monday night, you would have Captain Callahan in charge of the Third District on election day, or on Tuesday he was to put him there, and he said, "Well, I could have sent him there, but I didn't send Captain Callahan to the Third District because Judge Gordon suggested his name to your father, but I told him I didn't think that was so, that I thought my father would have picked Captain Callahan out if he had the pick himself."

Q. Did you say anything to him about Captain Callahan not being there? A. I asked him why he had not sent Captain Callahan in the district. I says, "You might have transferred my father, but you promised me absolutely, on Monday night, you would have Captain Callahan in charge of the Third District on election day, or on Tuesday he was to put him there, and he said, "Well, I could have sent him there, but I didn't send Captain Callahan to the Third District because Judge Gordon suggested his name to your father, but I told him I didn't think that was so, that I thought my father would have picked Captain Callahan out if he had the pick himself."

Q. Did you say anything to him about Captain Callahan not being there? A. I asked him why he had not sent Captain Callahan in the district. I says, "You might have transferred my father, but you promised me absolutely, on Monday night, you would have Captain Callahan in charge of the Third District on election day, or on Tuesday he was to put him there, and he said, "Well, I could have sent him there, but I didn't send Captain Callahan to the Third District because Judge Gordon suggested his name to your father, but I told him I didn't think that was so, that I thought my father would have picked Captain Callahan out if he had the pick himself."

Q. Did you say anything to him about Captain Callahan not being there? A. I asked him why he had not sent Captain Callahan in the district. I says, "You might have transferred my father, but you promised me absolutely, on Monday night, you would have Captain Callahan in charge of the Third District on election day, or on Tuesday he was to put him there, and he said, "Well, I could have sent him there, but I didn't send Captain Callahan to the Third District because Judge Gordon suggested his name to your father, but I told him I didn't think that was so, that I thought my father would have picked Captain Callahan out if he had the pick himself."

Q. Did you say anything to him about Captain Callahan not being there? A. I asked him why he had not sent Captain Callahan in the district. I says, "You might have transferred my father, but you promised me absolutely, on Monday night, you would have Captain Callahan in charge of the Third District on election day, or on Tuesday he was to put him there, and he said, "Well, I could have sent him there, but I didn't send Captain Callahan to the Third District because Judge Gordon suggested his name to your father, but I told him I didn't think that was so, that I thought my father would have picked Captain Callahan out if he had the pick himself."

Q. Did you say anything to him about Captain Callahan not being there? A. I asked him why he had not sent Captain Callahan in the district. I says, "You might have transferred my father, but you promised me absolutely, on Monday night, you would have Captain Callahan in charge of the Third District on election day, or on Tuesday he was to put him there, and he said, "Well, I could have sent him there, but I didn't send Captain Callahan to the Third District because Judge Gordon suggested his name to your father, but I told him I didn't think that was so, that I thought my father would have picked Captain Callahan out if he had the pick himself."

Q. Did you say anything to him about Captain Callahan not being there? A. I asked him why he had not sent Captain Callahan in the district. I says, "You might have transferred my father, but you promised me absolutely, on Monday night, you would have Captain Callahan in charge of the Third District on election day, or on Tuesday he was to put him there, and he said, "Well, I could have sent him there, but I didn't send Captain Callahan to the Third District because Judge Gordon suggested his name to your father, but I told him I didn't think that was so, that I thought my father would have picked Captain Callahan out if he had the pick himself."

Q. Did you say anything to him about Captain Callahan not being there? A. I asked him why he had not sent Captain Callahan in the district. I says, "You might have transferred my father, but you promised me absolutely, on Monday night, you would have Captain Callahan in charge of the Third District on election day, or on Tuesday he was to put him there, and he said, "Well, I could have sent him there, but I didn't send Captain Callahan to the Third District because Judge Gordon suggested his name to your father, but I told him I didn't think that was so, that I thought my father would have picked Captain Callahan out if he had the pick himself."

Q. Did you say anything to him about Captain Callahan not being there? A. I asked him why he had not sent Captain Callahan in the district. I says, "You might have transferred my father, but you promised me absolutely, on Monday night, you would have Captain Callahan in charge of the Third District on election day, or on Tuesday he was to put him there, and he said, "Well, I could have sent him there, but I didn't send Captain Callahan to the Third District because Judge Gordon suggested his name to your father, but I told him I didn't think that was so, that I thought my father would have picked Captain Callahan out if he had the pick himself."

Q. Did you say anything to him about Captain Callahan not being there? A. I asked him why he had not sent Captain Callahan in the district. I says, "You might have transferred my father, but you promised me absolutely, on Monday night, you would have Captain Callahan in charge of the Third District on election day, or on Tuesday he was to put him there, and he said, "Well, I could have sent him there, but I didn't send Captain Callahan to the Third District because Judge Gordon suggested his name to your father, but I told him I didn't think that was so, that I thought my father would have picked Captain Callahan out if he had the pick himself."

Q. Did you say anything to him about Captain Callahan not being there? A. I asked him why he had not sent Captain Callahan in the district. I says, "You might have transferred my father, but you promised me absolutely, on Monday night, you would have Captain Callahan in charge of the Third District on election day, or on Tuesday he was to put him there, and he said, "Well, I could have sent him there, but I didn't send Captain Callahan to the Third District because Judge Gordon suggested his name to your father, but I told him I didn't think that was so, that I thought my father would have picked Captain Callahan out if he had the pick himself."

Q. Did you say anything to him about Captain Callahan not being there? A. I asked him why he had not sent Captain Callahan in the district. I says, "You might have transferred my father, but you promised me absolutely, on Monday night, you would have Captain Callahan in charge of the Third District on election day, or on Tuesday he was to put him there, and he said, "Well, I could have sent him there, but I didn't send Captain Callahan to the Third District because Judge Gordon suggested his name to your father, but I told him I didn't think that was so, that I thought my father would have picked Captain Callahan out if he had the pick himself."

Q. Did you say anything to him about Captain Callahan not being there? A. I asked him why he had not sent Captain Callahan in the district. I says, "You might have transferred my father, but you promised me absolutely, on Monday night, you would have Captain Callahan in charge of the Third District on election day, or on Tuesday he was to put him there, and he said, "Well, I could have sent him there, but I didn't send Captain Callahan to the Third District because Judge Gordon suggested his name to your father, but I told him I didn't think that was so, that I thought my father would have picked Captain Callahan out if he had the pick himself."

Q. Did you say anything to him about Captain Callahan not being there? A. I asked him why he had not sent Captain Callahan in the district. I says, "You might have transferred my father, but you promised me absolutely, on Monday night, you would have Captain Callahan in charge of the Third District on election day, or on Tuesday he was to put him there, and he said, "Well, I could have sent him there, but I didn't send Captain Callahan to the Third District because Judge Gordon suggested his name to your father, but I told him I didn't think that