EVENING LEDGER-PHILADELPHIA, THURSDAY, OCTOBER 4, 1917

ing and about the same in the evening.

CHARLES CATTAF STA, homeman, resident of the Fifth Ward, testified Deuts

Fire and resident of the Fifth

Patrick Cannon, hoseman in the Bureau

ied? A. Yes, sir.

ion ensued:

Fifth Ward Murder Plot Hearing Told in Questions and Answers

way as roday's session of the hear-may at roday's session of the hear-lay for the murder in the Fifth store President Judge Charles L. storegraphically reported, was as

al Hiddays

iv at 10:35 Judge Brown entered and the trial was on.

ardon. If your Honor please, I move Banor is appoint two or more well-making and uninterested physicians similar Senator McNichol as to his h, in advise your Honor whether he with safety be compelled tomorrow and this court to give testimofy, and these control of the safety best in their opinion, he cannot with safety when, in their professional judgment would be safe for Mr. McNichol's health sampel him to come here under subpoena testify. I would suggest that one of a physicians be a general practitioner and that another be a surgeon, and if a third is appointed he be such physician as your. Honor shall think proper.

The Court. 1 am rather loath to cast a effection upon Doctor Krusen or Doctor engel.

Mr. Gordon. His testimony is not to a fact, but only a professional opinion. No-body can be cocksure.

body can be cocksure. It is only we lawyers in our opinion of the haw who think dogmatically, but no physician should object to having a con-sulting physician review his opinion or dif-fer from his opinion As I stated to your Honor, Senator McNichol said to me that the doctor thought it would require at least some time before he was able to ap-meas. I said "Don't you think you might pear. I said. "Don't you think you might come on Friday." "Weil." he said. "may-be, Friday." That was my conversation be, Friday." That was my conversation with Senator McNichol. We are all human. even Directors of Public Health and Charthes, and he may be wrong in his guess that the excitement of this courtroom would be detrimental to Senator McNichoi, whose poise and coolness are known to all of us. He is suffering from no organic malady, as was stated. All the ordinary symptoms normal, the pulse, temperature, respiration. Doctor Krusen thinks that the ex-citement might hurt him. Well, subjectively, upon that subject, probably Senator McNichol could speak with as much cer-tainty as Doctor Krusen. But, your Honor.

I think, ought to be further advised on a subject so problematical as that. Your honor. I desire to affer in evidence the act of Assembly of February 2, 1854 L. 26), and I read in evidence the fol-

(P. L. 26), and I read in commbly; lowing from that act of Assembly; It shall be the Mayor's duty to be vigi-It shall be the mayor's duty to be viginances of the city to be duly executed ordinances of the city to be dify executed, for which purpose all policemen and watchmen shall obey his orders and make report to-him, and acting under his or-ders, and be shall exercise constant supervision and control over the conduct of all subordinate officers, receiving and examining all complaints preferred examining all complaints preferred against them, and generally performing all such duties as may be prescribed by the laws and ordinances of the city and of this Commonwealth.

I also desire to offer in evidence what amonly known as the Bullitt bill, beis commonly known as the Bullitt bill, be-ing an act of Assembly approved the 5th day of June, 1885, and I read in evidence from the first section, Artigle II, section one of that act, as follows: It shall be the duty of the Mayor to cause the ordinances of the city and the laws of the State to be executed and executed to parform such duties as may

enforced, to perform such duties as may be prescribed by law or ordinances, and he shall be responsible for the good order and the efficient government of the city. From the same article and section, 1 read an follows:

The Mayor may, by written order, to be transmitted to Select Council, give his reasons therefore, for removing from office any head of department, director or other officer appointed by him. I also read from the same act, the Bul-

litt bill, as follows:

Article II, Section 1. Each department shall furnish to the Mayor or Councils, or either branch of Councils, such information as he or they may at any time determine in relation to its affairs. And from the same act:

The Mayor shall have all the jurisdiction and power of a sitting magistrate throughout the city.

DEUTSCH BOSS, CAREY

supporter. No reason was given by Lieu-tenant Bennett for the transfer, he added. anaferrad

FAT AND CHESTY, YES," SIGNS OF REAL WARD LEADER, SAYS DEUTSCH

Thomas J. Brown, another transferred noticeman from the Fifth Ward, was sworn, and said he was sent to the Park and Le-high avenues station in September, 1912, and back to the Third district in July, 1916. Mr. Gordon's questions brought from the withess the following story of a conversa-tion with Deutsch. ion with Deutsch

I was going west on Lombard street with a friend of mine named Louis Dunoff, and at Sixth and Lombard I met Mr. Deutsch at Sixth and Lombard I met Mr. Deutsch coming east on Lombard street. We walked over to Mr. Deutsch. Mr. Dunoff said to Mr. Deutsch, he said, "Ike, you are getting fat." Deutsch threw out his chest. He said, "Yes, you have to get fat and chesty, now I am a ward leader." He turned to me and he said. "Weil, I had Powers re-duced and put on the street in uniform today." He said, "The same thing will happen to you fellows if you don't turn in." happen to you fellows if you don't turn in." "Well," I said, "I am one who won't turn in. I am for Jimmis Carey and I am going to stick with him." "Well," he an swered; he said, 'I will have you trans-ferred to Pluckfelder's in the Eighth District. Lieutenant Pluckfelder is known to have a bad reputation; he is a man-driving man." I said, "You can suit yourself about that." I said, "I will do my bit, do police duty wherever I am sent." He turned around and he cald, "If I don't have you sent up there, I will have you transferred sont up there, I will have you I said. "Suft yourself." I said. "I am for Carey, and if it is necessary, I will swing a pick or shove a shovel tomorrow to serve Jinimie Carey— that is me—to go to work. They can have the position. If it is necessary, I will drive

A few days after that I was star at a news stand and Officer Caldwell. Third District, came over to me and he handed he my transfer to Eleventh and Winter. Q. How long was your transfer after your

with Deutseh? A. Six or seven days, I judge.

POLICEMAN HERBEKT HARRIS He testified today that law-breakers in the Fifth Ward paid "protection money," which was divided by three

was no answer.

John Almenrader, Fifth Ward policeman, being sworn, testified to a significant con-He was in the station house and he ap-

Second and Walnut, and Mr. Murphy hol-lered to me. "I want to see you." So I said, "All right, what do you want?" He said, "I want you to join that club." I said.

Q. When did you meet Isaac Deutsch again? A About two weeks later on Fifth street. Q. What was the conversation? He said, "Did you consider?" I said "Woll," I said, "You know who put me here and the little hit of loyalty I got, I think, belongs to that man." "Well, he said, "I am giv-ing youne all a fair chance." Q. Who was the man that not you there is nothing doing." He said, "All right, we will see I don't want to have you transferred or McGorick, nor Nyle, but," he said, "if you don't join that club you will have to

Q. Did you go? A. I went. I don't know I went to work on September when I went 16, but when I was transferred I don't w; 1 couldn't find out,

Deutsch. In response to questions by Mr. Gordon, he said: Deutsch called me at Third and Stamper streets. He hollered across the street. He said, "Tom, did you hear I am going to fight the big chief?" I said, "Ike, if you and Carey have a grievance, that is up to you and Carey have a grievance, that is up to you and Carey 1 am for Carey." He said, "I was in to see the Mayor and I threw my hat in the ring, and I got the works behind me."

Witness said he had not been demoted or be in charge of you men. He is going to take you through the ward."

John J. Brown, of Engine Company No. 22, and resident of the Fifth Ward, testi-fied he was transferred from Second and Pine streets to Nineteenth and Callowhi. Q. What is Clark's rank in the detective force? A. He is assigned to the Detective Bureau as an acting detective.

Q. What are you? A. I am a regular streets on August 17, and on August 27 was shifted to Tacony. He said he was a sup-porter of Carey. man there. Q. Wood instructed you that you

be under the charge of Detective Harry Clark? A. Yes. By the Court-Q. You say you are man Witness said he went to supper and up Q. Have you any children? A. Two.

eturning to the Fifth Ward Detective Q. Do you ever get home to see them

A. About three-quarters of an hour in the morning and about the same time in the evening. I leave the station about 6 o'clock, "They have arrested a couple of men. There was a man came up to me, a man with glasses on, and said, Well, it is There and it takes about an hour and a quarter started to get home. I leave there and get back around 9 o'clock. I have about three-quar-ters of an hour for my meal in the morn-

By Mr. Gordon-Q. This man with giasness on said, "Weil, it is started"? A. Yes. So Coogan said to Clark, "Why, who is this man?

Q To Harry Clark? A. Yes. Clark said. "I don't know who he is. I think he is a worker in the ward." So Coogan said to him. "Well, if that ______ starts any-thing I am going to lock him up." Ward. testified he was transferred August 17 from cond and Pine streets, half a square from GORDON DEMANDS his home, to Twenty-ninth street and Ridge avenue and thence to Sixteenth and Parrish

Q. What happened next? A. We were streets. He said he was a Carey supporter. standing there then about ten minutes and a man came west on Spruce street and he whistled across to us. J recognized him as hoseman, r ent for him and the following conversaan officer from the Second District in citizen's clothes.

He said. "How do you like your job?" Q. Who was he? A. I don't know his name. I know him for some years, but I I suid, "All right." He said, "I am going to make up a list of transfers and I am going to put your name on it, and there don't know his name. He came over and tion house on reserve." Well, we sat there for some little while. This man with the glasses came in. Coogan said. "There is that man." I said, "Who is he?" He said, "I don't know. He is a worker in the ward. Harry Clark said he is a worker in the ward." I said he is a worker in the ward." I said, "I will find out who he is" So he came back again, went out the back way, and he spoke to the turnkey and the

A. Not personally I did not, no, sir. Q. Whom did you send to make that in-vestigation? A. I sent Detective Le Strange turnkey called him by name, and I went over and asked the turnkey, "Who is that man?". He said, "That is Jim Clark. That is a brother of Harry Clark, the fellow that and Detective Welsh. Q. Is that all? A. No. There were other men down there at different times. used to work in this district, and is now in the City Hall." Q. Did they report to you? A. Yes, sir.

So Coogan said, "That is the fellow that was talking to me at Sixth and Spruce." We sat there, I chould judge, half an hour Jeutenant Bennett came back and said. There is a riot call at Sixth and Spruce." oogan and I went out of the station house and the wagon passed us and went on up to Sixth and Spruce. We walked on u, after it, and when we got to almost Sixth

street, the wagon had turned and come back past us, east of Sixth street, and went on to the station house. We went on out as far as the club, out about halfway, and

Q. When did they send in their first re-ports to you? A. I cannot say that posltively.

passed some of our men just east of Sixth

passed some of our men just east of Sixth street. We were going east. G. You mean detectives? A. Detective Clark and others, and Oscar Brown and swain and some other men. We went on and we got as far as Fourth and Spruce. We were just about passing from Bpruce We were just about passing from Bpruce were fust about passing from Bpruce heard women screaming, and we went on back. When we got back as far as Sixth and Spruce somebody says. "Why, they went out the back way," so we went right up Sixth strest to see if there was anybody hurt. We didn't get in the back and we went around to the front of the building, and there was two officers from the Nine-teenth. One officer I knew was clearing the street of the people. Well, we stand around there will everything seemed quiet and there we went on into the station house. Wood says to me, he says, "You are on otday?" I says, "No, I ain't on today, I am of cogan take a walk out through the ward and there to." Q. About how many? A. Well, 1 guess at it. I can guess at it, rather Q. About how many? A. Probably nor a dozen or more. Q. Did you read them? A. No, sir just looked over them. I can't my that didn't read them. I looked over them. By the Court-Q. What were you sensing them down there for, captain? A. I we sending them down there to get reports the beau senditions dozen or more. the conditions. Q. When you got the reports you looked over them? A. I looked over them?

looked over them? A. I looked over them and then turned them over to some one the Q. Didn't you make a report based up those reports to you? A. No, sir. Q. Do you mean to teil me as an hene man that you did not make a report to a Honor, even a verbal report to his Hone based on those reports? A. I made so verbal reports to him. yes, sir, and the re ports that were turned over to me... and beit it. Under cross-examination by Mr. Connor. witness explained that there was nothing unusual in Lieutenant Wood telling him to "best it." He said it was a term often ports that were turned over to me used to inform a detective that his work was over for the day.

Mayor told me to have some investigations

Q. Some investigations of what? A. Of some matters that he had been reading

the newspapers pertaining to the factional condition existing down there.

Q. When was it he first sent for you

A. In that particular case I think along about the 6th or 7th of September. Some-

Q. Did you make an investigation for the

Q. In writing? A. In writing; yes, sir.

Q. Signed? A. The statements were taken

Q. Answer my question. Signed? A. They

were signed, certainly. Q. Who were the other men besides Le

Strange and Welsh? A. Carty, Creeden, Whitworth, Burgess, Hunting, Weir and

Q. When did they begin their investiga-tion? A. About September 7, I think.

Q. When did they conclude it? A. They were down there off and on until the

Q. Daily? A. Not every day, no, sir. Q. Every other day? A. Well, that may

They made reports from time to

Mr. Gordon:

where along there.

primary election day.

made.

Lapp

Q. You have a reputation of being a honest man in this community, Mr. Sould I want you to keep it up here. A. I m MAYOR HAND OVER

I want you to keep it up here. A. I as going to keep it up, yes, sir. By Mr. Gordon-Q. Let me ask you man questions. When you got those reports all you read them? A. I read them, yes, Q. And knew their contents? A. At thu time I knew their contents, yes, sir. Q. What did you do with them? A.I Q. What did you do with them? A.I SLEUTHS' REPORTS

have been. I would not say positively made them from t

Q. How many reports did they may to the thirteenth day of September?

they

can't say.

urned them over to the Mayor's secretar Alfred I. Souder, detective, was the next Q. Who is the Mayor's secretary? Joseph Smith

Q. They were written in longhand, we Q. Did the Mayor send for you and ask you to make an investigation of police conditions in the Fifth Ward? A. The





Stop colds before they get a start. Always have a box of Smith Brothers' with you. At druggists, grocers, confection-ers; also news and cigar stands,

Witness said he was sent from Second and Pine streets to Sixteenth and Sansom. He said he was a Carcylte. THE COURT-Doctor Deaver sends his coliments and appreciates the honor conferred upon him by appointing him, but he does not think his testimony would weigh much against some other professional man, so I have suggested the appointment of Dr. Hobart Hare. MR. GORDON-I am satisfied.

DETECTIVES "PIPED" "MAN-WITH-GLASSES" IN WARD BEFORE PRIMARY

duty in the Fifth Ward the day before the primary. Mr. Gordon-Q. Were any other detection of the state of the

tives assigned to that station house in that tives assigned to that station house in that ward? A. Yes, sir. Q. Who were they? A. Oscar Barnes, Hergesheimer, Clark, Coogas and I. Q. Do you mean Detective Harry Clark? A. Yes, sir. After we got to the station house we were brought into Lieutenant Bennett's room. Then Lieutenant Wood wrote out a list and said, "Now, Clark will

The

LIBERTY LOAN

RICHARD DOYLE, City Hall detective, estified Tate and Wood assigned him to

I was standing on a step of a hotel at

Q. And you were transferred afterward? Yes, sir; to the Sixteenth District, Thir-ninth street and Lancaster avenue, on

new district? A. September 16,

proached me and he said, "Heilo, John." "How are you, Mr. Deutsch?" "Well, I guess you know the situation."" "Yes." where you know the situation?". "Yes." "Why don't you get with the bunch?" I mid. "I don't think I will discuss this. I will consider it." I was two weeks con-udering

nine years' standing, took the stand next, and, after saying he was transferred. Sep-tember 2, to the Front and Master streets station, testified to the following conversa-tion with Special Officer Murphy, of the Fifth Ward station, on August 10:

Q. Who was the man that put you there? Now "I said, "All right."

Q. When did you go to work in the Thomas K. Foster, an acting detective

of the City Hall reserve squad, who lives in the Fifth Ward, was then called and likewise told of a conversation with Deutsch. In response to questions by Mr.

and the second second second second Christian Bartelson, Fifth Ward police who had been made a traffic officer in 1910, was then called, and testified that he had been transferred on August 16 to Frenton avenue and Dauphin street staion. He was a Carey man, he said. Joseph Ward was then called, but there knew a patrolman to report a speakeasy to John C. Shields, Fifth Ward policeman of

WIPED OFF MAP, COP INFORMED BY BENNETT

Detective Lieutenant Theodore Wood was recalled in order to correct a statement of yesterday. He explained that he said he had not seen any of the white-ribbon whereas the stenographer had reported his answer as that he had seen then

Herbert Harris, a policeman of the Fifth Ward station, was then sworn. He re-lated a conversation with Isaac Deutsch as follows

After rollcall, as I was walking out to after forcail, as I was watching out to my seat. Isnac Deutsch cais me aside and said, "Well, I guess you know who is boss now, don't you?" I looked at him, and I said, "I think I do." He said. "Well, I am boss now. It ain't no such thing as Carey," He said, "You will either have to turn in for me and get the votes for me, or I will get you transferred."

Q. Did Lieutenant Bennett speak to you? A. Yes. He calls me over and said, "Well, Harris, there is your boss," pointing to Isaac Deutsch. He said, "It ain't no such thing as Carey."

By the Court-Q. Who said that? A. Mr. Bennett, Lieutenant Bennett. He said, "Whatever you want, you will have to see Ine Deutsch. Carey is wiped off the map." ut two weeks later, that was August 26, ot transferred to the Twenty-first Dis-t, Thirty-second and Woodland avenue.

Q. Was anything said to you by Lieunant Bennett respecting any backing he 7 A. Yes, sir. He says that Isaac tach has got the Vares, the Mayor and whole Department of Public Safety had? A. Yes, sir. with him.

Q. About a week after that conversation with Lieutenant Bennett, did anything oc-our on your beat? A. Yes, sir. It was en a Sunday. I just can't remember the date. Well, about 6 o'clock in the evening. At the northwest corner of Third and Gas-kill there is a poolroom; the name 1 just cannot think of. This feilow had his doors wide open, selling beer. I saw the way the money was passed over the har. I walked in and I said to him, I says, "Is that beer?" He says, "Yes." He says, "I am paying \$75 a month for protection. I guess it is going three ways to me." I says, "I didn't come to hear that. I just come to give you orders to stop it. If you don't I will swear a warrant out and have the place raided." The following day, or the same day. I don't know when it happened, he must have saw Special Offi-cer Murphy. wide open, selling beer. I saw the way cer Murphy.

ary, in the aftermoon. I was called into the future and the future come before this future and the second of the second Well, what occurred? A. Well, the Q. Well, whiat occurred? A. Well, the peat day about 3 o'clock. There was Mon-day, in the afternoon, I was called into the lieutanant's room. There was me, the lieu-tenant. Special Officer Murphy and this Greek that ran the speakeasy. "Harris," in anys to me. "did you take a dollar off this man for protection of this speakeasy?" I mays. "No, sir." I says. "That man is a then the news he fold much the tax."

Q. Did you see him on registration day list in the seventeenth division of the Fifth Ward? A. Yes.

A. James Carey, 1 believe.

Q. What did he say to you? A. He said, "Hello, Tom; where are you working?" "Oh," I said, "up in the country for the same company." He said, "That is no fault of mine." "Well," I said, "politically, this

persons.

versation with Deutsch as follows:

his superior

said,

ty-ninth

August 26.

s what I look for ; this is wartime." Q. How soon after that were you trans-ferred? A. August 15.

Q. Where to? A. Branchtown, Thirtyfifth District.

Q How many miles is that from your me? A. I judge seven, eight, maybe ten

Q. Were you also demoted? And made a patroiman? A. Yes, sir.

COURT PICKS JURY **OF PHYSICIANS TO EXAMINE McNICHOL**

THE COURT-I request the District Atney-and I say this without reflection on the eminent physiclans that have had Mr McNichol in charge-to send for Ellwood Kirby, and have him get in touch with Dr. Charles Potts, of the University and Dr. John H. Deaver, and they in turn consult with the physicians of Senator Mc-Nichol and set a proper hour for the examination.

Mr. Beitler. Does your Honor have in mind that Mr. Maloney testified that Doctor Kirby was his physician?

The Court. I hope that he is not-Mr. Beltler. He so testified, and testified that Captain Tate had Doctor Kirby at Maloney's office on Monday evening, the

17th. The Court. I had the impression in my mind that Doctor Da Costa was his physi

clan Mr. Gordon. That is Carey.

The Court. Doctor Kirby is too well nown to be influenced to do the wrong known

known to be influenced to do the wrong thing, Mr. Beitler. The Court in order that there may be no suggestion of partiality in a matter of this grave character, the District At-torney advises me that he represents Doo-tor Kirby, and as he is physician for one of the witnesses in this case. I will sub-stitute Dr. J. C. Wilson for Doctor Kirby. I do this reluctantly, because I have very great confidence in Doctor Kirby, for 1 have called upon him many times for ad-vice in causes that have come before this vice in causes that have come before this

"Oh," he said, "I will find know. So I waited from ten minutes after 4 to quarter to 6 before I found out.

Q. How did you find out? A. He got time to find out-from a slip of paper.

My Mr. Gordon-Q. It is probably an uncessary question, but I didn't ask Were you a supporter of Carey? A. Yes.

> JOHN P. FREIMUTH, formerly of the raffic squad, the next witness, testified he was transferred from his post on Spruce street between Front and Second on August 10 to the Eleventh and Winter streets station, and a week later was again shifted, this time to Twenty-second and Hunting

Park avenue.

By Mr. Gordon-Q. When you were transferred did you speak to your lieuten-ant. Lieutenant Buhler of the traffic squad? A. Yes, sir, I think it was the next day. Q. What did you say to him and he to you? A I called up Lieutenant Buhler on the phone and I says to him. "Lieutenant, did you have me transferred." He says, "No, sir." He says, "This is just as much a surprise to me as it is to you. I says,

"Has there been any complaint" He says, "No, not a thing. You are perfectly clean down here." I says, "All right; thank you." Q. Were you a supporter of Mr. Carey? Yes, sir.

Edward Quirk, another Fifth Ward pt liceman, next testified he was transferred on August 22 to Germantown. He pro duced the transfer order and Mr. Gordo He proread it.

Mr. Gordon-Q Any reason assigned for your transfer? A. That is all I know A. Only I am for Carey.

SERGEANT FRANK O'BRIEN, being sworn, testified he served at the Fifth Ward station five years, but was transferred last August 16 to the Twentieth and Federal streets station.

By Mr. Gordon-Q. Any reason given for your transfer? A. No. sir.

Q. Were you a supporter of Mr. Carey.?

I am a Tenth Warder. Joseph Ward was again called in the urtroom, but there was no response. The rier reported to the Court that some one ad given him information that Ward was out of town.

John J. Powers recalled and, Mr. Gordon, stated that Ward had religned from the force on election day and was understood to have left town for a week

Charles Sonntog, still another Fifth Ward policeman, was then called and testified that when he returned from his vacation, July 22, he was demoted from street sernt to patrolman and transferred August

As soon as I got there he started to bui-done me. Q. Did he say that the Dentsch had you

Shall we have a German Peace?

A world armed to the teeth until a bloodier war settles the fundamental questions left open by our weakness in accepting such a peace?

An America infested with spies and German-bought traitors working every minute to weaken our national structure in the interest of a foreign government and people who lie in wait to steal away our precious liberty when their poison has rendered us helpless?

Shall we be lulled to sleep by lying rumors circulated by the most faithless Foreign Office God's bright sun ever shone upon, for the sole purpose of delaying our war preparations?

Shall we fail a President who has called us out to "make the world safe for democracy," because we are too stupid to see through the clumsy machinations of our would-be seducers?

Shall it be said that Yankee wits are no match for German?

Or shall we make every sacrifice, utilize all our skill, mobilize all our power and strike this curse that has come among us from the face of the earth that a just and lasting peace may bless our descendants to the end of time?

Choose, AMERICANS-There is no middle course

PACKARD MOTOR CAR CO. OF PHILADELPHIA