Questions and Answers in Fifth Ward Murder Plot Hearing

The seventh day of the hearing of Mayor th and his eight codefendants on charges riolating the Shern law prohibiting par-mation of city employes in politics and of spiracy to commit murder and assault ned at 11 o'clock in City Hall before sident Judge Charles L. Brown, sliting a committing magistrate. Testimony is 43 A CO appended as given in court, important pas-auges verbatim, the remainder summarized.

1.454

MASCIA SHOT EPPLEY, **'VICE SQUAD' SLEUTH**, EYEWITNESS SAYS

Thomas F. Leo a vice squad policeman. assigned to duty in the Fifth Ward. in plain clothes, on primary day, was today's first wilness. Responding to questions by Assist-District Attorney Taulane, he told of murder of Eppley as follows:

To whom did you report? A. Lieutenant Bennett.

What were your instructions that ning? A. When Lieutenant Bonnett Q. morning? A. When Lieutenant Bonnett assigned Officer Applegate and myreif to the polling place, 504 De Lancey street, he said to us: "Now, boys, stay on the job to-day." He said, "If you want to burn, burn some other time, but stay on the job to-60.5

Q. What did you do? A. We went to the dling place and some time after that Of-ber Eppley and Officer Drover came along. Q. You were all in plain clothes? A.

Q. Go on. Who were with you there? A. While we were standing there officer Eiselman came up Sixth street and he stopped there. The four of us stood there

talking. Q. Go on, A. One of them passed a re-mark, "Here comes Carey and Maurer." They were walking south on Sixth street be-

Q. The west side? A. On the west side of the street, yes. They turned De Lancey street west on De Lancey and I was stard-ing near the curb with my back-I was fac-ing east. Officer Explex was standing alongside of the wall of the saloon there, and all at once he hollered out. There is a stard all at once he hollered out. gang of blackjacks beating Carey and Maurer up," and I turned around and we all ran over, the four of us. Mr. Carey and Mr. Maurer were both lying on the pavement. Mr. Maurer was lying there. trying to protect himself with his arms over his head (illustrating). They were illering. This man Costello, he was over Mr. Maurer with a jack, just about to hit him when I grabbed him.

Q. Costello was one of the prisoners in court yesterday? A. Yes, slr. 1 grabbed him and he made a crach at me, and I put my hand up and he hit me on the wrist. I held on to him and he tried to pull the in the middle of De Lancey street, just west of where Mr. Maurer had been laying, and I heard a shot and just looked around Toward Sixth street and saw Mr. Elselman He had a man on the ground. When I lopked around I saw Mascia shoot an offi-cer. Elselman pulled his gun and ran toward Sixth street and Mascia ran north

By that time officer Quinn and another By that time officer Quinn and another special officer from the Twenty-ninth Dis-trict came running down from 627. De Lancey streat. I turned Costello over to Officer Quinn and ran over. Eppley was standing on the pavement with his gun in bis hand, stuggering. I said, "What's the matter, George? Are you shot" He said, "Yes." I was under the impression there w is a matro; box at Seventh and De Lancey and I ran over, and when I got there there and I ran over, and when I got there there was no box there and I came back, and just about that time they were putting Eppley in an automobile.

Which way did Mascia nim? A. I know. It seems he just shot west on Q. How many shots did you see? A. I

im shoot one and I heard one. any him shoot one and I heard one. Q. What other men there are you able to recognize or identify besides Mascia and Costello. I mean that you are sure of? A. I saw Falcone and that short, cross-gyed and that short, cross-gyed

Q. Brunelli? A. Yez

Q. Do you know who were leading of recting the men? A. No, sir. Q. Did "ou see Harry Clark there?

About 9 o'clock I was sitting still at he sergeant's desk, and Superintenden! Robinson, James Robinson, came in and went over to the lieutenant's room. In about two minutes a reporter came in. said, "The superintendent of polics has just gone into the licutenant's room. Try to get an interview with him." He waited outside the room and in a few minutes he came to me and he says, "He just went out." I said, "Weil, did you interview him?" He said, "He told me he was hero him7" as a private citizen and not as a police

About half-past 5 or twenty minutes of 10 Lieutenant Bennett walked into the sergeant's room. He says, "Has any one got a gun here?" And the street sergeant said, can get you one." and he walked into the bathroom and came out with a revolver with a barrel about three and a half inches long and he laid it on the palm of his left hand, I think. He said. "I want this for McGorick" or "for McGoldrick," I don't re-member which name it was. He says, "He might meet some of these thugs and get

Shortly after that the lieutenant left the station house and went out the front door, and Special Officer Wirtschafter and Special Officer Murphy came into the sergeant's room and sat on the railing there of the sergeant's desk with their feet up on the desk. They had been sitting there about five or ten minutes when the policy when the or ten numbers when the police wire rang, and the scrigeant yelled, "A wagonload of men." Murphy and Wirt-schafter ran out of the sergeant's room and around the ball and out the front door, and as I looked over my shoulder

through the window to Ive Lancey street there was an automobile standing in front the station house door, and they jumped

The sharing noise door, and they pumpted in there with a lot of other men and left. In about two minutes another call cause in over the phone. This call was from Slath and Spruce survers. In two minutes mother call came in, and the sergeant said, "A hospital case at Sixth and South." We Taulane then rold of the arrest of Mr. Taulane then told of the arrest o lancia and Costello. He said he went to ancia and costello. The said he went to be hospital and saw Eppley on a cot. Q. Was Enpley dead when you saw him?

A. Eppley was dead. I got back to Magis-trate Earrigan's office and I telephoned. I got the Mayor's office on the phone and I ked for his secretary, and Mr. Joe Smith e Mayor's secretary, answered the phone, said, "Mr. Smith, there is one officer already here dead in the hospital and I am informed that Mr. Carey and Mr. Maure Maurer are beaten up and they are in the Jefferson Hospital." I said, "I want to know whether your brother intends to take the responsibility for this murder and others that are liable to occur in this ward." He said, "You are falking too fast." I repeated what I

had to say, and he said, "I will look into it." Then I hung up the phone. Then I went to the Jefferson Hospital n a taxicab. I saw Mr. Carey being treated in the operating room, and Mr. Maurer was there at the same time. From then went to City Hall and up to the District Attorney's office and tried to phone the District Attorney or one of his detectives so that I might take the detective back t the district with me. Several people were there, and some one said, "Well, Mr. Gordon represents the committee from the Fifth Ward. Why not see him?" So I rushed over to Mr. Gordon's office, and he stenographer there said he was out.

It was then 12 o'clock, and I tilought pos-sibly I might see Mr. Rotan in the Union League, and Dr. Shallow and I wont to the Union League and took lunch. I phoned from there to the Pinkerton Detective Agency and asked for four men to go with me to the Third district. They asked me whether I would come up and look them over and I said I would.

When I arrived they said they didn't have any at that time, and I phoned down to John B. Taylor's office for somebody and he said he hadn't any. I went from there to the William Burns's office in the Widener Building and tried to get four men there. I

was unable to get them. Then I took the machine and left Doctor Shallow's office at the Jefferson Hospital and returned to Magistrate Harrigan's Q. Did "ou see Harry Clark there?" office. When I came in Mercantile Appraiser Yes, sir. THOMAS F. GREAVES a constable of did you do with those prisoners?" I said

a man go out last night and they are liable let those two out, too." I left the office and went to the detective ureau with my constable, Betz. the sergeant there that I wanted to lodge

the warrant against the prisoners, and he said Coptain of Detectives Tate was out and had better wait until he came back. I said I wanted to see the prisoners, that was a magistrate and had a warrant and

wished to place them under arrest unde that warrant. So he took me to the cell room, and the sergeant at the desk at that me-that was about 2:15 or 2.10-he said You can't see the prisoners." He said, You can't see the prisoners. "" Captain Tate has left strict orders that no ne is to see these prisoners." "Well," I me is to see these prisoners." said, "I insist on identifying the men that you have here now." As I went in they were taking Costello out of the cell room to the hallway. Then they brought Mascia out and stood Mascia against the cell-room door, and I identified Mascia as the man who was brought into the Third District

station house, After a little friction with Captain Tate and others at City Hall, Mr. Stevenson said, he returned to the Fifth Ward station house. Summing up his observations there, he sold:

After 7 o'clock the only business that seemed to be carried on in the station house was receiving election returns and report ing those election returns to Director Wil

"MURDER YET." DEUTSCH TOLD BENNETT, WOMAN AVERS IN TESTIMONY

MRS. CLARA FREEMAN, of 325 Hygoh venue, Atlantic City, who followed Magirtrate Stevenson on the stand, electrified the courtroom when she declared that as long ago as fast August she heard. Imare Dentil? say to Lightenant Rennett. "There will be murder yet." The main points of her testi-

mony were as follows: Mr. Gordon-O. Where is your home? I lived at 225 Hygela avenue, Atlantic City.

Q. Did Isaac Deutsch live with you the last summer? A. Yes, sir. Q. Who was with him living at your ouse? A. His wife and baby. Q. Did Lieutenant Bennett come to you to see Deutsch often? A. Yes, sit.

Q. Do you remember a conversation thick took place between Mr. Deutsch and deutenant Deutett in the latter bart of tugion in your ballway towards roup from borr". A. There was no bullway there udge. It was just a room.

Q. It was at the door? A. Yos sir. clive it was at the door.

d was in bod. Q. Where were you? A. my room on the second floor

Q. State what you heard Mr. Deutsch ag? A. I don't remember the exact words but the substance of it was that they were peaking of two men, one being on their dds and one being for Mr. Carey, and it seemed they couldn't do anything or had no hopes of being able to do anything to make that man work for their party, and 1 heard him say I think to Mr. Deutsch that he is going to have him and that bunch locked up on election day.

Q. What else? A. same heated couver sation and swear words, and then he said, "There will be a murder yet." and his wife said, "Oh, Ike, think of me and the child." Q. Did you hear Mr. Deutsch at other Fifth times talk about the election in the A. Well, whenever I heard him Ward?

speak it was in a very confident manner and he had the support of the Administration. I understand. O. Who else visited him there and talked

bout the Fifth Ward and the election? . More that any one else, probably, there was a man by the name of Mike Bagdonoff.

Under cross-examination, Mrs. Freemal asserted positively that she was not asked to be a witness until last night and has A. Yes, sir. THOMAS P. GREAVES a constable of Magistrate Harrigan's office, was then re-called to the stand, but was temporarily withdrawn almost immediately and Police-man Leo was recalled. Magistrate Harrigan's office and said withdrawn almost immediately and Police-man Leo was recalled. Magistrate Harrigan's office and said method with those prisoners?" I said is not them to the Central Station, to the Detective Bureau. He said. "Some one told me you held them without ball." I said. "No, I couldn't hold them without ball, be-man Leo was recalled.

to me, by Magistrate Person. As they were brought in I issued a discharge and turned them out. About 9 o'clock I was sitting still at tective Bureau, because," he said, "they let

MURDER PLOT" HATCHED MONTHS AGO, DETECTIVE CAPTAIN TATE SAYS

> CAPTAIN OF DETECTIVES JAMES TATE, who was called to the stand a few inutes after noon, also gave testimony to the effect that the Fifth Ward plot was hatched months ago, when he asserted that Edward Mulhall, a prisoner in Moyamenning Prison, told him ha was approached last June by Jim Clark, 'the man with the sysglasses," with a proposition to participate in thuggery in connection with the Deutach-Carey contest. Captain Tate also revealed that it was Director Wilson who ordered the arrest of Samuel G. Maloney, star witness for the prosecution. The high points of Tate's testimony were as follows.

Mr. Gordon-Q. Captain Tate, the Mon day before primary, did you and Mr. Ma loney have a conversation? A. On Monday night, the 17th of September, 1 visited Doc for Kirby's office, 1202 Spruce street, some where about 8 o'clock, and in leaving (b) office, coming out the door and going dow the steps on the paysment. Maloncy wa standing, and he recognized me and be said, "Hello, Can; how are you?" I said "Hello, Sam, how are you?" He said

Are there many in there?" I maid. "Yes, ulte a few." He said, "Which way are ou noting." I said, "I am going to Broud treet." He said. "I will walk up that way 3 suid. a. We walled up Shruce rirect t On the way fin talked about tw

the men in my office, and criticized the anduct, telling not they were drinking and hey were discrediting not office. We finally eached the Real Estate Trust Building

There I bid bin good-by. He met, I think, Magistrate Persch, who was standing there at that time, and I came over to my offlice. Later, about 5 o'clock. I went back on Broad street with the intention of going o the Forrest Theatre, and he was standing there. Maloney with Persch, and invited up in to have a sigar.

I stayed there and we talked about many topics; about his visit to New York, Spring Lake and about his losing some money at the race track-a general conversation; not word about the Fifth Ward or the Third Police District until I was about leaving, and I turned to Persch and I said to Persch. "I suppose you will have a busy day Wednesday," and he said he didn't know weinessay, this is said and gallod i and 1 bid them good-night and gallod i Fifteenth street and got on my car at Fifteenth was about to un? went house. That was about to un? Q. on Tursday, somewhere I think after On Tursday, somewhere I think after Maloney called me on the telephone. Maloney called me on the telephone manual provided to the telephone of the somewhere the telephone of the telephone of the somewhere telephone of the telephone of the telephone of the somewhere telephone of the telephone of the telephone of the somewhere telephone of the telephone of the telephone of the somewhere telephone of the telephone of the telephone of the somewhere telephone of the telephone of the telephone of the somewhere telephone of telephone of the telephone of telephone o onversation when "Is that you, e.u." ald, "You," He said, "Tuis is Snot Mo oney." He said, "Ed Vale with he set "Senator Vare wants to 8 one of the two words he used. I runs the He put it is such a sear I didn't know what it was. I had no conversation with him about Vare, and I wont over to Vare's office weat up into the Lincoin Building and ne of the two words he used. waited there possibly five or ion y and later I was additted to Vare

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Q. The door was clozed? A: The door

Q. Nobody but you and Senator Vare. A. That's all. I said, "Senator, do you want to see me." He said, "No. I don!" want to see you." I said, "San Maloney phoned me and said you wanted to see me." He said, "I didn't want to see you." That

was all was maid, and I turned and walked out of the office. I came back to my office and I maid to Wood, "Sup Maloney phoned me. Go over and gee what he wants." Wood went over to Maloney's office and later returned, but before he returned a today of the superstance of second probably ten minutes. I received a tel hone call from Lieutenant Bennett, and he said, "Is that you Cap?" I said, "Yes," He said, "I would like to have a detail at 4 o'clock, including Wood and Harry Clark, ten men," I said, "All right, I will attend ten men." I said, "All right, I will attend to it," because I received an order from the superintendent that any time that the licutenant would call up or Captain Kenney vouid call up, or need a detail, to give hem the detail, because of the three registration days.

Q. Then Wood came in? A. Yes.

Q. What did he say to you? A. He aid he had been to Maloney's office, and hat Maloney suggested or said to him te tell the captain to detail ten Third district station or to the Fifth Ward Inited district station or to the Fifth Ward, Including inyrelf and Harry Clark. So if isoled in Wood, and I said, "Maloney said es." "He said so." I didn't pay any attention to that, and I told Wood. "I have just reasived a request from Lice-tenant Bennett asking for a detail." I didn't think anything unusual of that be-cause on the three registration-----

Q. I don't care about that. Did you tend the detail? A. I did.

Q. At what hour? A, J told Wood to go out into the office and to see how many and user there. He reported back, and said 1 think there were only four. I said, "Well, we must make a detail," and I said, "As the men come in, take the first ten you get and go down there and report at 4 octock." Yes, mir. Q. When did you send the detail in ward on election day? A. I areanal Write or call for our new and interesting Rooklet "Lasking Into Your Own Eyes," A Series of

Q. A clerk? A. Yes, sir, he was a clerk n the photographer's office. Q. Is he a police officer? A. He is a

 police officer,
Q. And when did Clark come in? A. Clark come in. I think, somewhere about a or a little after 3 o'clock.
Q. Before the other ten had been aggregated or you got the ten? A. Before I got them. Then, when they were all argemented they brought them into the youn and ded, they brought them into the room at I said, "You want to report to the Third District station house with these men." Q. On the next day, election day, did you

Q. Upon whose request or command? A. Well, a thought of my own was there should be a defail down there, and in the morning. on Tuesday, Captain Kenny, he mentioned to me he thought there should be a strong On Tuesday night, somewhere

glasses. The finding of such the Oculist is free hemi exar ined by an O

all right, that it was very well. I had ar-anged for possibly about forty men to be Q. Now, on election day, did the Super tendent's office also call upon you for these men? A. On election day the Supe stendent's office did not, but after the first

egistration day-Q. No. I want election day: A. On elein day the superintendent did not call on the for a detail, but Captain Kenny, the

night before, told me that his orders were coming from the Superintendent. Q. Coming from the Superintendent? A

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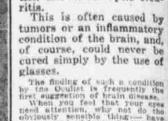
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Q Were there ten then there? A, No

there were not. Q. How many were there? A. I think there were only four at that time. When the men came in I told him to hold them will be added to hold them

Q. Was Clark there ? A. Clark was

the men came in I tota him to the until he had the necessary number. Q. What hour was it he hind the neces-sary number? A. I think it was some-where about half past three. I had to take one of the clerks from the photographer's office in order to make up the number. Q. A deerby A. Yas it he was a clerk

olice officer,

send a further defail of detectives into the Pirth Ward? A. I did.

about nine or nine-thirty. Captain Kenny came to see me at my office and he said.

You should have a strong detail in the

number of men to be there at 7 o'cloid a the morning, to report to Licutenam

Yood and Wistur, and he said that it was

Third District tomerrow, election day, said that I had made arrangements for

detail

Mr. Taulane-Q. Did you take a black-jack out of Contello's hand. A. Costello, THOMAS F. GREAVES was then re-

called and testified that on election day was always behind Carey to protect n. Witness said he was armed with a blackjack and a loaded revolver to be used in defending the Select Councilman.

ACTING UNDER ORDERS, LIEUT. BENNETT TOLD MAGISTRATE STEVENSON

MAGISTHATE MAXWELL STEVEN-SON, JR., was next sworn, and gave the following testimony regarding his ex-periences in the Fifth Ward on election dam

day: Mr. Taulane-Q. Were you it, the station Mr. Taulane-Q. the prisoners Mascia house at the time the prisoners Mascia and Costello were brought in on election day last? I was.

Q. Did you notice anything on the two prisoners? A. My attention was called to ribbons on them by Isidore Stern.

Q. Now, when you looked, what did you ee? A. I saw a ribbon at the second buttonhole of the vest on each prisoner.

The ribbons were then shown to the wit-

C The riobons were then shown to the wit-bess and were identified by him. Q Anything else you know about the ar-rests? A. You mean what happened that day or just about that arrest? Q Anything that happened that day in connection with this murder? A. I was in the station house from such of the with the station bound from such as the station bound for the station bound

the station house from seven o'clock until a quarter of ten at slight. Q. Tel us what took place. A. I reached Magistrale Harrigan's office at 6.45 or 6.50 and stayed there until about seven o'clock, when some election officer ran in and said that a judge of election had been arrested in the Third District station house. Mr. Levan, Maur Levan, raid I had better get over to the station house, and when I got over there Judge Harrigan and Mercantile Appraiser Carey and Mr. Stern were in the ralling right outside the sergeant's room, and I went around into the sergeant's room and asked them to make out a copy of the charge at once, and they hald to be patient that was Sergeant Davis—he said to be patient, he would have them made out in a alort while.

They took the prisoners back and locked them up in a cell. And Lieutenant Bennett was standing at the opposite corner of the dash, and I asked him whether he knew what he was doing, that he was locking up election officers and judges of election, and he said yes, he knew what he was doing.



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