ent. I think, at 8 o'clock on Tuesday evening at my office, and I told them to go, the same and to report at the Third district squan house at 7 o'clock in the ar m and report to Lieutenant Wood and Wistar, where they would be assigned to precincts or divisions of the ward. To keep peace and order, I added

Q Of course. Did you go into the Fifth ward on election day? A. I did not, Q Or the day before? A I did not. Q Captain Tate, you swore out a war-rant for the arrest of Samuel G. Maloney? A I did.

Q Charging him with conspiracy to in-terfere with the primary election, commit-ting assault and battery, and murder? A. I did.

Q. At whose request did you do that?

Mr. Connor—Wait a minute. I object to that. If the Court please, Your Honor is sitting here, if the Court please, as a combitting magistrate. Your Honor is bound by limitations under the Constitution and by limitations under the Constitution and laws of this State. Your Honor is here laws of the State of the Constitution of this State your Honor is confined to the hearing of there charges and nothing more, sir. Therefore, I object.

WILSON OUDERED ARTIEST.

WILSON ORDERED ARREST After a brief but sharp debate, the court finally admitted the question.

Mr. Gordon-Q. Upon whose request did

Q. Upon whose request? A. Director Wilson's, Director of Public Safety. Q. Tell me what he said to you. A. After

Q Teil me what he said to you. A. After I had made several reports to him on Monday, October 1, I reported to him that I had information that Maloney had received a letter containing some money, a large note, and I reported to him that Sullivan had been connected with the matter—Q when did you report that? A. On Monday and Tuesday.

Q of last week? A. When I swore the warrant out, October 1.
Q. It had been testified to in this court, hadn? R? A. Well, yes, Maloney testified to it. It was before Maloncy testified to it. It was before Maloncy testified.

2 But it had been testified on Monday and Tuesday in this Court that Maloney had received a latter with a thousand-dollar bill in it. Had he not testified himself? A. Well, I am not sure whether it had been testified or not, but, however, I reported— 1 reported

Q Now, Captain, don't you know that Q. Now, Captain, don't you know that Maloney testified on Monday respecting that letter and the thousand dollar bill? A. No. He testified on Tuesday.
Q. On Tuesday? A. II. was on Monday I wore out the warrant.

Q. Monday? A. Yes. Q Very well. What did Director of Pub-

le Safety say to you? A. He ordered me to swear out a warrant for Samuel G. Ma-Q. And you swore it out? A, I did.
Q. Who drafted the affidavit? A, I don't

now, sir.
Q. Did you read it? A. I did, sir.
Q. To whom did you deliver it for service? I read the affidavit in the presence of Megistrate Watsot, and I turned the affi-day't back to him after signing it, and he drew up the warrant.

Q To whom did you deliver the warrant for service? A. I turned the warrant over to— I kept the warrant in my possession, and I assembled ten men, and I told them to to out and apprehend Samuel G. Maloney.

KNEW HE WAS WITNESS

Q One anoment. At that three you knew Mr. Maloney had been a witness in this Court did you not? A. Well, only from the District Attorney. Yes: the District Attorney had summoned me to his office and asked me if I was trying to apprehend oney, and I said I was. He said:

"I want to warn you that Maloney, Samget G. Maloney, is a witness for the Com-monwealth, and is to appear in Court to-

Q Did you report that to the Director of Public Safety? A. Why, in my presence Mr. Rotan called the director up, and I reported it to the director, and the vector told me to serve my warrant, Q. Then, you assembled ten men in your

office? A. Yes, sir. That is, not all as-sembled. I called for two at a time. I sent two out to West Philadelphia, two to North Philadelphia, two to Broad street station, and two to cover a house in West Philadeinhia, and two to cover his office in the Real Estate Trust Building. I held

Q All right. At that time you knew witness for the Commonwealth? A. He

Q. Why didn't you tell the District Atney that you had this warrant and ask where Maloney was instead of sending out lck him up in various parts A. I t ld the District Attorthat I had gworn a warrant out and had ten men out foolding for Maloney. Q. Have any other warrants been issued

the arrest of Mr. Majoney that you ow of? A. They have not. Q There is no warrant outside now for

object.
2. Charging him with crimes charged Wron the defendants in this case?

Mr. Connor. I object to that, if your Honor please.

Mr. Gordon. Will you rule on it."

The Court. Certainly I will rule on it.

Answer the question.

A Not of my knowledge, I know of no have not.

Buch warrant in existence other than the Q. Altoge

Q Do you mean personal knowledge?
A Personal knowledge, Q. In your police knowledge? A. In my pelice knowledge I haven't such a mowledge.

Q. Do you know of any other warrant bested for Maloney and now in the possession of Detective Ducy? A. I do not.
Q. Captain Tate, did you go down to county Prison night before last? A. I did.
Q. Did you go down there to see a prisoner named Mulhall? A. I went down to ee a prisoner by the name of Joseph Mul-

Q. Did you see him? A. I did.
Q. Where? A. In —— I suppose you call to the waiting room or reception room of the County Prison, in the presence of the superintendent of the prison.

Q Maihall was a prisoner charged with certain crime? A. Yes, sir.
Q How long had he been in prison?
A I think he had been in prison since July. What caused you to go to see him? A. received information from Lieutenant manual that Mulhall had information persiaing to the Fifth Ward case, election case, and that if some one would see him that could get valuable information.

Q Did Detective Emanuel say what this risoner knew about the Fifth Ward case? A No. he did not.

Q But he said he knew something in manaction with it? A. Yes, in connection with the Fifth Ward case.

dian't specify me. Q Did you notify the District Attorney of that Emanuel had told you? A. No, 1 did

Tell me the conversation that took s between you and the prisoner.

c. Connor. I object to that, if the triblease. There is no power on earth tean wring from the police department any municipality matters of this charter.

Gordon. You do not represent the department. Connor. I know I don't represent

orden. I am giad you don't have er. I am asking for the orderly ion of justice and the rules of

eardon. I will see that you get it. An enforcement of the legal size and I submit there is at our make an officer tell with reference to investiga-

Mr. Gordon, May I ask a question? The Court. You may.

SAYS PLOT BEGAN IN JUNE SAYS PLOT BEGAN IN JUNE

Q. State your conversation with Mulhall in the County prison. A. I saw foseph Mulhall and I informed him that I had learned that he had some diformation he wanted to divulge pertsining to the Fifth Ward case, and he said that he had. I said, "Well, whatever you have to tell, tell me in the presence of the superintendent of the prison." He said that he frequented a saloon at Sixteenth and Fairmount avenue, conducted and owned by a man named Craig, and he said that in the latter part of June or in the early part of July he met a man in the saloon by the name of Clark, referring to—I said, "Jim Clark?" and he said, "Yes, that's the man." "I said, "How do you know it is the man."

In the latter part of June or the early part of July, he said that Clark came in there, and while he was there with two other men. Clark approached them and suggested to them that they could get a little money, easy money, in the Fifth Ward on election day. He wanted to make arrangements and he said that he thought there had been something said about a thousand dollars.

finally admitted the question.

Mr. Gordon Q. Upon whose request did

and swear out that warrant? A. After I go of Clark and he felt sure that the made mentioned in the case at the present time going on and the man he saw in June was one and the same man. So I bid him good might

night.
Q. Didn't you interrogate him? A. No,
I let him go on and tell his story.
Q. Didn't you ask him whether it was
a man named Maloney that had seen him
or was spoken of in the case? A. 1 may
have mentioned that name. He said that
Clark had said that there is a man who
would protect them if they would go
down in the Fifth Ward and that he had
been formerly a leader, and that Clark was
working for him. working for him.

Q. Did you suggest Maloney? A. I am of so sure about that.
Q. When he mentioned the thousand dolpres, did you ash him anything further about that? A. I did not,
Q. The man is still under indictment?

harged with assault and battery, assault and battery with Intent to kill.

Q. Anything else, A. Charged with robbery. He is wanted in Philadelphia on those three indictments, and he is also wanted in Camden for holding and sticking up a gambling house. Q. Highway robbery? A. Highway

Q. Did you tell Director of Safety Wilson that you were going down to see him? A. I didn't say that I was going down to see him. I said that—I said this, that I was trying to locate a man by the name of Mulhall; whether I could get to see him or not I did & know, but I said that I had information that he might know something about this cree.
Q. What did Wilson say? A. He said

not to stop at anything, not to spare any expense, and to probe this case to the hitter end and to apprehend every one was connected with the case.

Q. When you got this information did you ring it back to the Director of Public

Safety? A. No. sir, I did not. I have not talked about the case since.

Q. Did you, the next day, bring this man to your office? A. I did, the next night.

Q. How did you get him? A. I went to the clerit of the court. Mr. Plaherry, and I aid. I rold Mr. Flaherry and Mr. Nowack. said, I told Mr. Flaherty and Mr. Nowack that there was a man in the prison by the name of Joseph Mulhail alias Murphy or Joseph Murphy alias Mulhail, and that I wanted to interview him about the case and I would like to have him brought to my office, and asked their permission to bring im up, and they issued a discharge for me to bring him to room 625, which is our cell-room, and to return him to court when I ould be through with him.

Q. Now let me pause a moment. You new he was under indictment? A. I did. Q. You knew he had counsel? A. I did; Q. Nevertheless you went down there one

night and talked to that untried man in the manner you have stated; that is so? Did you tell his counsel? A, I did not.

two out to West Philadelphia, two to the Philadelphia, two Lo Broad street lost, and two to cover a house in West adelphia, and two to cover his office he Real Estate Trust Building. I held warrant.

All right. At that time you knew in the District Attorney himself that District Attorney was in communicativith Maloney, and that Maloney was lost proprietor of the saloon where this conversation to the property of the saloon where this conversation to the property of the saloon where this conversation to the property of the saloon where this conversation to the property of the saloon where this conversation to the property of the saloon where this conversation to the property of the saloon where this conversation to the property of the saloon where this conversation to the property of the saloon where this conversation to the property of the saloon where the conversation to the property of the saloon where the conversation to the property of the saloon where the conversation to the property of the saloon where the conversation to the property of the saloon where the conversation to the property of the saloon where the property of the saloon where the property of the property of the saloon where the property of the saloon where the property of th

prietor of the saloon where this conversation took place, and I brought Mr. Craig to the office and I confronted Mr. Craig with Mulhall, and I asked Mr. Craig if any such convers tion transpired. He said he didn't know Mulhall, he couldn't recoilect of ever seeing Mulhall in his place and he couldn't recoilect of such a conversation taking place, and that he did not know Clark.

Q. Then you let Mr. Craig go? A. I did.

Q. Then did you resume your conversa-tion with Mulhait? A. I did not. Mulhail and Craig talked while I was present. Mul-hall said, "Well, I have been in your place." He said. "That may be, but a great many people come in my place that I do not

know."

Q. Did you talk further with Mulhall?
A. I did not. I returned him to the cell room, and the next morning, yesterday morning. I returned him to court without saying another ward to him about this case.
Q. Did you make a report to anybody of your intreviews with this man? A. I have not.

have not.

Q Altogether how many detectives did you send into the Fifth Ward on Monday. Tuesday and Wednesday, the latter being election day? A Monday! didn't send any officers down there. On Tuesday I rent, I think, eleven men.

Q How many on Wednesday? A Wednesday, I think, I had forty-three,

Q How many prisoners did they bring back? A There were not any prisoners brought to City Hall. If there were arrests they made the arrests in the Third district.

district.

Q. Don't you know they made no arrests? A. I don't know that personally.

Q. Do you know of any arrests they made? A. Well, personally I know this. that there were some arrests made, but they were arrested they were not brought

The Court: Q. Were any reports made to you of the arrests made by the detectives sent down there? Don't they make out

They do each and every day.

Q. Did they make any reports of any arrests? A. No: they did not.

There was no cross-examination.

MULHALL CONTRADICTS SENSATIONAL TESTIMONY OF CAPTAIN JAMES TATE been absolutely ignored in this Court, as far as I can see. Counsel have asked to see them— The Court. Confine yourself to the ques-

JOSEPH MULHALL, a prisoner at Moyamensing, handcuffed to a keeper, was he next witness. Questioned by Judge Gorion he admitted being in custody charged with a criminal offense. He told of Captain Tate's interview with him at the county

About 9 o'clock on Friday night the About 9 o'clock on Friday night the purportise of the County Prison came to my cell, and he said, "Get your pants and coat on. You are going out of here." So I said, "Well, Captain, you know I am not going to tell you nothing." I said. "I never teld you mothing before and I am to the said of the said." Well. "I never told you nothing before and I am not going to tell you now." He said, "Well, this will help you to tell me." So I said, "Well, if I can help you that way I will do it." I said, "If there is any way that I can be that use." I said, "but I don't want to get nobody in bad." So then he said, "Well," he said, "were you in a saloon at Sixteenth and Fairmount avenue and some man by the name of Harry Craig," he raid, "and did you meet a man in there by the name of Clark, and did this man make you a proposition that you should bring men over from New York to work in the primaries," and I says, "Well, I don't remember."

So he says, "Now, I have had that information, that that happened," he said, "and this man offered you \$1000 to bring these men over to work in the primaries." So I said, "Well"—he said, "Tell me, did you meet this man Clark?" I said, "Well, I know a couple of Clarks." So I said, "Which one do you mean?" I said, "I know Harry Clark, from your office, and I know his brother." He said, "Well, did the one you met have glasses?" So I said, "I think he wore glasses sometimes." He said, "Did you meet that man in Craig's saloon?" I So he says, "Now, I have had that inyou meet that man in Craig's saloon." I said, "Ves, I met him." So he said. Well, was anything said about that." I said, "it may have been said. I don't remember. I

may have been said. I don't remember, said, "There is a whole lot said in saloons," I said, "that I wouldn't pay no attention to If it was said." I said, "I wouldn't pay no attention to it." He said, "Well, I had that information. You think that over," he said. He said, "Try to remember if that was said, if that proposition was nut up to you." So I told him, "I can't remember if it really was or not," So he said, "Well. I may want you to go down."

O. May want you what? A "I may want

Q. May want you what? A, "I may want to bring you down on this." So I said. "Well, I will go down if you want me to go down." So he said, "Well, good-night," and he said, "Don't tell nobody I was down here."

Q. Did he ask you anything about a ma named Maloney? A. Yes, sir. He asked me if Clark had mentioned a man by the name of Maloney to me and I said no.

Q. When did you next see him? A. Mon day night I was brought down. About 6 o'clock Lieutenants Wood and Mahoney from Captain Tate's office, came to Moyal mensing prison and took me down to the Central police station in a taxicab. So about 8 o'clock I was called down to Captain Tate's office, and Captain Tate was it there, and a stenographer, and this saloon keeper from Sixteenth and Fairmount, Mr Craig. So Captain Tate said to me. "Do you know this man?" and I said, "Yes. That is Craig."

That is Craig."

So he said, "Were you talking to this man and Clark in Craig's place?" I said, "Well, yes." I said, "I met him in there or a party." I said, "and was talking to them in there." He said, "Was Craig talking to them." I said, "Yes, I think he was talking to them." So Craig says to me. "Well, I don't know the man. If I was talking to him. The said, "I don't remembership to him." he said, "I don't remembership." talking to him," he said. "I don't remem her." I said, "Well, it is none of my bush nes. I said, "Well, it is none of my busi-ness if you know him or not." I said, "You said you don't know me." He said, "I re-member you, but I didn't remember you name.' Captain Tate said, "Now, you think." He said to Craig, "I have got in-formation that this man Clark has been in your place pretty regular. our place pretty regular."

Well, he said, try to remember whether you do know or not. Craig said, "There is a lot more came in the place. I don't re-member, but Craig said I know Harry Clark. Captain Tate said, "You and Harry Clark are pretty thick, aren't you?" Craig Captain Tate said. Harry Clark is felling us an ne knows and this brother." Craig said, "Well, if he is, that is nothing to me." Tate said, "Well, you can go back, Mulhall," so I went back. As I was going back Captain Tate said. to Craig, "I am going to try to freshen up your memory a little bit." I went out. I was kept in the Central Police Station with orders for nobody to see me until the morning. I was brought over to the Sheriffs office and sent back in the van.

Q. And you were taken out of the prise bout what hour? A. About 6 o'clock. The Court-Q. Tate said to Craig, "I am going to try to freshen up your memory a

ittle bit"? A. Yes. The Court. The cross-examination is nited (referring to Mr. Connor's questions elating prior to Eppley murder). Mr. Connor. It is strange how solicitous





Guaranteed Sim-mons Fabric Link

eye-glasses on, and I couldn't get a good his hand back to get the fellows together, and they all rushed up to fim Carey and the attention to what wall coming off, and I wanted at the moment and I could excited at the moment and I could whistle loud enough when they started awinging the blackjacks. look at him.

Q. Go on. A. He stopped at \$17 South Sixth street on a pavement. I turned and looked right atraight in his face. I wondered why he stopped to look around, and I seen about six or seven fellows walking toward me. This Jim Clark had pointed up with his hand toward the right.

Q. Where was Jim Clark standing when he did that? A. On the pavement of \$17 South Sixth street.

Q. Was that opposite De Lamey street?

A. Yes. nesses. Maloney and this gentleman, but others' rights are frittered to the winds. Every other witness who has been called has had absolutely no protection from the Yourt. Mr. Gordon, This is the only indicted

Mr. Connor. There sir back there four or mix indicted men, and their rights have

fold of identifying the victim's body at the time of the autopsy at the Pennsylvania

"MAN WITH GLASSES"

GAVE SIGN FOR ATTACK

ON CAREY, IS TESTIMONY

ions before the Court.

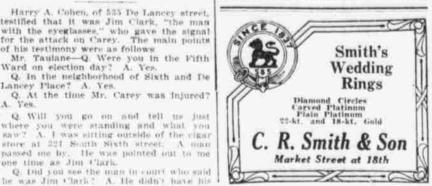
Q. Where were the men standing? A. The Q. Where were the min standing: A. The men were coming toward me from Pine street. I don't know whether they came out from Die Lancey or Pine, but they were on Sixth street when I seen them, and they all walked out to the street. Jim Clark motioned with his hand to the right. When Mr. Connor. I have a right to reply to Judge Gordon's remarks, and I say, if the Court please, that these witnesses can be properly interrogated upon any matters that are relevant to the testimony that he I looked across the street I seen Mr. Carey and the other gentleman just turning into De Lancey street, or got about fifteen feet The Court. That is all that can be crossexamined upon.

Mr. Conner again resented Judge Gorfon's objections to questions which he
Conner) declared were asked to test witin De Lancey street, when Mr. Carey stooped down to fix a shoestring, or a sock, I don't know which it was, and these fel-JOHN EPPLEY, of 5116 Merion avenue, brother of George Eppley, the murdered officeman, was the next witness. He merely lows all ran out into the street.

Q. Where did those fellows come from A. I couldn't exactly may whether they came from the Laurey street or Pine, but when I turned my head they were on Sixth street. When they rushed out into the street after Jim Chris had motioned to the right they weren't sure, and one of them ground around and he belied at Jim Clark

again and he motioned again.

I heard one of them say, "The fellow with There were two of them alread of the rest of the crowd, and he kind of put



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