# IN FIFTH WARD TRIAL

### Defense Contends Judg Hause Made Mistakes in Charge

One hundred and seventy-one purported reasons why the defendants in the Fifth Ward conspiracy cases should have a new trial are contained in the petition which William A. Gray, counnel for former Common Councils Isaac Deutsch, Police Lieutenant Bennett and the five convicted patrolmer filed today in the Chester County Court

The petition will be argued before Judge Hause in West Chester Monday October 28.

Thirty-seven of the alleged errors cited by Gray relate to the trial judge's charge to the jury and the other 134 deal with the admission of evidence against the defendants.

Judge Hause, the trial Judge, according to the petition, erred in admitting

most every important link of the con-iracy evidence. petition charges that Judge Hause

erred first when he permitted the Dis-trict Attorney of Philadelphia to con-duct the prosecution in Chester County. and that he erred in denying separate trials and separate jury challenges to each of the defendants. ion is made to the admission of

Objection is made to the admission of Isadore Stern's testimony of his attempts to induce Mayor Smith to stop the Fifth Ward lawlessness: of Saniuel G. Maloney's alleged telephone conversation with William E. Finley and his alleged connection with the \$1000 note which was to pay for the service of the gunmen. The refusal of the Judge to let Gray disinto Maloney's past activities in order to attack his credibility as a witness is alleged as an error. cited as an error.

cited as an error.

Gray also charges it was a mistake to compel Magistrate Persch to testify and Detective Le Strange should not have been compelled to testify about his reports warning the Mayor about Fifth Ward conditions.

The testimony of "Little Nick" Ritt Lieutenant Wood's resital of his orders from Captain Tate, and the testimony of Hoagiand, the bank clerk about the \$1000 note, Gray contends should not have been admitted.

In conclusion, the petition charges that

In conclusion, the petition charges that
Assistant District Attorney Taulane
should not have been permitted to crossexamine witnesses who appeared to
have been tampered with and that the
Judge should have taken action on complaints concerning newspaper ports of the trial,

### CHANGES AT U. OF P.

### Dr. Allan J. Smith Made Dean of **Medical School**

of the various schools of the University of Pennsylvania were elected at the meeting of the board of trustees

The resignation of Thomas S. Gates, of Drexel & Co., as one of the managing board of the University Hospital was accepted. Thomas Robins was elected to fill this vacancy.

elected to fill this vacancy.

The election of the deans included the following changes; H. B. Favans takes the place left vacant as dean of the Towne Scient'fic School by John Fraser, and Dr. Allan J. Smith fills the post of Dr. William Pepper as dean of the medical school.

Following is the revised list of deans:
A. H. Quinn. college; H. B. Eavans. Towne scientific; W. McClellan, Wharton; F. B. Graves, education; H. B. Ames, graduate; W. E. M'kell law; Allan J. Smith, medical; Charles Turner, dental; William J. Lentz, veterinary.

### TO CONTROL COFFEE PRICES

### Food Board Will Also Appeal for **Voluntary Conservation**

The food administration is prepar-ing to control coffee prices in the United States and to bring about a cur-taliment in consumption through volun-tary co-operation.

action taken by the war trade board in new regulations providing that permits for importing coffee would be issued only to the sugar equalization board. The board will distribute the coffee through the usual channels of trade, but, having control of all suppiles, will be in a position to exercise price control and stop speculation.

All outstanding licenses for importations of coffee have been revoked as to shipments after October 18. The food administration is desirous that every householder economize in the consumption of coffee in order to free as much tonnage as possible for transportation of the army. Imports of coffee exceed 50,000 tons each year.

### THREE HURT BY AUTO

Swerves to Sidewalk, Then

Smashes Through Window
Three persons were injured and a
plate glass window was broken by an
automobile at Germantown avenue and
Price street last night.
The machine was owned by T. B.
Hammer, 30 Gowen avenue, Chestnut
Hill, and driven by William Bright,
thirty-four years old, 78 West Duval
attreet.

thicty-four years old, 78 West Duval street.

Mary Flaherty, 5818 Lena street, was struck by the machine as it was running along Germantown avenue. The car swerved to the sidewalk and struck Dena Rainer, fifty years old, a negro, 17 West Duval street, and William Lafferty, 5828 Wakefield street.

The machine then crashed into the plate glass window in the lewelry store of F. S. Reick, 5733 Germantown avenue.

### CAMDEN FARES HIGHER

Seven-Cent Schedule Started To day With Riders Protesting Carfares in Camden and Gloucester today were increased to seven cents.

Although notice was given three weeks ago of the advance in fares, there were no ends of complaints from riders. Increase in the cost of operation generally is given by the Public Service Corporation as reason for the higher fare.

The New York Shipbuilding Company operates two special trains from Camden to the yards for a straight five-cent fare.

McNichol Declines Renomination McNichol Declines Renomination.

Representative Thomas F. McNichol, fare leader on the lloor of the State louse of Representatives last assaion, notified the ward committees in the eventh legislative district yesteriay hat he will not be a candidate for re-lection. He was renominated at the ast primaries, after serving since 1911.



### 171 ERRORS ASSIGNED FIGHTING COUSINS GASSED, ONE ON SEA, ONE IN FRANCE BESIDE TWO BROTHERS

tle Between Merhantman and Foe Submarine Elwood W. Buck Hurt in Motor

Sam Peters Injured During Bat-

cycle Corps-Many Relatives Are Scrappers

CHIEF PETTY OFFICER SAMUEL PETERS, gassed during a fight between a submarine and a merchant ves-sel, is the son of Fred Peters, a patrol-man of the Belgrade and Clearfield streets police station, who lives at 4813 Garden street, Bridesburg. The family is known throughout the

northeastern section of the city as "The Fighting Peterses." Fred Peters, the father, has tried four Fred Peters, the father, has tried four times to enlist, but has been turned down each time, much to his disgust. An uncle, Walter Peters, has been in the navy forty years, and is still on active duty. He took part in the battle of Santiago in the Spanish-American War, when Cervera's fleet was destroyed, and made the trip around the world with Uncle Sam's warships back in 1908. Samuel Peters has been in the navy two years, and has served on merchant vessels, transports and destroyers. It was while active as an armed guard on a merchantman that he was affected by as from a shell fired by a U-boat. A cousin, Elwood W. Buck, is a motorcycle scout in the signal corps, and is now in France. By a coincidence he was gassed recently while carrying messages for his colonel. Both Peters and Buck are getting along all right, however, and will soon be out and about. Private Buck's parents live at 2251 North Fourth street.

John Schloffer, another cousin, is in the regular army, and is also in France. while Rawlston Coones.

the regular army, and is also in France, while Rawiston Cooper, still another cousin, is helping to guard the Texas border.

### FORCED WAY INTO MARINES

### Wounded Man Was Once Rejected, But Profited by Mistake

Rejected by the marine corps examiners in this city. Corporal George V. Mc. Ilhenny, of 115 South Forty-third street, went to Ballimore and, profiting by his mistakes at the test here, managed to have himself accepted by the recruiting officer in that city.

"I was determined to join the Devil Dogs," he told friends here. They turned medown the first time because of a slight defect in my hearing. But I was ready for them on the second try.

"G. V., M'ILHENNEY The fact that he was promoted to be a perty officer soon after reaching France proves that his hearing was plenty good enough for service on the fighting line.

"Corporal Mollhenny was severely wounded in action September 15, according to a cablegram to his sister, Mrs. France Bilyou, but has a fighting chance for recovery. He is twenty-four years old and was formerly connected with the Huns are and the Germans know it well."

"But I was come for peace. The wonded to be a perty officer soon the second try."

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### HOSPITALS ARE MERGED

Scarcity of Nurses Forces Union of Gloucester Institutions

of Gloucester Institutions

Scarcity of trained nurses in Gloucester has led to a merger of the emergency hospital of the Pusey & Jones shipyards in the old Thompson Hotel building and the hospital at the immigrant station. Dr. C. F.Taylor, of the service department of the shipyards, suggested the change, and the Board of Health decided to accept the suggestion. A number of patients were transferred to the detention house today.

There were six additional deaths yesterday, making a total of ninety-nine to date.

The shippard situation continues to improve. There were about 600 more employes returned to work today than there were on Saturday.

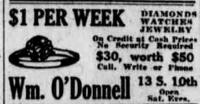
Coffee control is to be effected by The epidemic will cost the city about action taken by the war trade board in \$20,000, and an effort will be made to collect much of this money from the persons who have been cared for by the doctors hired by the Board of licalth. A record has been kept of each call made by the physicians, and Allen Redfield, the secretary of the Board of Health, will send out bills to each one at the prevailing rates of local doctors.

### PENN GETS A MESS HALL

Commandeers Chocolate Ware house for Students' Army Corps The problem of the mess hall for members of the student army training corps at the University of Pennsylvania has been solved. Major Charles T. Griffith, commandant, announced last night he had commandered a warehouse of the Croft & Allen Chocolate Company at Thirty-third and Market streets.

The warehouse will accommodate at The warehouse will accommodate at least 5000 students. The removal of the gymnasium swimming pool to construct a mess hall was first considered, but it was decided the pool would be of far more benefit to the University. An effort also was made to obtain the Commercial Museum.



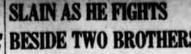


### OFFICES FOR RENT

3 Rooms in Drexel Building, totaling 1700 sq. feet; suitable for drafting or office purposes. Apply 1042 Drezel

Warner Truck Trailers Two and Four Wheel Types 1/2 Ten to 7 Tens Capacity INSTANT PULIVERY JOHN W. ADAMS, Distributor 1427 Melon Street





### One of McGinn Boys, Operating Gun Together, Re-

Private Joseph McClinn, killed in acon in France, was the youngest of three prothers, all of whom enlisted the same day, July 6, 1916, in the old Second Artillery, N. G. P. They were assigned to the same company and had helped handle the same gun ever since the regiment landed in France last June.

report, as she has not heard a word from either Frank or James in corroboration of the official notification.

The three brothers were well known

years old. They were trained at Jenkintown and later at Camp Hancock. James
was slightly deafened by a premature
explosion of a shell at the proving
grounds at Camp Hancock and was given
the chance to get into one of the noncombatant units but indignantly suppred
"My Dear Colonel Holz—We were in mbatant units, but indignantly spurned

### Port Collector's Son Says Soldiers LT. GILBERT DOOLITTLE KILLED

### Brother of Penn Professor Meets

and brother of Professor Eric Doolit-

# ported Slain

A stray shell killed Joseph McGinr september 7, according to an official telegraen from the War Department, reelved by his sister. Mrs. Mary Miller, 7307 Oak avenue, Oak Lane, but his brothers, Frank and James, escaped injury. Mrs. Miller is inclined to doubt the accuracy of the War Department's

and brother of Professor Eric Doolite, tle, head of the department of astronomy at the University of Pennsylvania, has been killed in action, according to an official telegram from the War Department, received by his parents, Dr. and Mrs. Charles L. Doolittle, 4253 Pine street. Dr. Doolittle is professor emeritus of astronomy at Penn, having been succeeded as active head of that department in 1912 by his son, Professor Eric Doolittle, Lieutenant Doolittle is a graduate of the University of Pennsylvania, but has lived mostly in New York and Canada. He secured his commission last summer and was stationed at Camp Dix until May of this year, when he was sent to France in advance of his regiment. He met his death on Septembed 25, according to the official notification.

Lieutenant Doolittle's wife, who was formerly Miss Doris Henderson, of Montreal, Canada, and their two daughters, shave been living with her parents since he joined the colors.

### BROTHERS IN SAME COMPANY



James McGinno Frank McGinno Joseph McGinno

These three brothers, well known in the Oak Lane section, enlisted on the same day in the old Second Artillery, N. G. P., and served in the same company on the battleline

### SALVATION ARMY LASSIES KNOW NO CREEDS IN FRANCE Local Guardsman Writes Home of

These Women Work Among Soldiers, Comforting the Wounded and Cheering All Without Complaint, Winning Respect and Praise, According to Letter Received Here

"My Dear Colonel Holz-We were in is proposal and insisted on the proposal and

we were discussing the great economic and moral reform which is a certainty after the war, when through the air came the harmonious trumming of a Brother of Penn Professor Meets

Death in France

Lieutenant Gilbert Doolittle, of the load Engineers, a New York regiment, and brother of Professor Eric Doolittle, head of the department of astron-

The three brothers were well known in the Oak Lane section, all being big, husky chaps, fine all-round athletes and headers in their set. All three gave up good jobs to enlist, Joseph being an expect of the section worked at Michale.

Joseph McClinn was twenty-three, Joseph McClinn was twenty-three, Joseph McClinn was twenty-three, James is twenty-four and Frank is thirty years old. They were trained at Jenkin-town and later at Camp Hancock, James was slightly deafened by a premature which was received an inter-esting letter from Private Walter Wesley, Salvation and was the trench with me when I got hit. Four of them were five fellows in the trench with the thousands would lay down their lives for the Salvationists, and not till after the war will the full results of this saction and was then crawled about a mile and a half the war will the full results of this sactifice by Salvation Army workers bear fruit. But now with so many strong to the worns way, here emptations to go the wrong way, here are noble girls, roughing it, smiling at the hardships, singing songs, making doughnuts for the doughboys, and al-ways reminding us, even in danger, that it is not all of life to live, bringing to us recollections of our mothers, sisters and sweethearts, and if any one ques-tions is it worth while? lons, 'Is it worth while?' the answer is A thousand times yes.' I can't refrain from sending my hearty thanks for all

### SHIP BOARD TO HELP SICK

Emergency Hospital Is Opened for Epidemic Influenza Sufferers An emergency hospital for influenza sufferers in the employ of the Emergency Fleet Corporation has been opened at 2101 Spruce street under the direction of Lieutenant Colonel Philip S. Doane, of the shipping board.

J. E. CALDWELL & COMPANY

mounting jewels.

J. E. Caldwell & Co. take pleasure in

introducing and recommending the new

twenty karat gold for mounting and re-

Its color is white and especially harmonious

with diamonds; and its unusual durability

insures perfect adaptability to the delicacy

A SUPERIOR PRECIOUS METAL

FOR MOUNTING JEWELS

### MAJOR HOBSON A HERO hiladelphian Wins Cross for

Great Work at St. Mihiel

Great Work at St. Mihiel

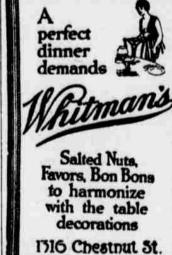
Twice wounded in the first advance of the Americans at St. Mihiel on September 16, Major Henry W. Hobsen, who had an office at 1708 Commercial Trust Building, remained at the head of his battalion until the assault was finished and the task completed. For his heroism he has been awarded the distinguished service cross.

Major Hobson resided here with his former guardian, A. D. Parker, 678 Drexel Building. Before sailing for France with the 358th Infantry, the major was married to Miss Edmonia T. Bryant, of St. Louis. He is a graduate of Yale, and was sergeant major of a Yale unit on the Mexican border. He had planned to begin studies for the ministry when the United States entered the war. At the officers' training camp, Camp Funston, he was commissioned captain and later became major.

### **WOUNDED MAN CRAWLED MILE**

Thrilling Fight How he crawled a mile and a half to a first aid station after lying wounded in a trench for eight hours, is described by R. A. Finley, a private in Company B. 109th Infantry, in a letter to his father. Thomas J. Finley, 2367 North Gratz street. Four comrades who were with him were killed.

The letter which was written from a hospital in France, August 5, says, in



there are in the country today! As fine as we have ever seen! I Next thing you will look for is the

> PRICE. Better and lower

Our Winter

Overcoats

are

Crackerjacks!

The first thing you

want to know about

them is their

It's a hundred per

cent right! As fine

Overcoatings as

QUALITY.

than you would expect to have to pay, all things consid-

We went to it early and got good fabrics at better figures than we would have had to pay if we had straddled a fence and waited.

Take \$25, for ex-

OFine double-Overcoats in Oxford and in blue. Some with velvet collars. Splendid values for

¶ At \$28 and \$30, dandy big - collar Ulsters and loosefitting models that are warm without weight.

@ At \$35, \$40 and up to \$65, assortment after assortment, and style upon style, of fine, big, warm Winter Overcoats and Ulsters.

¶ And at \$75 to \$85, the kingpins of the Country!

Everything else for Men's Outer Wear Motorists' and Aviators' outfits, \$30 to \$85

PERRY & Co

"N. B. T." 16th & Chestnut

## BALLEY, BANKS & BLOOLE GO SILVERSHITHS AND STATIONERS Gifts

Selections are now complete. An advance choosing is advised, as replacements in many instances will be

Diamonds Watches

OF FIGHTING STOCK bove) Samuel Peters, of 4813

Garden street, Bridesburg, and (be-low) Elwood W. Buck, of 2251 North Fourth street, Philadelphia

**MAJOR BERRY RETURNS** 

Want No Peace Now

Jewelry

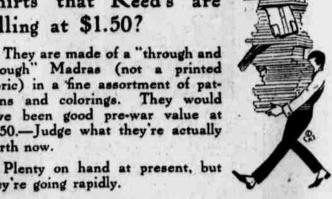
Silverware

impossible this season.

Clocks

### Have you seen those very unusual Madras Shirts that Reed's are selling at \$1.50?

They are made of a "through and through" Madras (not a printed fabric) in a fine assortment of patterns and colorings. They would have been good pre-war value at \$1.50.—Judge what they're actually



they're going rapidly. JACOB REED'S SONS

Fight the Hun of Disease and drive the poisons from the blood by drinking the famous Mountain Valley Water. Today, more than ever before, recognized for its worderful health-grains proposed.

mple it FREE 718 Chestnut St.

# of design characteristic of modern jewelry. DARE YOU DESERT OUR FIGHTERS IN THEIR HOUR OF DIREST NEED? BUY MORE BONDS

# An Emergency Announcement

On account of a greatly reduced force, it is impossible to manufacture and deliver the usual quantities of Purock Water. We earnestly ask our customers to co-operate with us until an improvement of conditions enables us to deliver their requirements as before. If those who are entirely out of water and are urgently in need will advise us, we will endeavor to give them preferential service. We feel that it is your wish that as far as possible the demands of sickness be first served.

The Charles E. Hires Company Manufacturers of Purock Water 206 S. 24th St., Phila.