

ROSE SAVS BECKER ORDERED MURDER

Gambler Testifies He Hired Gunmen, Afterward Paying Them \$1000.

DEFENDANT IS STOICAL

Man Who Has Turned State's Evidence Says Crime Was Deliberately Planned at Police Official's Request.

(Continued From First Page.)

ceded for them with the District Attorney. Rose said he had no motive of his own for killing Rosenthal, but had acted solely at Becker's direction.

Time and again McIntyre quoted alleged conversations between Rose and men of the underworld, apparently in an attempt to prove that Rose himself desired the gambler's death.

"No such conversation ever occurred," was his reply to these questions.

"But you were Becker's graft collector, as you say."

"I was."

Rose had testified that Becker had entered into a gambling partnership with Rosenthal. Rose took charge of the police lieutenant's interest in the enterprise. Becker and Rosenthal fell out, and Becker made threats that he would kill the place, finally doing so.

"Later," Rose testified, "Rosenthal complained to Becker that policemen were still stationed in front of his place, and said he was sore because his wife's nephew was taken in the raid."

Rose said his next meeting with Becker was at his own house.

"He told me," Rose said, "that Rosenthal had been calling him up every day asking a meeting to find out what he was going to do about the indictments against the men arrested in Rosenthal's place. He said Rosenthal offered soon afterward, Becker said, Rosenthal had begun to talk around street corners that he was in partnership with Becker and was going to show him up."

"Becker a few days later told me of having seen Commissioner Waldo, and that the Commissioner had heard of Rosenthal's charges and had not believed them."

"Becker said to me: 'That fellow Rosenthal is getting dangerous. I said: 'Nobody will believe Rosenthal.' 'Well,' he answered, 'so long as Commissioner Waldo doesn't believe him, I guess there's nothing to worry about.'"

"Beating Up" Not Enough.

"Did you and Becker discuss newspaper interviews that Rosenthal had given," the witness was asked.

"Yes, Becker told me that I shouldn't worry about that, that he had Jack Sullivan looking after the papers and that Rosenthal couldn't get anything printed. Later Becker told me a morning paper had gotten an affidavit from Rosenthal and was going to print it."

"Guess Rosenthal means to do what he said he would—to squeal and break me," Becker said.

"I'll get a couple of gang men," I told Becker, "and go around and tell Rosenthal that if he does not stop his attacks on you something will happen to him."

"Oh, hell!" Becker said, "I don't want the fellow beaten up. If I did I'd beat him up myself or have him beaten up for resisting arrest. But a beating won't do for him. He must be put where neither you nor I nor anybody else will ever have to worry about him again."

"What do you want done with Rosenthal?" I asked Becker during the conversation, the witness testified.

"I want him croaked, dynamited or anything," Becker replied. "I want him put where we will never have to worry about him again."

The witness here told of Becker's alleged instructions to him to get out on ball "Big Jack" Zellig, the gang leader then in the Tombs, and have Zellig's men put Rosenthal out of the way.

Gunmen Agree to Plan.

Rose said he went to the home of the four gunmen, "Gyp the Blood" and his pals, and explained the Rosenthal-Becker situation. He told them, he said, that Becker would "frame them up," if they did not "croak Rosenthal." They agreed to do that, he testified.

Rose said they delayed "doing the job," and Becker had insisted that they "hurry it along." He told of the plan to kill the gambler at the Garden Restaurant. It failed, he said, because of a suspicion that private detectives were present and guarding Rosenthal.

"Becker got hot at this," Rose added. "He kept asking, 'Why all this stalling? Why don't they get him?'"

"One day he said: 'Now this is going on too long. Either you are stalling them or these fellows are stalling.' I told Becker that a detective scared the boys off at the Garden Restaurant," Rose continued. "Detective," he said, "wake up and shoot Rosenthal in front of a policeman. Get through with it; get it over."

The witness then passed quickly to the events immediately preceding the murder. He told of going to "Bridgie" Weber's gambling place and thence to the Lafayette Baths, where he met Jack Sullivan.

Becker Informed by Telephone.

"I received a telephone message from Becker," Rose testified. "He asked me if I had heard of subpoenas issued by the attorney for 'Dollar John' and if I had fixed it so that 'Dollar John' would corroborate Rosenthal before the grand jury. I told him it hadn't been fixed."

"Becker said: 'I told you what this thing would come to if you didn't get rid of this fellow. Why don't you do it tonight?' I said I'd do my best."

"I remained at the baths until that night and had dinner with Sam Schepps, Vallon and Pitti. They came in a machine."

"I asked Frank where the rest of the crowd was," Rose continued. "He said he had received a message to come down to 'Bridgie' Weber's place. We went there and saw 'Bridgie,' 'Gyp the Blood,' 'Lefty Louie' and 'Whitey Lewis' on the sidewalk. We all went up into 'Bridgie's' place and had drinks. 'Bridgie' said: 'Herman Rosenthal is at the Metropole.' Everybody got up then and went out."

"'Lefty,' 'Gyp,' 'Whitey,' 'Dago Frank' and 'Bridgie.' I stayed behind and waited, when word came in that Rosenthal had been shot."

Rose said he went to the Lafayette baths and telephoned to Becker.

"Did you hear the news?" I asked him. "Yes," Becker said. "I congratulate you."

"How did you get the news so soon?" I asked Becker.

THREE PERSONS WHO FIGURED YESTERDAY IN POLICE LIEUTENANT'S TRIAL ON MURDER CHARGE.



Left, "Bald Jack" Rose, who accuses Becker in his testimony; Right, Above, Lieutenant Becker; Below, Mrs. Rosenthal, widow of murdered gambler.

"I got it from a newspaper man," he said.

"Are you coming down town?" I asked him.

"I'll be right down," he replied. That was about 2:30 o'clock," Rose said. Becker came down "about dawn," and met Rose on the sidewalk with "Bridgie" Weber, near "Bridgie's" gambling place.

"I'm glad it's done," Becker said. "Becker said he was late in coming down," Rose added, "because he had stopped at the police station to see Rosenthal's body."

"If it wasn't for District Attorney Whitman being there, I'd have reached around and out his tongue out," Becker said to me, slowly and deliberately.

"Don't worry," Jack Becker told me. "The only thing to do now is to lay low till it blows over."

Rose said he hid at Harry Pollock's home with Sam Schepps. Rose telephoned Becker, and was told not to worry, but to stay where he was.

Defendant Much Affected.

Before Rose was half through with his story, drops of perspiration were standing on the brow of the accused police defendant. He did not once take his eyes off the witness.

Mrs. Becker, who sat near her husband, looked steadily at the floor.

Attorney McIntyre, Becker's counsel, volleys objection after objection until he was reprimanded by Justice Goff. Twice he demanded that court be adjourned for a few days. Becker says above a legal holiday, and each time the court cut his argument short.

"Bridgie" Weber gave me \$1000 after the shooting at Fifteenth street and Eighth avenue," declared Rose, continuing his testimony. "I gave it to 'Lefty Louie'."

"When was this done?" asked Mr. Rose.

"On the Tuesday afternoon after the shooting. The shooting was early Tuesday morning."

"What did you say to 'Lefty Louie' when you gave him the money?"

"I told him, 'There's \$1000 for you, Louie. You and the rest of the boys lie low for a few days. Becker says above all things you must not talk and that everything will be all right.'"

The witness was then turned over to the defense.

"You will have only today to cross-examine Jack Rose," Justice Goff notified Becker's counsel. "You will finish his cross-examination if I have to sit here till midnight."

"Are You a Murderer?" Asked.

"Rose, are you a murderer?" was McIntyre's first question.

"No."

"Did you procure the murder of Spanish Louie?"

"I did not."

"Were you guilty of that murder?"

"No," shouted the witness.

"Did you kill Kid Twist?"

"No."

"Did you ever see him?"

"No; I've heard of him."

"Did you procure his murder?"

"No."

"Was Sam Schepps with you when you signed the affidavit sent you by Becker at Pollock's home?"

"Yes."

"And thereby committed perjury?"

"And I did," admitted Rose coolly.

"Why did you do this?"

"I did it for Becker. I would have done anything for him that night."

"What is your name?"

"For 20 years, the witness said, "I've been known as Jack Rose."

"Did you know James M. Sullivan in Connecticut?" pursued Mr. McIntyre, referring to Rose's attorney.

"Yes; he was my press agent when I used to get up prizefights in New Haven, Waterbury, Hartford and other cities."

"And when you were apprehended for murder, he became your lawyer, didn't he?"

"I was never apprehended," Rose replied emphatically. "I gave myself up at police headquarters."

"Were you held for murder in this case?"

"He was."

Rose said he came to New York from Poland when he was 2 1/2 years old. He is now 37, he added.

Mr. McIntyre sought further to unfold Rose's history.

The witness said that about 20 years ago he ran two gambling houses in New York and that three or four years ago he had an interest in a gambling house called the Hesperia.

"Was Rosenthal interested in the Hesperia Club?"

"He was."

"Was that your first business connection with Rosenthal?"

Rose employed by Rosenthal.

"No, I was employed by Rosenthal in his gambling house in East Broadway 21 years ago."

Rose added that he had also been engaged in theatrical business and had

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meeting between Schepps, Vallon, Pitti and the witness at the home of Dora Gilbert, Rosenthal's former wife, on the Sunday before the murder.

"Did you not swear in a lawsuit against Rosenthal in 1907," demanded Mr. McIntyre, reading from a printed record, "before a Supreme Court justice that you were not interested in gambling houses?"

"I did."

"Did you tell the truth then?"

"Yes."

"I made up my mind," Rose volunteered, "to quit gambling for the sake of my family, and lead a respectable life."

"How did you terminate your interest in Rosenthal's gambling house?" pursued Mr. McIntyre.

"It terminated when Becker raided the place."

Relations With Gambler Strained.

"And you and Rosenthal fell out then?"

"Yes, our relations were strained after that."

"Were you known as stool pigeon for the police?"

"No, I was known only as a collector."

"When Rosenthal told the District Attorney about alleged relations with Becker, did you learn that Rosenthal had given your name to the District Attorney?"

"Becker told me so."

"And you felt that Rosenthal had squealed on you, didn't you?"

"I felt so, yes; I felt that Becker's interest and mine were the same."

"Did you tell a newspaper reporter that you resented Rosenthal's squealing on you?"

"I did not."

"Didn't you say that the squealer should be put out of the way?"

"No."

"Or anything resembling that?"

"Yes; I told that to Becker."

A moment later Rose declared he had told Becker no such thing.

"Dollar John" Not Friendly.

"When did you tell Weber that Rosenthal ought to be put out of the way?" asked Attorney McIntyre of Rose.

"At a meeting between Weber, Vallon, Becker and myself later."

"Did you tell 'Dollar John' that something should be done to Herman Rosenthal?"

"No, 'Dollar John' and I weren't friendly."

"Did you say that Rosenthal had put you out of business and that he ought to be done up?"

"I did not."

"Did you see Rosenthal in Luchow's restaurant on July 14 and offer him money to leave the city?"

"I did not."

"Didn't you tell him that if he didn't make himself scarce you would have him done up?"

"I did not."

"Did Rosenthal say that you were engaged in the white slave traffic in this city?"

"No, no, no," rejoined Rose.

Defense Checks to Show Motive.

As this line of examination continued, it became evident that Becker's attorney was endeavoring to show to the jury that Rose had a desire on his own part to see Rosenthal put out of the way.

"No, no, no," rejoined Rose.

"Did you say to Becker that you had a great fear of Rosenthal because he was a man who worked in the dark?"

"I might have said that he worked in the dark, but I didn't say I was in fear of him."

"You were afraid of him?"

"No, I was not."

Becker's attorney inquired about the

wolves. That was what he had fixed up for me."

Letter to Schepps Produced.

"Is the object of your testimony given here to escape punishment for your own part in the crime?"

"I have two objects," Rose said slowly. "First I want to establish the truth. Second I want to get consideration from the District Attorney."

Mr. McIntyre then switched his attack back to the murder plot. He called for the production by the District Attorney of a letter written by Rose to Schepps, Arkansas. Mr. Whitman handed over such a letter, which Mr. McIntyre perused eagerly with his associates. The letter was shown to Rose, who acknowledged writing it, and it was placed in evidence.

"Dear Sam," the letter read. "I don't know what you have heard or read, but it had gotten down to the stage where the electric chair stared us all in the face. The first man who tried to get from under was Becker. There were many people who saw everything that night and the next day the District Attorney knew what part everybody played in the thing and nobody could have gotten away. I was deserted like a dog by Becker. When I saw what the situation was I opened up negotiations with the District Attorney, who offered me a sort of cover that I cannot go into details about in writing. I insisted that the same protection given me be extended to Vallon, Bridgie Weber and you and to this he finally agreed. We are all pleased with the arrangement. Our only worry has been to get you to come in to get the same friendliness we got before it is too late."

Third Degree Guarded Against.

"My advice is to let me send a representative of the District Attorney to bring you back here. That will prevent the police from getting you and putting you through the third degree. Don't say a word to anyone."

"You know, Sam, you have been too

loyal a friend of mine for me to ask you to do this if I was not positive that you did not have a chance otherwise. On receipt of this letter wire me at 'Louie's' house."

"How long before Schepps was arrested in Hot Springs, Ark., was this letter sent?" asked Mr. McIntyre.

"Within a week."

"Now, you stated in the letter you were 'within a week.'"

(Concluded on Page 4.)

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