

GAGAN, WITNESS, DISCREDITS SELF AS PROSECUTOR

Admits Laxness in Cleary Jury Inquiry and Delay in Murder Gun Action.

DENIES POLITICS INFLUENCED HIM

Foe of Haverstraw Boss, He Alleges, but Fails to Explain Conduct at Trial.

(From a Staff Correspondent of the Tribune.) Nyaek, N. Y., March 31.—By admission after admission every one of striking importance—District Attorney Thomas Gagan to-night gave the charges against him their greatest strength.

Cross-examined by Lloyd P. Striker, attorney for the committee seeking Gagan's removal for lax prosecution of William V. Cleary for murder, Gagan testified himself up, evaded questions and gave testimony that was at once highly sensational and damaging to himself. His failure to investigate the panel from which the Cleary jurors were drawn, he admitted, permitted a man who had prosecuted a young man for wronging his daughter to sit on the jury. He also admitted that though he could have got the money for the purpose, he did not hire private detectives to bulwark the case against Eugene Newman's influential lawyer.

He testified he let six weeks go by after the killing without hunting for the murder gun except in the most casual way. He admitted that although he realized Cleary's case would be aided by it, he emphasized to the jury his belief Cleary was drunk, despite testimony of his own that the slayer was sober.

Bad Witness for Self. Gagan was his own worst witness. Even on direct examination, led by his own attorneys, he frequently slipped off into confessions of neglect of duty that surprised not only Mr. Striker but also Commissioner William H. Hotchkiss, who is hearing the charges. He was full of confidence when his attorneys finished with him at 8 o'clock to-night and turned him over to Mr. Striker. But after the latter's first questions the accused District Attorney settled back to fight. Starting out with answers given freely, he quickly turned to tactics obviously intended to annoy his cross-examiners. He uttered his replies at a pitch so low at times that his voice was almost inaudible, and often these replies were accompanied by a sneer.

Never Asked Conviction. Not once, Mr. Striker proved by the record, did Gagan openly ask the jury to convict what Mr. Striker described as "this crooked, political murderer."

Commissioner Hotchkiss expressed surprise over the fact that a few minutes after Justice Marchesauser had directed the jury to find Cleary guilty, the witness Mr. Striker asked what the District Attorney had done to find out what kind of men had been drawn for the Cleary jury.

"I just asked people around the courthouse if they knew anything about the men on the panel."

"And you didn't go out, or send some one to investigate, to find out whether any of these men were not right?"

"No. You know that Frank Kelly, one of the jurors, had prosecuted a young man for wronging his daughter?"

"I didn't hear this until after the trial."

"You think Kelly, in view of that, was a proper man to sit on a jury handling the Cleary case?"

"I do not," Gagan replied, slowly and with embarrassment, "but I didn't know about it."

Commissioner Hotchkiss criticized Gagan for his lackadaisical search for the revolver with which Cleary shot Newman.

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LIEUTENANT ALFRED L. EDE.



Commander of the sunken submarine F-1. Efforts to raise her have proved unavailing.

son of the "mysterious" second gun disgorge it. "That does not excuse your not reporting to a suitable command remedy," the Commissioner continued. "You should have hired detectives."

"In a common crime," Gagan began, "this was not a common crime. It was a political crime, a crime that stands out in criminal annals of this state."

Mr. Striker read from the record Gagan's summing up, in which the District Attorney declared Cleary drunk, eliminated largely the theory of premeditation and deliberation.

It was made plain by Mr. Striker that grave doubt existed as to whether Cleary was drunk or sober when he killed Eugene, and that many important witnesses, including Gagan's own trusted clerk, testified Cleary was apparently sober.

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NEW YORK DIVERS TO SEEK THE F-4

Sent to Honolulu from Brooklyn—Trial of Bell Successful.

(From The Tribune Bureau.) Washington, March 31.—Secretary Daniels to-night ordered the New York Navy Yard's corps of expert divers, headed by Gunner Stillson, to proceed at once to Honolulu to assist in the work of recovering the hull with a marine F-4. The party will leave New York at midnight for San Francisco. They should be in Honolulu in about nine or ten days.

The expenditure of \$20,000 to bring the sunken submarine F-4 to the surface in Honolulu harbor was authorized by Secretary Daniels to-day after a message had been received from Rear Admiral Moore saying that the hawser attached to the boat had parted, and that present equipment was too light to raise her.

Honolulu, March 31.—Tests with a specially built diving bell designed for use in locating and raising the F-4 have resulted so far so well that the Navy Yard is reported to have remained water-tight while submerged for fourteen hours at the dock. It is planned to submerge it farther tests before a man inside for further tests before the bell is sent to sea.

The bell, designed by W. C. Park, a civilian engineer, is a 35-inch iron pipe, telephonic connection with the surface and air tubes.

Naval authorities believe that with this bell the attachment of cables to the submarine can be directed successfully.

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Young Hats advertisement featuring a rabbit wearing a hat and the slogan 'NONE BETTER MADE'.

SUFFRAGIST LIBERTY BELL CAST AT TROY. Women Hope to Ring It for Victories in Four States on November 2.

WOMAN STOLE RINGS TO AID SICK MOTHER. Held for Grand Jury, Though the Owner of Jewels Refused to Prosecute.

70 SCULPTORS SEEK CLAY WAR LAURELS. Women Enter a Contest Held to Aid Young Artists Win Fame.

WOMAN DEFIES P. S. C. Gets Court Order to Keep Board from Wrecking Home.

Quits Democratic Job. Joseph E. Davies, of Wisconsin, whose appointment as chairman of the Federal Trade Commission has been confirmed by the Senate, has resigned as secretary of the Democratic national committee.

Alexander's Shoes For Men Who Know. In a variety of styles bound to include your preference. We are quickest to show the new ideas—slowest to abandon the old that are worth while.

HIPPODROME. MAID IN AMERICA. THE REVOLT. THE ONLY GIRL.

THE LAWLAND. LITTLE THEATRE. A PAIR OF SILK STOCKINGS.

BALL OF THE ALLIED ARTS OF THE THEATRE. IN BEHALF OF THE ACTORS' FUND OF AMERICA AT THE HOTEL ASTOR.

Loan Exhibition OF 50 MASTERPIECES OF ALTAM GALLERY. Now Daily 10 A. M. to 6 P. M. Sundays Included.

ADMISSION FREE 90th ANNUAL NATIONAL ACADEMY OF DESIGN. EXHIBITION OF PAINTING AND SCULPTURE.

Neckwear and Handkerchiefs for Easter. Lace Vests, \$1.00 to \$5.95 each. Collar and Cuff Sets, hand embroidered Organ-die, \$1.00 set.

An EARL WILSON COLLAR. Slightly lower in front than in back, fashioned for comfort and style, a rare combination.

THESE NEW YORK LEADING THEATRES HAVE NO DEALINGS WITH THE TYSON CO. EMPIRE. SEAT SALE 9 A. M. TO-DAY. CHARLES FROHMAN ALL-STAR CAST.

FRANCES STARR. COHAN'S. "IT PAYS TO ADVERTISE."

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ASTOR. LAST 2 HELLO BROADWAY. GARDNER HILLQUIP.

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