

POLICE IN CONTROL IN RIOTOUS DISTRICT

Chief Devery Denies Discrimination Against the Negroes.

ONE CLUBBED IN A STATION

Demand for Lynching at Policeman
Thorpe's Funeral—Arrest of Harris
—The Rioters Arraigned.

The race trouble which was first encountered by the New York police force Wednesday night is now practically at an end. The burial of Policeman Thorpe and the arrest of the negro Harris, who, it is alleged, killed him, both had much to do with quieting the feeling in the neighborhood of Ninth Avenue and Thirty-seventh Street, where the rioting started.

There may be some sporadic outbreaks in the affected district for days to come, as the feeling among the white people is anything but pleasant as regards the negroes. It is unlikely, however, that such a scene as was enacted on Wednesday night will occur again.

Then the disturbance extended for blocks. That policemen were not too active in stopping the attacks on the negroes, and even went so far as to use their clubs on colored men who had been arrested, was fully developed at the West Thirty-seventh Street Station yesterday.

The policemen, according to their own statements, are feeling vindictive against the colored people generally.

TO STOP POLICE ASSAULTS.

Chief Devery, who has centred his reserve force in the affected district, declares that he will now stop the police abuse of colored people, and at the same time will prevent further rioting.

So far only one person is liable to lose his life as a result of the trouble. This man is Lloyd Lee, the negro who was concerned in the stabbing of Policeman Kennedy.

Lee is in Bellevue Hospital with a fractured skull. The policeman who was stabbed is not seriously injured. He was able to be on the streets yesterday, although he was not on active duty.

Some twenty persons all told were more or less injured Wednesday night. Outside of the men clubbed by the policemen not a person was hurt yesterday.

A riot call was made from Thirty-seventh Street and Eighth Avenue at 10 o'clock. Chief Devery ordered Capt. Cooney to take a large squad and disperse the crowd. Cooney found several hundred men and boys at the corner mentioned. The mob was charged, and many were clubbed. Policeman John J. Howard saw a well-dressed man on the corner and ordered him to move on.

"I'm a policeman myself," the man replied. Howard promptly knocked the man down. Before the fallen man could prevent it, Howard had taken a revolver from him. It was of the police pattern Colt's .38. Howard made another search and found that the man had a badge. He then let him go.

Half an hour later the policeman who had been clubbed staggered into the West Thirty-seventh Street Station to complain of his treatment. Chief Devery at once recognized him as Patrolman William A. Powers. Powers is the patrolman who arrested six-year-old Dora Callahan some weeks ago for plucking an ivy leaf for her doll in Stuyvesant Square. When Chief Devery saw it was Powers, he at once ordered him into the back room. When he heard Howard's story he ordered Capt. Cooney to take Powers's shield and revolver and lock him up on the charge of being intoxicated, disorderly, and flourishing a revolver to incite the crowd to riot.

"You are a disgrace to the force. You are not fit to be a policeman," said the Chief. "You disgraced the force by arresting a baby. Now you are drunk and you incited that mob to kill your brother officers. Lock him up. Get a surgeon to examine him. The fellow is so drunk his tongue is thick," exclaimed the Chief. Powers was locked up. He maintained silence during his Chief's reprimand. He seemed to realize that he had finally met his Waterloo.

The streets in the district were decidedly quiet after midnight. Many colored people had moved to other sections of the city, while the others were careful not to go on the streets.

At the saloon of Joe Walcott, the colored pugilist, at Thirty-first Street and Sixth Avenue, there was a small disturbance about midnight. A few colored people were in the place drinking, when some stones were thrown through the windows. Walcott immediately closed up his place.

As a matter of self-preservation, many of the colored people armed themselves yesterday, and several who were arrested proved to be walking arsenals. Some of these had a lively time with the policemen who took them in charge.

The east side had a slight touch of the riot fever last night when Minnie Robinson, a colored woman, fifty years old, came to the Madison Street Station to seek shelter and protection. She was attacked at Madison and Montgomery Streets by a crowd of about 100 small boys. She started to run, and met Policeman Tucker of the Madison Street Station, who took her to the station house.

She said that she had been living with friends in Seventh Avenue, and fearing that there would be trouble she had come down town for safety. She refused to leave the station house after telling her story, and she was locked up on the technical charge of being a vagrant.

ATTACKED IN STATION.

In the West Thirty-seventh Street Police Station last night a negro was arraigned before the Sergeant at the desk on the charge of carrying concealed weapons. As the man was being taken back to his cell he had to pass through the muster room.

A number of policemen who were held there on reserve jumped up from their chairs, grabbed their night sticks, and beat the young negro over the head.

"Please do not kill me; I did nothing," cried the man as he fell to the floor.

Other negroes brought into the station protested against the way they had been treated. They declared that the policemen were taking revenge on them for something, with which they had nothing to do. The case mentioned was witnessed by a reporter for THE NEW YORK TIMES. The victim was William J. Elliott, twenty-four years old, who is employed as a bellboy at the Hotel Imperial. He was arrested by Charles J. Tammer, Jr., of the Twenty-second Precinct, who saw him on Thirty-fifth Street, near Eighth Avenue, and thought he was acting suspiciously. Tammer searched his prisoner and found he had a revolver in his possession.

At the station house Elliott was asked his name, age, and occupation. These he gave in a quiet manner.

"Where did you get that gun?" asked Acting Captain Cooney of the prisoner.

"Well, I got off duty at 1 o'clock this morning, but could not get to my home at 327 West Thirty-fifth Street until 8 o'clock, owing to the trouble. I was going back to work when the people at the house told me I had better take the revolver with me for protection. I did it wrong and would not hurt anybody. I was with the Eighth New York Volunteers during—"

"Take him back. Get along there," interrupted Captain Cooney. Taking the Captain at his word, three policemen grabbed the negro, who was now trembling from fright. In order to get to the cells the prisoner had to go through the muster room. There were about twenty-five men of the reserves in this room. As Elliott was being shoved through the rear door of the room which leads to the cells one of the policemen on reserve said:

"Take that, you —!"

With this remark he hit the man over the head with his club.

Other policemen who were sitting about the room in their shirt sleeves took this as a signal for general action, and a general assault was made on the man.

"Please don't kill me," he cried.

"Take that, you —," was the reply of the ringleader.

Acting Capt. Cooney finally went to the rescue of the negro, lifted him from the floor, and sent him into a cell.

"Take the name of any man who clubs another negro," was the order the Captain gave the Roundsman in charge of the room.

The Captain made no effort to find out who hit Elliott, and when a reporter asked permission to see the prisoner the Captain said:

"No; he is locked up now. If you wanted to talk with him, you could have done so outside."

An ambulance surgeon had to be called to treat the wounds which had been inflicted on Elliott while he was a prisoner in the station house.

Handy Johnson, a sleeping-car porter, was brought in just after the assault on East Eleventh Street. Policeman Gaynor had seen Johnson on an Eighth Avenue car. There was a large mob on the avenue near Thirty-eighth Street, and Johnson had taken a revolver out of his pocket

when Gaynor saw him. The policeman jumped on the car and dragged Johnson to the street. This was the policeman's report at the station house.

"Where do you live?" said the Acting Captain to the prisoner.

"At 330 West Fifty-third Street," was the reply.

"Married?" asked the Captain flippantly. When the prisoner did not answer as promptly as required, the Captain said:

"What's the matter with you?"

This was a signal for the policemen standing around to prod the man with their clubs and shake him up generally.

After Johnson had given his pedigree a reporter said to the Acting Captain:

"Will you please let me get this man's version of his arrest?"

"No, you can't talk to him."

"But, Captain, you told me that if I asked permission to talk to prisoners before they were sent to cells I could do so."

"Maybe I did, but it doesn't go now."

Johnson was hurried back through the muster room. One of the policemen escorting him said: "Go easy, boys, don't hit him; there is a reporter here watching us."

Another arrest along the same line was that of Robert Myrick, a porter, living at 413 West Thirty-ninth Street. He was ordered to get off a car at Eighth Avenue and Thirty-eighth Street by Policeman Reilly.

Myrick was creating no disturbance, and when he asked to be allowed to go to his destination, the next corner, the policeman dragged him from the car and used his club. When searched at the station house, Myrick was found to have a razor in his possession. He received some rough treatment and was locked up for the night.

Eye witnesses of the inception of the riot on Wednesday night declare that such actions of the police caused the mob to do as it did. Many people who saw the disturbance say that repeatedly policemen stood by and watched the mob beat negroes.

One special incident was noted on Eighth Avenue, between Thirty-seventh and Thirty-eighth Streets. Policemen were at each end of the block and several were patrolling up and down inside of the lines, yet these men allowed some twenty-five people to beat a negro who had been found in the centre of the block.

A string of oaths followed by, "We would like to get even with those black devils; just give us a chance with our sticks and guns and we'll fix 'em," was the comment made by more than one member of the police force yesterday.

Chief Devery last night became cognizant of the police clubbing of negroes, and he said to the reporters:

"This work will have to stop right here. I propose to see the police outrages against the negroes stopped. The man Harris is the only one who is guilty of causing the death of Policeman Thorpe. The other colored people should not be attacked."

A half-hearted attempt to adopt lynch methods was made at Thirty-fourth Street and Eighth Avenue at 9 o'clock last night. The mob which had gathered there saw two negroes getting off of an Eighth Avenue trolley car. Some person produced a piece of rope and cries of "Lynch them," were heard.

The mob started for the negroes. One of them got away safely. The other, Alexander Robinson, was not so lucky. The mob got him and the rope was being brought forward when some of the policemen rescued the man and took him away. No arrests were made, although policemen saw the men with the rope and heard their cries.

A few blocks further up the avenue Inspector Thompson made the first arrests yesterday of white men who were concerned in the rioting. The Inspector was at Thirty-eighth Street when he saw Louis Schwartz of 348 West Thirty-ninth Street hurl a stone at a car in which were negroes. The Inspector started for his man, and caught Schwartz just as he was about to throw another at the negroes.

The Inspector was about to start to the station house with his prisoner when Jacob Gempel of 345 Manhattan Avenue made some sneering remarks about the police arresting a white man. The Inspector dragged his one prisoner over to the spot where Gempel was standing, captured him, and marched both men to the station house.

WEST SIDE DISTURBANCES.

Acting Captain Cooney made several futile attempts to clear Eighth Avenue between Thirty-second and Forty-second Streets between 8 and 9 o'clock. He had on the ten blocks about eighty uniformed policemen and scattered in the crowd were about as many ununiformed policemen and Central Office men. The worst crowd was about McBride's saloon, at Forty-first Street and Eighth Avenue, where Policeman Robert Thorpe, who was buried yesterday, received his death wound on Sunday.

No sooner was one incipient riot checked than another disturbance cropped up and the policemen left the posts to enforce order and were demoralized. A good deal of clubbing was done and scores of boys went away yelling with pain from cuffs and slaps in the face, but a crowd would melt away on one block to get together on another.

"Oh," exclaimed the perspiring and bewildered Cooney, "for about a dozen mounted policemen! How they would make these fellows stand around! They'd be worth fifty foot policemen."

Word of Cooney's embarrassment came to Chief Devery and Deputy Chief McLaughlin at the West Thirty-seventh Street Station House, and Inspector Thompson was hustled out with orders to clear the avenue.

He took with him a squad of men, and in half an hour was back at the station house with the information that he had "made the crowd move into the side streets," and that the condition of affairs had improved. Asked if there had been any clubbing, he replied:

"There was so much confusion and so much to do that we could not be very gentle. But we did what we were sent to do."

Hardly had he arrived at the station house when word came that the mob was more unruly than ever.

Bang went the gong at the desk and orders were given to muster the reserves of the Seventeenth and Twenty-fourth Precincts on the floor. Thompson, who was in his undress suit, stood in front of the men and said:

"Here, men, I am going to take you with me. I want you to do police duty with a stress on the last two words—but I want you to do better police business and not to get surrounded on the street corners as you did on the last four Wednesday night. Forward, march."

The crowds, having the experience of the former charge of the Inspector up the avenue, did not make any stand, but rushed into the side streets or into saloons. Some laggards were fanned with unction, but no injured person was taken to the station house. Chief Devery to make the Inspectors' raid telling, mustered another squad at the station house, and gave the men these instructions.

"I want you men to go to Inspector Thompson, who is clearing Eighth Avenue, and help him at no matter what cost. I want you to do full police duty at all hazards. If you come across a man who won't move along, I want you to drop him on the sidewalk. March."

A NEGRO IN PERIL.

There was a scene of wild excitement in front of McBride's saloon, at Forty-first Street and Eighth Avenue, at 9 o'clock, when a negro drew a pocket billy on a white man, who was intoxicated and had gazed him.

Before the police could jump in the avenue in the neighborhood was packed from house line to house line and the cars were blocked. Roundsman Bisland and Officer Nolan of the Twentieth Precinct fought their way to the men, and other policemen made the mob retreat, and escorted the prisoners and their captors to Thirty-seventh Street. At the station house the negro, Vincent A. Streets, a painter, of 319 West Forty-first Street, was searched.

He was a walking arsenal. First came from his pockets a huge loaded revolver, then a razor, after that a dirk knife, and finally a dozen cartridges. He said he was entitled to self-protection. The complainant, James Shane, a plasterer, refused his address. He was locked up for drunkenness. Streets went to a cell for attempted assault and carrying concealed weapons.

The negroes in the affected district were busy yesterday arming themselves. This was evident when the arrested men were searched. Pawnshops were visited, where guns were for sale cheap. All the weapons in pawn were greedily taken out by their owners. Louis Williams, a colored bar-keeper, of 162 West Twenty-fifth Street went into a sporting goods establishment at Twenty-eighth Street and Broadway.

"Gimme the biggest gun you've got in the store," he ordered.

The clerk brought out a revolver fifteen inches long.

"Something very nice for \$18," he commented.

Williams paid for it. Then when he had put pistol and \$7 worth of ammunition into a bag he said:

"I understand they're knocking down negroes round here. The first man tries it on me gets this."

Policeman Daly outside had been told of the negro's purchase.

"Been buying a gun?" he asked Williams.

"No; only got a little laundry here."

Daly opened the bag. Then gun and negro went to the Tenderloin Station.

CHIEF DEVERY IN COMMAND.

Police Arrangements to Cope with Further Disorder If It Should Occur—A Plot Alleged.

Chief Devery took personal charge yesterday of the police arrangements against further rioting. He made his headquarters

at the West Thirty-seventh Street Station. He was, there most of the day, and returned again after dinner for night duty.

"Being on hand beats the telephone," was the comment he made.

"How many men have you on duty?" was asked.

"Oh, I have enough."

"What do you think was the cause of the trouble?"

"Well, the killing of Policeman Thorpe made the people angry. They wanted revenge, and they seem to have gone after it."

"Is it true, Chief, that the policemen used discrimination and treated colored people harshly while they allowed white rioters to escape?"

"There is no discrimination on the part of the force. Each man must do his duty and stop any trouble. We could not afford to discriminate, and we will not."

"What have you got to say about the colored people in this, the West Thirty-seventh Street Precinct?"

"I know something about the district. I was a patrolman here over twenty years ago, and it was one of the worst precincts in the city to handle. The colored people who live in this precinct are a bad class. Few if any of them were born here in New York. Most of them are from the South, and they came here with very peculiar ideas as to freedom of action."

"How does this trouble compare with any other you have had in your police experience?"

"This is the only well-defined race riot that I know of as happening here."

"I want to say again that the police did not encourage the rioters in any way, and that they are here to do their duty and protect all citizens."

The Chief declared himself as positive that no more serious trouble will develop.

Deputy Chief Cortright agreed with Chief Devery that there is no reason for anticipating more trouble. He was notified of the trouble about 11 o'clock Wednesday night, and was in telephonic communication with headquarters all night.

Inspector Thompson said that he did not anticipate any particular trouble, but he had heard that negroes had tried to buy cartridges on the Bowery at one place, where they had been refused. He did not know how many might have been bought in other places.

"We will be ready for them," he said as he picked up his own revolver from his desk and put it in his pocket.

After returning from the Thorpe funeral the Inspector ordered 100 policemen sent from the reserves of near-by precincts to the scene of the rioting.

The exact details of the police work during the night of the riot could not be got at Police Headquarters yesterday.

Chief Devery said that the blotter at the West Thirty-seventh Street Police Station would show this, and until Capt. Cooney had sent in his official report of the riot he could not give the exact figures.

Although Chief Devery is said to have been present and in charge of the men during the riot, the blotter of the West Thirty-seventh Street Police Station does not show that he visited the station house during the night.

Later in the evening Inspector Thompson gave out a statement which indicated that the riot had been planned in advance and that the police had knowledge of it. He said:

"For several days we have known that there would be trouble. We had extra men on duty here last night. I had a number of men from my own personal staff here and there were also a number of 'plain clothes' men on hand in the district."

The direct cause of the trouble was the killing of Policeman Thorpe. The white people of the district got excited. We knew they would and we arranged to head off any serious disturbance."

The Inspector further explained the general plan of action to keep the district quiet. He said that the policemen would until further orders patrol in couples, two on each side of each street. This plan would be carried out in all quarters where negroes were living, especially from Twenty-third Street to Fifty-third Street. This means an extra force in four precincts—those in West Twentieth, West Thirtieth, West Thirty-seventh, and West Forty-seventh Streets.

All of the men who were sent out on this patrol work received special instructions to have their revolvers in working order.

"You are on police duty," was the instruction given each man, "and keep yourself ready for action."

Reserves to the number of fifty were detailed from various precincts to the Tenderloin last night, ready for any trouble that might occur between the Sixth Avenue negroes and the whites. The "beggar squad," to the number of fifteen, was also held in the station house.

POLICE ARRAIGN PRISONERS.

Magistrate Cornell Demands Stronger Evidence, and Asks Where White Rioters Are.

Bandaged heads predominated in the west side police court yesterday. Nearly all the prisoners were there in connection with the riot of Wednesday night. Fifteen patrol wagons were required to take the prisoners to the West Fifty-fourth Street court.

Davis H. Tarr, a colored man, of 215 West Thirty-fifth Street, was the star prisoner at this court. He was charged with having assaulted and stabbed Policeman Kennedy. Magistrate Cornell held him without bail.

Lloyd Lee, another negro, who is alleged to be concerned in the same assault, is in Bellevue Hospital, suffering from the severe clubbing he received at the hands of the police, and he was not able to appear in court.

Several prisoners were fined; two others were bound over to keep the peace.

During the hearing Magistrate Cornell listened to numerous stories on the part of colored persons of having been unnecessarily clubbed.

Albert Johnson declared he had been held and beaten by the mob while on his way home from work. He said the policeman who arrested him had attacked him on his own stoop and had struck him with his club three or four times over the head.

The policeman testified that Johnson had "talked ugly" to him and that he had attempted to throw away a revolver. The policeman, when questioned by Magistrate Cornell, said he had not brought the revolver into court, but that he had it at the police station.

"You policemen have got to have your cases prepared," declared Magistrate Cornell. "You've got to have better evidence than this. Tell Capt. Cooney I must have better evidence."

"I'll hold this man in \$500 bonds until tomorrow, when I want you to produce that revolver and some one who saw him with it."

William Banks, whom Magistrate Cornell recognized as one of the Banks brothers of Thirty-seventh Street, was held until today, with the same caution to the policeman. John Newman was held in \$100 for a month on a charge of flourishing a razor in the street during the trouble.

"Now, if accounts are true," exclaimed the Magistrate at this point. "I don't see why you have no white men here. Apparently they acted like beasts, jumping on cars and attacking colored passengers indiscriminately."

Spencer Walters of 63 East Fifty-sixth Street, who, according to the police, started the riot by flourishing his revolver in front of the house where the body of Policeman Thorpe was lying, declared in the police court yesterday that he drew the revolver in self-defense. He said that a man had struck him in the face and that he then drew the revolver. He was held for a further examination by Magistrate Cornell.