

MURDER MERCHANT AND ESCAPE IN AUTO

**Bernard Baff, Poultry Trust
Rival, Shot Through the
Heart in Street.**

LURED BY TELEPHONE CALL

**Crowds Miss Car Number—No Clue
to Murderers—Victim Often
Threatened.**

Two men who afterward escaped in an automobile which had awaited them with motor running shot and killed Bernard Baff, one of the largest poultry dealers in the city, in Thirteenth Avenue near Thompson Avenue, Washington Market, just before 6 o'clock last night. One bullet hit Baff in the chest, and passed through his heart. A second entered his left shoulder. As he fell his assailants fled to the motor car, and escaped through Gansevoort Street.

Baff is said by other poultry dealers in West Washington Market to have been the man whose testimony enabled Assistant District Attorney William A. De Ford to prosecute the so-called Poultry Trust and to send thirteen of its members to jail. Baff was known as an independent dealer, but only a few weeks ago the New York Poultry Dealers' Protective Association held a meeting at which Baff was criticised harshly. He was regarded as a sort of trust representative himself, and it was charged that he controlled the retail poultry trade and was accustomed to fix the wholesale price and then undersell retail dealers who had bought from him especially at times of Jewish holidays, when unusual quantities of poultry were sold on the east side.

He had a main place of business at 60, 62, and 64 Thompson Avenue, West Washington Market, and a string of retail stores throughout the city. Five men entered one of his shops at 420 East 109th Street last March and robbed several customers there. There was several thousands dollars in the safe, but Celia Rabinowitz, the cashier, slammed the door of this and neither she nor the store manager, Morris Newark, could open it after the combination had been turned. On last Sept. 19 some one exploded a bomb in the doorway of this store, but little damage was done. Baff had received several Black Hand letters and these continued after the explosion.

His friends believe that he was killed yesterday by one of the enemies whom his testimony against the Poultry Trust or his activities as an independent dealer had made for him. He was in his shop in the market just before 6 o'clock when he told his son Harry, who was a partner in the business, that he was going across the street. In the office of another firm he received a message that he was wanted in Thirteenth Avenue. The police have been unable to discover from whom this message came.

Baff answered it, apparently unsuspecting, and the two men attacked him as he reached the corner. There was a crowd in the market, but no one tried to stop the assassins who leaped into the motor car after firing two shots at Baff. Friends picked up the wounded man and carried him into a near-by store, where Dr. Kellogg from New York Hospital was called. He found that Baff had died instantly.

Later a boy found a revolver in the street and turned it over to the police. Many persons saw the shooting, but none seemed able to give a description of the murderers, and practically the only clue obtained by the police was the revolver.

In Baff's office a number of newspaper items clipped from trade papers had been pasted on the wall. Some of these read:

"March 20.—Baff under ban. Boycotted by New York Buyers' Association. When requested to give up distributing markets he refused to comply. Trouble started."

"B. Baff & Son were boycotted by the buyers' organization of Live Poultry Dealers' Protective Association. At a meeting he was asked to give up distributing markets, of which he has four. Baff refused and he was boycotted."

In parenthesis following this was:
I refused their demands. I have not lost nerve yet. I will fight to a finish.

There were other clippings, which referred to his son being blackjacked a few months ago, to the bomb explosion at one of Baff's stores, and one warning buyers not to deal with Baff & Son, under penalty of suffering from horse poisoners' activities.

MIND OPEN ON FRANK CASE.

**Gov. Slaton Says He Is Not Familiar
with the Evidence.**

Gov. John M. Slaton of Georgia, in whose hands, as the Executive of that State, may rest the final decision in the case of Leo M. Frank, convicted of the murder of Mary Phagan, the Atlanta mill girl, whose trial Justice Lamar of the United States Supreme Court has refused to review, is at the Waldorf.

"I did not know," said Gov. Slaton last night, "whether the case would ever reach me, and I am not acquainted with it except in the most general way. Under the Constitution of Georgia the Governor has absolute power in a matter of this kind. The case would first be heard before the Prison Commission, and the Governor would then be at liberty to accept the recommendation of that body, or disregard it.

"Without knowing, I presume that immediately upon my return, I shall be requested to grant a respite until the Prison Commission can hear the case and make its recommendations. Then the procedure would be for me to review all the evidence and examine the arguments, and then reach my conclusions. It would be open to me either to commute the sentence to life imprisonment or less, or to grant a pardon, or to refuse to interfere.

"My mind is perfectly open about the matter, since I am unacquainted with the evidence."