

SENTENCE FOR LAWYER HUMMEL

Maximum Penalty for Man Convicted of Conspiracy--Scored by Jerome as "Menace to Decency of Community for Past Twenty Years."

(Continued from First Page.)

around him with expressions of sympathy. A court officer caught him by the arm and pushed him through the crowd in the aisle to the door leading to the prisoners' pen.

Hummel put on his plug hat, the doors closed, and Mr. Stanchfield hastened out to prepare papers in some action that will warrant delay.

Hummel will have to stay in the Tombs overnight unless his attorneys succeed in procuring a certificate of reasonable doubt from some Justice of the Supreme Court. An effort will be made to do this.

HUMMEL IN TOMBS CELL.

Hummel, after being taken to the Tombs, was placed in cell No. 122, on the second tier. There he was seen by an Evening World reporter, and said:

"I am now behind the bars, which may seem strange to some people, but I have been unjustly convicted through vindictiveness. Notwithstanding the District Attorney's statement that I have been a menace to the country for twenty years, I am now behind the bars with a clear conscience.

He said he would spend the night in the cell and expected to gain his freedom to-morrow on a certificate of reasonable doubt.

JUSTICE ROGERS'S CHARGE.

The charge of the Court covered every point in the case, but it appeared strong against the defendant in that it shifted the point of the conspiracy charge from the Dodge affidavit to the first meeting between Capt. Jim Morse and the lawyer. It apparently left it immaterial whether Dodge deceived Hummel or not.

Justice Rogers laid great stress upon the fact that for five years after the Dodge divorce neither party to it had raised any objection and that when Hummel came into the case Charles W. Morse and his wife were living happily and contentedly. That "Clete Jim" Morse took up the case and tried to get the divorce dissolved, Morse had no legal right to do this and no standing in court. Yet Hummel took up the case and the tenor of the charge was that there was the conspiracy with "Clete Jim" and "Little Abe" as principals and the first overt act was bringing Dodge here from Atlanta to give them a standing in court.

Justice Rogers began his charge by thanking the jury for the care and attention given the case. He assured the jurors that placing them under restraint was in no sense a reflection upon their integrity or ability to perform their duty.

Justice Rogers's Charge. "In this case you are to consider," said the judge, "the defendant charged with entering into a conspiracy to marry a divorcee. A conspiracy is a concert or union of action by two or more persons to accomplish a purpose by unlawful means."

Justice Rogers read the statute relating to conspiracy in full. He advised the jurors that the acts or communications of any one or more of the conspirators is relevant testimony against any of the others.

"The essence of an agreement," said Justice Rogers, "is to commit a misdemeanor, not to commit a conviction unless such agreement is followed by an overt act."

Justice Rogers then defined at length and very carefully what constitutes in the eyes of the law a reasonable doubt. He advised the jurors that they are the absolute judges of the facts. In this case, he said, he did not believe he had said or done anything that would induce the jury to his opinion of the case, but he instructed, it must be disregarded.

A conviction, said Justice Rogers, "cannot be had unless the defendant is an accomplice unless he is corroborated by some other evidence as tends to prove guilt of the crime. It is not necessary that the defendant shall amount to absolute proof of guilt."

As to Dodge's Evidence. "In this case Charles F. Dodge comes as a witness for the people and is placed before you as an accomplice. As a witness he is under a duty of telling the truth. He has sworn to do so. He has made false affidavits and given untruthful evidence. That he did all this, reprehensible and criminal as it was, does not necessarily establish that he does not now speak the truth. As to his untruthful and untruthful statements, at this time you are the sole judges."

"A District Attorney may call upon an accomplice or may bring a convicted criminal from a prison to testify against a defendant. The fact that the witness bears an unfortunate character should be considered by the jury in weighing the truth or falsity of the testimony."

"If you find any witness has deliberately given false testimony on any material fact, you are to disregard his testimony regarding his entire testimony. You are not compelled or obliged to, however. And you must not hold to the prejudice of a defendant the fact that he does not take advantage of an opportunity allowed him to take the stand in his own defense."

Reviews Divorce Tangle. The Court went into a long review of the Dodge-Morse tangle, as brought out in the evidence beginning with the divorce in the County Clerk's office of the judgment roll in the Dodge divorce suit. This judgment roll, in the opinion of the Court, contained all that went to make a valid judgment and established the legal right of the defendant to marry. "There is no evidence," Justice Rogers declared, "that the marriage of Mrs. Dodge to Mr. Morse was not satisfactory to himself, consented to by the bridegroom, or that the marriage was known to Mrs. Dodge."

Capt. Morse, in law, had no right to interfere. "Capt. Morse went to Mr. Hummel and retained him to accomplish his purpose five years after the divorce. At that time nothing had occurred to indicate that either Mr. Dodge or his former wife were dissatisfied with the divorce."

"As the employment of Mr. Hummel Capt. Morse could not give to his attorney the right to do what he himself had no legal

BLOODSHED AT START OF GREAT RUSSIAN TIE-UP

Moscow Strikers, Who Are Armed, Fire on Train, Wounding Many.

GOVERNMENT CRIPPLED.

New Revolts at Sebastopol and Kharkoff as All Work Stops.

MOSCOW, Dec. 20.—The strike was inaugurated here to-day promptly at noon. All the men walked out of the factories and mills and the trains on the railroads were left standing in the stations.

Shortly afterward an incoming train on the Kurak road was fired into by armed strikers. The engineer and several passengers were wounded.

The strikers generally seem to be provided with arms. There is great excitement in this city.

ST. PETERSBURG, Dec. 20.—At 3 P. M.—Reports received here from Moscow late this afternoon indicate that the strike was successfully inaugurated and is spreading rapidly. Even the electric light plants are closed. Gov.-Gen. Dubassoff has declared the city to be in a partial state of siege which gives the civil authorities exceptional powers of arrest, etc.

The next move will be to declare a state of siege in which the military supercedes the civil power.

It is expected that the inauguration of the strike here to-morrow will be followed by a similar measure, but if the situation becomes worse, as anticipated, martial law will be declared.

The provincial authorities have already been empowered in anticipation of the contingency of their being cut off from the capital to act on their own responsibility even to the extent of the proclamation of martial law.

The railroad stations at St. Petersburg were occupied by troops this afternoon and the government made an attempt with the aid of the railroad battalions to maintain some sort of train service, especially to the German frontier and also to keep open cable communication with points abroad.

At Sebastopol new mutinies have occurred, and 1,600 soldiers have been disarmed and are under guard.

The troops at Kharkoff have revolted, and the inhabitants are still administering the city.

Hunting Strike Leaders. The proclamation of a general strike for to-morrow at noon has created the most intense excitement. If it can be successfully inaugurated and maintained the revolutionaries are confident that it will break the Government's back. In Government circles, however, confidence is expressed that the proletariat organizations cannot effect a complete stoppage and that the strike must be of short duration.

The decision to close everything in the wholesale and retail stores and all Government works, except the waterworks, the bakeries in the cities, however, will not be closed so long as they do not raise their prices.

The police are hunting down and arresting strike leaders rapidly as they can be found, but comparatively few captures have been made, as the leaders keep hiding.

The inhabitants are hurriedly laying in supplies of food as if to stand a siege.

NO BRITISH AID SHIP TO RUSSIA.

LONDON, Dec. 20.—Beyond keeping two British merchant steamers in readiness at Riga for the removal of British subjects in case of necessity, the British government is not taking any other action in respect to the British residents in Russia.

The report that the government is sending a warship to the Baltic is denied by the Foreign Office officials, who said that the cruiser Sapphire, which reached Swinemunde, Prussia, to-day, will not go any further.

The British officials are confident of Russia's ability to protect foreign subjects and property and will not send a warship to the Baltic except in case of extreme necessity.

DELAY SENTENCE OF WICKES

New Attorneys Hand in Affidavits as to His Sanity.

Because other attorneys than those who appeared for him at his trial claimed Thomas Parmie Wickes was insane, Justice Rogers, in the Criminal Branch of the Supreme Court, to-day adjourned the imposition of sentence upon Wickes until to-morrow.

District Attorney Jerome appeared in court, and in his speech said that affidavits had been sent to him by an attorney not authorized to do so. Wickes for two or three years past had not been in his right mind. The District Attorney suggested that if the attorneys record for Wickes would authorize the presentation of those affidavits a commission could be appointed to inquire into the sanity of Wickes. This Delos McCurdy, counsel for Wickes, refused to do.

Justice Rogers said he had also received copies of the affidavits, but he did not want to act upon papers which had not been handed in by the attorneys of record. Mrs. Wickes, dressed entirely in black, was in court when her husband was called to the bar.

Overcome by Coal Gas. George Hoppe, thirty-two years old, of No. 143 Eleventh street, Brooklyn, was taken last night to the Besney Hospital suffering from the effects of coal gas which came from a stove near his bed.

Arrangements by which the Central ferry boats Monday of the Central and Hoboken, of the Lookawanna, were all short entering their slips this afternoon. It had previously been announced that only the Liberty street ferry would be used by the Central.

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Central's Total Loss. General Manager Bealer, of the Central, issued the following statement: "The twenty-third street ferry-boat is a total loss by fire. All service to that ferry-boat is suspended for several days. We will also use our slips at Christopher street, which will be ready to receive any description of that boat. The ferry-boat was just entering its slip when the fire broke out. It had already ferried passengers leaving Fourth street, Hoboken, and was running to Christopher street."

Damage at Least \$300,000. Officials of the interested railroads said the known damage would amount to at least \$300,000. This estimate did not take into account the losses on Christmas packages and personal luggage, much of which had been in the hands of the ferry-boat. A hearing plan worth \$100,000, located under the Lookawanna and Erie, is also badly damaged.

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DOMAINE WRITER IS ARRESTED AS A SHOPLIFTER

Lillian M. Cherry Declares She Was Only Collecting Material for Story.

MINISTERS AID HER.

Pastors of Two Prominent Churches Appear in Court as Her Friends.

Lillian M. Cherry, thirty-one years old, who gave her address as No. 72 West Ninety-second street, and said she was a literary woman, was a prisoner to-day before Magistrate White in Jefferson Market Court. She said she was collecting material for a story on "How Easy It is to Steal in Big Department Stores." In court she was accused of shoplifting.

Although Miss Cherry was not fortunate enough to land in "The Bishop's Carriage" after being arrested in a department store, she did have to intercede for her in court an aggregation of prominent clergymen. Among them were Rev. Dr. David James Burrell, of the Marble Collegiate Church, Fifth avenue and Twenty-ninth street; Rev. Dr. C. H. Mohr, of the same church; and Rev. Dr. Pleasant Hunter, of the Fourth Presbyterian Church, at Ninety-first street and West End avenue; K. C. S. Rand, for years an employee of Russell Sage, also interceded for her.

They all told Magistrate White that the prisoner was of high literary attainments, having already written a book that is being published by Doubleday, Page & Co., and was also an energetic churchwoman. She came from Minneapolis, where she is reported to have connections among persons of prominent society. When searched after her arrest these articles were found in her possession: One nightgown, one corset-cover, two vials, two collars, three ties, one pocket, five handkerchiefs, one paper of pins, one polisher, one box of handkerchiefs, one fourteen postal cards, one spoon, four bolts of ribbon, one piece of lace and three ties.

According to the story of the woman detective employed in the store, she saw Miss Cherry take the first article and kept her continually under surveillance. She said that when Miss Cherry was taken she confessed the theft, pleading that she only went through the performance that she might be enabled to give "local color" to the proposed story.

When arraigned in court, the prisoner, who had been locked up all night after being turned over to Detectives Reim and Becker, of the West Third street station, was represented by Attorney William Schick, Jr., who waived examination. Magistrate White adjourned the case until to-morrow, when he said the attorney, he would hold Miss Cherry in \$3,000 bail for trial on a charge of grand larceny.

Miss Cherry said in the prisoners' brief proceedings, she certainly had literary aspirations, but she was many years from accomplishing them. Her clerical address spent much time in trying to keep her story from getting into the public eye. She said she was a friend of the attorney, who would hold Miss Cherry in \$3,000 bail for trial on a charge of grand larceny.

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RYAN'S MAN TATLOCK BELIEVES IN "LYERS"

Tells Committee Insurance Speculation in Wall Street Is All Right—Germania's Gifts to 'Dog' Funds.

An apology for Thomas F. Ryan's activities in connection with the Ryan administration of the Washington Life Insurance Company and a confession that the Germania Life Insurance Company subscribed to a fund of \$50,000 to defeat the Mortgage Tax bill last year, were the features of the Legislative Insurance Inquiry to-day.

John Tatlock, Ryan's president of the Washington Life, was the apologist, but there was a string to all he said. After declaring that Ryan took only a slight interest in the investments of the Washington Life, he asserted that a life insurance company was better off as an adjunct of Wall street than in any other position; but if it didn't keep its eye on the ticker tape it would die of dry rot sooner or later.

Customer of Ryan and Morton. It was revealed that the Washington Life, besides being a depositor in the Morton Trust Company, of which Thomas F. Ryan is vice-president, has been a good purchaser of Morton and Ryan securities. Tatlock, during the past year, has taken on the Washington Life from the Ryan-Morton concern \$200,000 in Imperial Japanese bonds and \$100,000 in Louisville, Memphis and Southeastern Railroad stock.

Cornelius Doremus, President of the Germania Life, followed Tatlock, and it was from him that the story of the Anti-Mortgage Tax bill fund came. His company contributed \$50 to the fund of \$50,000. He could not recall to whom the money had passed, but he promised to get the name of the person.

Other Legislative Funds. This subscription was not the only one made by the Germania last year for legislative purposes. It put \$50 in a fund for counsel to press the adoption of a lien law for the protection of mortgages. This money went to E. C. Potter, a real estate man, who represented a committee of real estate dealers and Hughes began by asking Tatlock if he had found any traces of "yellow dog" payments to "Andy" Fields, "Andy" Hamilton or any other legislative influence. Tatlock said he had not.

A list of all Washington Life collateral loans since Ryan got hold of the company in January last was presented to the committee. Without reading them into the record Mr. Hughes put the question:

No Loans to Officers. "Have you made any loans since Jan. 1 last to any director or officer of your company or for their benefit, directly or indirectly?"

"No such loans have been made," answered Tatlock.

Tatlock gave \$25,000 as the net earnings of the Washington Life since the beginning of the Ryan regime.

Tatlock's final testimony was developed. Ryan's counsel presented Mr. Hughes to ask Tatlock if there was anything in the record which he had said which he desired to correct.

Ryan Just Concluded. "Yes," said Tatlock, "there is, Mr. Hughes. I wish to say that in the

he could be released from prison on Christmas day.

LADY VIOLET WATT DENIES. Wife of Accused Financier Testifies in His Behalf.

LONDON, Dec. 20.—The defense of Hugh Watt, the former Member of Parliament, charged with inciting hired agents to murder his divorced wife, Julia Watt, and Sir Reginald Beauchamp, whose divorced wife is now Lady Violet Watt, of the defendant, closed to-day with the evidence of Lady Violet Watt.

Lady Violet gave an emphatic and categorical denial of all the material statements of the witnesses for the prosecution, and even heard Marshall, the private detective who is said to have been bribed by Watt to procure poison, threaten he would "make it hot" for Watt unless the latter gave him \$1,500. Counsel then proceeded to address the jury.

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