

HYDE OFFERS TO REST ON JUSTICE'S CHARGE

Prosecution Declines Proposal That Both Sides Shall Omit Summing Up.

ROBIN CALLED INSANE

Millions in Banks When Ex-Chamberlain Said to Have Doled Out \$100,000.

Two witnesses strengthened the alibi of Charles H. Hyde, so far as his threatening Joseph G. Robin was concerned, yesterday. A squad of alienists swore that Robin was suffering from incurable insanity in 1910, and therefore is not worthy of credence on certain subjects.

And a representative of the City Chamberlain's office swore that on the days Hyde was accused of doling out \$100,000 to certain banks the city had all the way from \$29,000,000 to \$50,000,000 in 136 other institutions.

The grand finale of the day was the offer of the defence to submit its case to the jury on the charge of Justice Goff, without a closing plea, if the District Attorney would do the same, which offer was declined.

According to Max D. Steuer and John B. Stanchfield, counsel for the ex-City Chamberlain now on trial on a charge of resisting a writ, a field day for the defence, and the session ended last night with the lawyers debating whether they shall call William J. Cummins and Joseph B. Reichmann this morning. If they do not their case is over, and Mr. Moss has promised that he will conclude his rebuttal in less than half a day. The case may go to the jury to-night, and the jurors may get home for Thanksgiving dinner.

The sentencing of the four gunmen yesterday morning took nearly an hour out of the trial, and a field day for a great crowd to the court room. It also compelled some very well known citizens to witness a scene they would very gladly have escaped. They were the character witnesses, at least ten of them—Judges, bankers, a priest, merchants and capitalists of Brooklyn. They were on the stand immediately after the morbid ones had departed, and in order, they were Justice Samuel T. Maddox, Chief Justice Almet J. Jenks of the Appellate Division, Justice Joseph T. Marston, Justice William T. Kelly, all of the Second Department, which is partly in Brooklyn. They were followed by Mr. Patrick O'Hare, Simon F. Rothschild, a merchant; George W. Chaussey, president of the Kings County Trust Company, and William Fleming, who lives in Truro, Nova Scotia.

All of these had known Hyde for years. All said that in the speech of the people his reputation for honesty had been unquestioned up to the time the indictment was found. Mr. Fleming, who is in his eighty-second year, had known the defendant's father and grandfather as well as the man himself, and a wealthy retired capitalist who spends a great part of the year in New York.

Not all the witnesses got away without cross-examination, however. Assistant District Attorney Moss wanted to know if they had not heard something about a certain fund to kill the race-track bill, about an absence in Florida, about newspaper criticism and the like. "The witness all declared they could not see where the newspaper attacks had been directed at the people, and the other witnesses fell back on the answers that they had never heard of anything against the defendant until the hearing at the court on the morning of the first trial in 1911.

There is no doubt the defence considers Robin the vital point in the case against Hyde. He has testified that Hyde, in his law office, in the presence of Cummins and Reichmann, compelled him, as the principal owner of the Northern Bank, to lend the Carnegie Trust Company \$100,000. Hyde said he could not testify that he was not in his office at the time sworn to by Robin, and his wife and son strengthened that statement by swearing that he was in his home at 105 West 111th St. at dinner about the time Robin said the conference was beginning. The alienists were simply to strengthen this important phase of the case by swearing that, anyhow, Robin was not mentally strong enough to tell the truth in this particular.

Dr. Austin Flint, who had examined a Robin twelve times, Dr. Samuel J. Liff, Dr. Carlos Macdonald, Dr. William Mabon of the Manhattan State Hospital for the Insane, Dr. Gregory of the psychopathic ward of Bellevue all agreed that Robin was either a true paranoiac or in a paranoiac condition. The disease was always progressive, and the delusions never died away.

There was some fun as Dr. Mabon testified about the delusions of persecution by J. P. Morgan, August Belmont and other financiers, and how he had been the victim of the "Unification of the World." Mr. Moss, cross-examining, wanted to know what that was. Dr. Mabon said that Robin had told him he had a mission to bring capital and labor together in the world to the end that he would settle all disputes between them and run things generally.

Why, asked Mr. Moss in surprise, "do you think G. W. Perkins is a paranoiac?" "I never met the gentleman," was the answer.

He was questioned about Napoleon, whom he described as an epileptic and paranoiac of the worst kind; Martin Luther, who thought the ink bottle at the devil, of whom the witness said he had no diagnosis, which also applied to John Wesley, who claimed to hear voices.

Dr. H. W. Widman concluded the list of alienists and then a tottering old woman, Mrs. Rabinowitz, who claimed to be the mother of Joseph G. Robin, Dr. Louise Rabinowitz and a son who was living with her brother, appeared on the stand. An interpreter was being used for her, but she never testified. The court would not allow her to answer a question.

Later in the day Mr. Steuer, in Mr. Hyde, got in evidence the testimony given by Robin at the lunacy inquiry before Judge Swann in January, 1911. It took two hours to read the transcript of that evidence, but that the jurors seemed to enjoy it as they read of the delusions of the man who had then just been indicted.

Robin at that time discussed his unification plan and his persecution by the great financiers, who wanted to put him out of the way because he would have to put them out of business to carry out his mission in life. They smiled at his statement that he believed he was the natural son of the czar of Russia, that he went under the name of Romanoff in Paris, that he was gifted with great power and always guided by the voice. "This voice was a little to the rear and on the right."

They laughed when he told about J. P. Morgan hiring Nicola Tesla to shoot electric waves at him which compelled him to wear insulation. They heard all about the poison attempts and the conspiracies. They seemed willing to hear none when Mr. Steuer had finished his tedious task.

In the meantime Warren L. Neu, law

WHEN YOU LOOK AT TWO ONE INCH LINES PLACED SIDE BY SIDE, FEW PEOPLE CAN TELL WHETHER THEY ARE PARALLEL. EXTEND THEM TEN INCHES AND YOU MAY FIND THEM FAR APART.

Ten years ago our capital and surplus amounted to \$8,000,000, and the leading title companies in New York seemed to be on a basis of business equality.

TITLE GUARANTEE AND TRUST CO

Capital \$ 5,000,000 Surplus (all earned) 11,000,000

To-day, our guarantee fund is greater than the combined capital and surplus of all the other companies put together and our capacity to meet the exigencies of the business correspondingly bettered.

176 Broadway, N. Y. 178 Broadway, N. Y. 350 Fulton St., Jamaica.

clerk of the Hyde office in 1910, and Charles P. Campbell, associated in the office, had given testimony tending to strengthen the alibi. Neu said he remembered the 22d of August very well because it was the first day Mr. Hyde had come down to the office after his return from Europe. He remembered, also, the arrival of three men whom he did not know then. Hyde had come in about 5:30 and they had arrived ten minutes later.

Hyde remained about twenty minutes so until his automobile was announced. Neu said this had been ordered for 5:30 o'clock. He went out with Charles P. Campbell, the witness thought. Neu saw the men sitting in an office with an open door, and heard them laughing. He did not hear any conversation further than that.

Neu admitted he had talked the matter over with Hyde, with Campbell and others when the accusation was made, and concluded by saying that he did not remember any telephone to Leroy Baldwin in Jersey that night. Mr. Moss has made a point of questioning about that telephone call from Hyde and from the people in return for the Hyde office later than 8:15 or 8:20. Hyde has sworn that he did not telephone, nor did anybody else in his presence.

Campbell not only swore about the time of Hyde's arrival, but of Hyde's departure, a few minutes after 8 o'clock. He was certain about his side and perhaps Robin himself, who will testify that he no longer has delusions, and there may be the telephone evidence. They will be able to get right at the 10:30 this morning if the defence foregoes Messrs. Cummins and Reichmann.

Andrew J. Galligan, bookkeeper of the Chamberlain's office, was called to show the witness the business in the office. On August 22 he swore the bank had \$9,000,000 in the banks, and on every month where loans and deposits were said to be concerned, the millions going to and from other banks. The company has depositaries when Hyde came in, and he added twenty-seven, with the permission of the controller and Mayor. There were as high as four million accounts daily from receiving banks.

Roswell S. Nichols, who was with Rollins & Rollins in 1910, when they were counsel for the Northern Bank in liquidation, testified that the \$100,000 loan of the Northern to the Carnegie was paid. Mr. Moss, in rebuttal to-day, will have three alienists for his side and perhaps Robin himself, who will testify that he no longer has delusions, and there may be the telephone evidence. They will be able to get right at the 10:30 this morning if the defence foregoes Messrs. Cummins and Reichmann.

NOT SAVED BY HIS GOOD NAME.

Man Convicted as Pickpocket Had an Array of Character Witnesses.

A jury before County Judge Fawcett in Brooklyn yesterday decided that Max Edelstein, 30 years old, a cap maker living at 283 South Fourth street, had been in the habit of picking pockets in his spare time prior to his arrest on September 15, and found him guilty on one specific count, although J. A. Bushel, president of the C. A. Husack Company, of 28 East Eighth street, Manhattan, testified that he had employed the defendant for nine years and had found him scrupulously honest. About a dozen character witnesses corroborated Mr. Bushel's regard for the defendant's good reputation.

MR. VAIL OPERATED ON AGAIN.

Head of American Tel. and Tel. Now Said to Be on Way to Recovery.

Theodore N. Vail, president of the American Telephone and Telegraph Company, who has been ill for some time in a hospital in this city, has undergone two operations and is said to be well on the way to recovery. The second operation was performed yesterday. Union N. Bethell, senior vice-president of the company, gave out last night the following statement from Dr. Charles H. Chetwood:

Mr. Vail has been suffering for some time past from chronic cystitis and appendicitis, as the result of which an operation seemed imperative. In order to conserve his strength as much as possible for the ordeal it was thought advisable to perform the operation in two steps.

The first stage has been successfully accomplished. The second operation was performed to-day and has been well sustained. If the conditions following this operation are as satisfactory as after the first a successful outcome is assured.

CITY JOYTINGS.

The approach of Thanksgiving Day has given a big boom to business in the marriage license bureau in Brooklyn. For several days past there has been a rush of applicants for licenses and on Monday the record was reached, no less than 115 couples having obtained them from Clerk Scully.

Mrs. Marie Schmitt of Troutman street, Brooklyn, wanted \$15,000 damages from Charles Hogan, manager of the Roxbury Hotel at Rockaway Point, for alleged libel, and a jury before Justice Van Slicen in the Queens "beat" supreme court yesterday gave her a verdict of \$500.

Mrs. Florence Johnson of Jamaica was granted an interlocutory decree divorcing from Charles H. Johnson, a burlesque actor of Brooklyn, yesterday in the Queens County Supreme Court.

GUNMEN JOIN BECKER IN THE DEATH HOUSE

Can Look Down From Cells in Sing Sing on Door to Chair.

GREAT CROWDS SEE THEM

The Four Jostled at Ossining—Hear Sentence Without Sign of Fear.

The four gunmen are now lodged in the death house at Sing Sing. Occupying adjoining cells on an upper tier in the death chamber they can look directly down into the cell on the opposite side of the room in which Charles H. Becker is sitting, and if they care to they can talk with him across the narrow intervening space.

They also can look directly upon the little green door through which they must all pass to the death chair for the killing of Herman Rosenthal, some time in the week of January 6, unless the decision of Justice Goff is reversed by a new trial.

This little green door to which the eyes of the gunmen must inevitably turn many times during the next few weeks is just beyond the cell next to Becker's.

When Gyp the Blood, Lefty Louie, Dago Frank and Whitey Lewis entered the death house shortly after 2 o'clock yesterday afternoon, saw Becker sitting in his cell and saw the little green door which became four frightened, dazed men. They looked fearfully about them, and clinking cloaks to another turned wide eyes upon Sheriff Harburger and Keeper O'Toole.

They stumbled as they were led up the narrow iron stairway which leads to the tier of four cells above the entrance to the chamber and blanched as they were pushed into their cells and the doors slammed upon them.

The cells in which they were put are numbered 42812, 42814, 42815 and 42816. Gyp the Blood has the first, Lefty Louie the second, Whitey Lewis the third and Dago Frank the last.

The coming of the gunmen brings the number of inmates of the death house up to seventeen, which is as many as can be accommodated there.

The gunmen will not have long to stay in their cells before they will have to see a brother inmate pass through the little green door, for some time during the week of December 15 Matteo Dell'omo, an Italian from Kings county, will die in the electric chair for murder. The sentence will be executed by Edward Davis, who will also have the killing of the gunmen. He gets \$200 for each execution.

The largest crowd which has ever gathered to witness the incarceration of convicted murderers lined the way along which the four gunmen walked to the prison yesterday afternoon.

No sooner had Sheriff Harburger and his twelve deputies, fully armed, succeeded in getting their prisoners off the train at Ossining station than the whole party was swamped by a mob.

The crush was so great that Sheriff Harburger was torn from the side of the gunmen and held helpless at the side of the road, with his hands in the air and his revolver bulging in his overcoat pockets, at the mercy of the crowd.

The prisoners themselves were jostled roughly and Lefty Louie shouted to those about him to "quit crowding." All four learned at once that the Sheriff had become separated from them and they refused to move until he was brought back.

With Sheriff Harburger once more at the head of the procession, walking with Police Thompson in the van, and surrounded by the deputies and attendants from Sing Sing, the gunmen, shackled two and two, Gyp with Lefty Louie and Dago Frank with Whitey Lewis, marched along Barlow lane and up the wooden stairway to Durston avenue, while cameras flashed and banged all about them.

Surrounded by a fighting mob of pedestrians and a jam of automobiles, the prisoners moved along the avenue toward the prison. On the way they met Mrs. Lillian Rosenberg, Lefty Louie's wife; Lillian Horowitz, wife of Gyp the Blood, and Rose Muller, Whitey Lewis's sister.

The young women had come up on the train in Sheriff Harburger's special car and had said good-by to the prisoners, but were allowed to walk to the door of the prison with the gunmen.

They did not use their handkerchiefs to wipe tears from their eyes, for they did not weep, even at the final parting. The prisoners were met at the border of the driveway leading up to the prison door by Principal Keeper James Connaughton, who led the party down the steps to the prison entrance. There was another crush here.

Dago Frank and Lefty Louie were actually held up as they started to pass into the hall by a man dressed in civilian's clothes, who thought they were in the mob and tried to shove them back. Just before the last gunman entered the prison door at 1:34, the mother of Dago Frank appeared at the top of the prison steps and holding out her hands cried, "Good-by, Frank!" Her body was shaken with sobs as she was led away by her son and daughter and placed in a cab.

WIDOW, YET NEVER A WIFE.

Mrs. Roskilly, Seeking Marriage License, Tells of Scotch Ceremony.

Eleanor Moore Roskilly, describing herself as a dog fancier and collector of rare paintings, admitted before a jury in the Supreme Court yesterday that she married one man "according to the Scotch ceremony of just agreeing," divorced him in the same manner, and described herself as a widow in taking out a license to marry Thomas Roskilly.

Mrs. Roskilly came to New York from London with a collection of paintings she claimed to be worth \$30,000, but passed them through customs at a valuation of \$2,500. She is suing the American Fire Insurance Company to collect on a policy of \$13,600 on the pictures which were burned in her cottage in Mamaroneck a year ago.

Mrs. Roskilly appeared in court richly dressed, and listened with no show of feeling while the attorney for the insurance company characterized her as a clever thief living under aliases and conspiring to defraud by putting fictitious values on spurious pictures she had stolen from a man with whom she had lived.

The plaintiff testified that she was the daughter of William Bigg, a London merchant, and in 1900 married Ernest H. Heinke, a London picture dealer. She said there was no ceremony, and that she divorced Heinke just by signing papers. She said she brought fifty-three oil paintings here with her six years ago, and that thirty-eight of them were burned. Two were Correggios, one was by Leonardo di Vinci and nearly all were by well known artists. She saved herself and one of her dogs by jumping out of a window of the burning house in her nightgown, she said. The case was not finished.

sheriff Harburger said that the gunmen had individually thanked him as he left them. The Sheriff said he did not consider the trucks to have driven in his party twelve deputies and himself—declaring that it always was his lucky number.

During the trip from New York Lefty Louie, who of all the party was the most cheerful, declared that in a year he and his companions would be coming back to the city over the same route.

Their wives rode in the car with them. They sat in their husband's laps, and Whitey Lewis's sister with him. Gyp's wife started to kiss him, but Sheriff Harburger interfered.

The only member of the party who refused to cheer up was Gyp the Blood. There were frequently tears in his eyes. Just before the train pulled into Ossining, Lefty Louie, Gyp the Blood and Whitey Lewis took off their cuff links and stick pins and gave them over to the women. They kissed the women and watched them go to the car.

They may not have a chance to kiss them again when the women come to visit at the death house on Thursdays.

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DYNAMITE TRIAL JUDGE WARNS UNION OFFICIAL

Rebukes Spectator for Sneers, and Orders Him Placed With Defendants.

TELLS OF AGENT'S DEMAND

Man Who Built Tom Taggart's Annex Describes Call, Then Explosion.

INDIANAPOLIS, Nov. 26.—White Otis E. McManigal was under cross-examination to-day in the dynamite case. Judge Anderson surprised the attorneys and jury by ordering O. A. Twitmore, secretary of the Building Trades Council of San Francisco, removed from his seat at the table of the attorneys for the defence and placed among the defendants.

After the marshal had placed Twitmore among the other defendants Judge Anderson continued: "I will say further that I am not going to allow demonstrations in the court room from that defendant such as I have seen from him. I am serving notice on him now."

The cynical smile that played over Twitmore's countenance when witnesses were testifying often has attracted the attention of persons near him, and the court indicated very plainly that the object was to impress the jury.

Earl Reagan of Berwyn, Ill., former superintendent for William F. Stillwell of Lafayette, who had the general contract for the erection of an addition to the French Lick Springs Hotel, owned by Thomas Taggart, testified that about two weeks before the explosion there Fred Sherman, business agent of the ironworkers in Indianapolis, came to French Lick and demanded that union ironworkers be employed. Reagan said the steel contract had been sublet to the Lafayette Engineering Company, and he told Sherman to see the contractor.

Sherman inquired, he said, if Taggart were at French Lick and was told that he was leaving on the next train.

An answer of the witness that Mr. Taggart had told him that Sherman left French Lick on the same train with him was struck out.

That the only thing which prevented the explosion from wrecking the big hotel where 500 guests were then quartered was the fact that a new concrete floor had just been put in the addition and that it already had "set" was testified by the witness. The explosive was placed under the floor. As the sides were open the force of the explosion was largely exerted sideways along the line of least resistance.

Windows in the old hotel were shattered, however, the plastering of the room in which Reagan was sleeping when the explosion took place was thrown down and the fixtures in the bathroom which adjoins his sleeping room were shattered, he testified. Immediately after the explosion he saw Sherman at French Lick again about two weeks after the explosion.

The cross-examination of McManigal brought out little new but it demonstrated the wonderful memory of the witness. Senator Kern examining from notes was corrected frequently by the witness as to dates and attempts to confuse him were unavailing. Asked about his trip to New York after the dynamiting of the Boston Opera House he detailed the circumstances of meeting Webb and said that Mrs. Webb accompanied him and Webb to Long Island on the day he left for the West.

DOCTOR IN AUTO KILLS BOY.

Bayonne Lad, 9 Years Old, Run Down in Front of Home.

BAYONNE, N. J., Nov. 26.—Melbert Law of Avenue C and Third street, Bayonne, 9 years old, was run over and killed while playing in front of his home to-day by Dr. Lucius F. Donohue of Avenue A and Eighth street.

The physician drove with the boy to the Bayonne Hospital, but he was dead before the machine arrived.

A Study in Black & White

A man—some of him shirt, but most of him coat.

Let us look at his coat, and not wash his linen in public.

It is smaller than such coats used to be, trimmer, a little less coat, a little more man.

The fronts are narrower, being a sort of half-drawn curtain effect, exposing a lot of linen and waistcoat.

It has a satin collar, and satin lapels that roll away from the shirt with after-dinner irresponsibility.

The cuffs pipe their lay in satin, too, re-deeming with a touch of lustre the monotony of dull black sleeves.

Through the waist of this full dress garment there is a wealth of shapeliness—yet it is not ridiculously pronounced, because it has lost the accentuation which obsolete shoulders once gave it.

True, any full dress garment may have the above features but it is not features alone which give a Saks garment its inimitable style, but rather the manner in which they are featured.

A Saks full dress garment, Gentlemen, is more than a full dress garment—it is an enjoyable evening in itself.

It has all the dignity and propriety of perfect style, and all the artistic touches of a good time!

Full Dress Garments Coats . . . 23.00 to 38.00 Trousers . . . 7.50 to 12.50 Vests . . . 3.50 to 12.00

Tuxedo Coats, 20.00 to 32.00

Saks & Company Broadway at 34th Street

Broker Wallace Gaulty. A jury before Justice Crane in the Supreme Court in Brooklyn last night convicted Stewart S. Wallace, a real estate broker of 919 Ditmars avenue; Brooklyn, of forgery and grand larceny in the first degree.

Wallace was charged with having executed and filed a forged satisfaction piece for a mortgage whereby he swindled \$1,500. He will be sentenced on Friday.

W. & J. SLOANE ORIENTAL RUGS APPROPRIATE FOR WEDDING GIFTS The suitability of a carefully chosen Oriental Rug for gift purposes is so obvious as to hardly need mention. No other article possesses to a higher degree the chief attributes of an appropriate Wedding Gift. An Oriental Rug, with its exquisite coloring and its lasting usefulness, is certain to find hearty appreciation with those who are arranging the furnishings of their new home. Complete satisfaction is assured if your selection of an Oriental Rug is made from our immense collection, the finest and largest in America. FIFTH AVENUE AND FORTY-SEVENTH STREET