

# Adventures of a Suspected Spy on the Isle of Wight

## Young American on a Walking Tour Arrested, Escapes and Carries Away Pictures

An American young man on a walking tour in England imprudently went about the Isle of Wight taking photographs and otherwise violating the rules of war. Quite naturally he was arrested. In the following article he tells how he made friends of his captors and carried off his photographs in triumph.

I HAD been aware of him for some time; unpleasantly aware of him. He annoyed me. I had an impulse to stumble ingeniously against him and remark, "What a queer place the Isle of Wight is! All its male inhabitants seem to be twins!"

For hadn't this offensive individual been on the pier when I arrived from Southampton? Hadn't I suddenly confronted him on the Parade while I was kodaking the waterfront? When I turned into the Dolphin the night before hadn't I stumbled upon him? And now when I had taken this long walk down behind the bathing machines for no other purpose than to escape him, was he not upon me again!

But before I had time to execute the intended insult the strange individual put his hand on my arm and said very distinctly: "My friend, don't you know what you have just done?"

My assurance that I did was an Americanism, at which he showed still further surprise.

"What? You are not a Yank, are you?"

In the instant before I replied I thought of many things. I realized that the individual was probably a plain clothes man from the detective service; that my very presence on the island, to say nothing of my failure to register with the police or of my activity with the kodak, was an offence against the law. For I had discovered that the Isle of Wight is given over entirely to military purposes. Its wireless stations are those most intimately in touch with the movements of the enemy fleet or Zeppelins. I was destined to realize this fact; in the cell where I soon found myself I could hear every night the alarm and telephoned reports. "Zeppelins in sight off Dover," "Wire London of approaching Zeppelins!" and the like. It is filled with the activities of the army and navy. In the instant before I replied, I say, I thought of all these things and became cold at the realization of my position.

But I resolved to talk to the man with as much tact as I could. I discovered his personal interest in travel and languages and dwelt upon those topics. I avoided speaking about things American, calculating that reversion to such subjects could but betray anxiety on my part.

He proved a brilliant conversationalist; and I learned what a wonderful thing and desirable in the eyes of a brilliant conversationalist is an alert and attentive listener. I felt sorry for him. At dusk I ventured to try to leave and arose as nonchalantly as possible, fearing, however, I should be detained.

"I'm stopping at the Dolphin, as you know," I said. "Am leaving by the 10:20 boat in the morning." And when I was well away I turned and said: "I shall expect to see you at the dock."

But he was not there. Instead I was questioned by the ticket agent, who upon learning my nationality refused me a ticket. He

instructed me, however, that I had more chance of escaping if I tried the other side of the island.

I forthwith hastened to get a train for Ryde. The train I found on the point of leaving; and I barely had time to toss my luggage into the compartment before me.

Some one in the dark compartment said "Ouch!" It was my old friend, the ubiquitous detective. He too was booked to Ryde, he said, but alighted before the journey was half over, shaking my hand and wishing me good luck in my escape. I suspected his motive at the time.

At Ryde I was arrested. After I became well acquainted with

The cell was tiny and built entirely of stone. Stone walls, stone floor, stone ceiling, stone bed (with a single blanket) and a little elevation of stone for a pillow. When I lay down I felt, and must have looked, as stiff and unhuman as the mail clad effigy on some old medieval tomb. The door was ponderous, of iron and "grated ominously"—as all proper prison doors should grate—when it turned upon its hinges. At the ceiling was a small barred aperture for light. The glass was very dirty.

I have the warden's wife to thank for a selection of books from what must have been a very meagre library, or else the good woman had a ghastly sense of humor. One morning I found at my door Lord Rosebery's "The Last Phase, or the Exile of Napoleon"; Bulwer-Lytton's "Rienzi: the Last of the Tribunes," and an ancient edition of Swedensborg's "Heaven and Hell."

After two days I made my first appearance in the Assize Court. I was

the kingdom had been for months defaced by great proclamations calling attention to the fact that registration was required and that failure to comply therewith rendered proprietor and patron alike guilty of willful violation of law and subject to fine or imprisonment. Luckily I had been cautious enough to leave with the innkeeper every night a sheet of notepaper containing all the sundry information which the regulation sheet demanded.

So I told the Sheriff that I liked the tea I got for breakfast, had grown accustomed to the climate and was positively fond of my granite bed and thought I should not say a single word by way of defence.

I didn't need to. And the Judge after acquitting me without imposing a

fine or costs, although, as he said, I was liable to both, stood up very solemnly under his white corrugation or wig and said: "Of course, in spite of all the inconvenience to which the prisoner has been subjected he must admit that he himself is entirely to blame. I assented.

The Sheriff was instructed then to return my money and effects to me and to issue me a pass from the island, which he proceeded to do. Among the effects was the kodak with its content of films to which so much significance had been attached and in the possession of which lay my chief offence.

I chuckled at the careless oversight and inconsistency. But I suppose we are all much more naive and simple than we suspect.

# NEARLY HALF A CENTURY AT LOCOMOTIVE THROTTLE

IRVING R. DAILEY, who for forty-two years, in continual service, has run as engineer on the New York Central Lines out of Clayton, N. Y., the St. Lawrence River terminal of the road, has covered 2,974,800 miles, or 20,000 miles more than seventy-nine

times of three men to run an engine, the extra man being needed to keep the brass bright. Then we burned wood and it was possible for an engineer to wear good clothes—appear like a nabob all the time with silk hat and white gloves if he wished, but now, look at me," and he pointed to his begrimed clothing and black hands.

"In these days," continued the engineer, "the engines were named after the men who were prominent in the management of the Central road, but when economical men got at the head of the company the brass came off and then the engines were numbered and the old names were dropped."

Mr. Dailey was born about sixty-six years ago in Trenton, Oneida county, this State, and is known as the oldest engineer in point of service on both the Ontario and St. Lawrence divisions of the Central Lines. His job is recognized as the very best among the engineers of the Central. It is good for six dollars a day and eight dollars on Sunday. He is able to sleep at home every night, and he is at home for his meals three times a day. It is said that there is not another engineer in the employ of the Central company who has such a comfortable place.

Engineer Dailey began his life on the railroad when he was 16 years old. In those days railroads north of Utica were in their infancy. In fact the road which connects Utica and the St. Lawrence River was then under construction between Utica and Boonville.

"I helped fix up the engine they were doing the construction work with," said Mr. Dailey, "and I must have been a little handy at the job, for the engineer told me that he would like to have me fire for him. He thought that I should learn to be an engineer, so I started."

"I remember very well the first engine on the road. It came from the Hudson River Railroad and was named the West Point. It was bought by the Utica and Black River Railroad Company and was brought to Boonville by canal. At 19 I became an engineer and I have been handling the throttle ever since, almost forty-seven years of continuous service as an engineer."

Mr. Dailey will soon go upon the pension books of the railroad company. The pension rules provide that all of the employees of the company who have attained the age of 70 shall be retired. Such of them as have been continuously in the service for at least twenty years immediately preceding their retirement shall be pensioned. Any employee who has been at least twenty years in continuous service and who in the opinion of the board of pensions has become unfit for duty may be retired and pensioned. So Mr. Dailey by close attention to duty and correct living has provided well for his declining years.

His pension will be figured upon this basis: For each year of continuous service 1 per cent. of the average monthly pay received for the ten years next preceding retirement. Mr. Dailey seldom lays off, and as he has had no illness to interfere with his continuous service his average monthly pay for the last ten years will not be far from \$150, and that will place his pension in the neighborhood of \$75 a month for as long as he lives.

Mr. Dailey is a deacon in the Methodist church, has a wife and family. He seldom lays off, and as he has had no illness to interfere with his continuous service his average monthly pay for the last ten years will not be far from \$150, and that will place his pension in the neighborhood of \$75 a month for as long as he lives.

"When the ill-grease work was taken off the Major Priest," said Mr. Dailey, "she was divested of about \$2,000 worth of brass. She was a beauty, but in those days it required the ser-

# Problem of the Criminal As Judge Delehanty Sees It

## Celerity and Certainty of Punishment, Rather Than Severity, Needed, He Thinks.

From court attendant to Judge of the Court of General Sessions in ten years is the record of James A. Delehanty, successor on the bench of Edward Swann, elected District Attorney. Judge Delehanty is setting a new pace in handling criminal business. His longest charge to a jury has taken eleven minutes, and in most cases his charges occupy no more than five or six minutes. He has some interesting ideas about the administration of justice, which he explains in the article printed herewith.

By JUDGE JAMES A. DELEHANTY of the Court of General Sessions.

CERTAINTY and celerity in the prosecution of crime are the ends which, if attained, will solve the problem of the enforcement of the criminal law. Severity of punishment is not necessary to that solution.

The present day tendency toward a more humane treatment of prisoners is an excellent thing so long as accompanying it there is no failure to recognize the vice inherent in criminality. The pendulum is swinging from harshness and severity to a more kindly disposition toward the criminal.

This may degenerate into maudlin sentiment and silly hero worship un-

committed to them. The appellate courts have shown in recent years a distinct intention to disregard technicality and to determine appeals in criminal cases with an eye solely to the merit of the case. The trial justice should be careful to instill into the minds of petty jurors their solemn duty to protect the general public by the proper performance of their functions as triers of the fact.

Miscarriage of justice by reason of mistakes of petty juries may be made much less common if trial judges would strictly control the conduct of the case and see to it that the trial is in fact a search for the truth in the case and not a contest of wits.

If in the public mind (which is affected by petty juries) there is a stilled a feeling of confidence in the court the remedy for the difficulty is found, for it is rare that in criminal cases the trained intelligence of the trial judge fails to ascertain where the truth lies.

In the search for truth in a case, the layman is frequently puzzled by the fact that Court and counsel are religiously silent about the defendant's personal knowledge of the case. I think it is obvious that the defendant probably knows all about the matter and yet he sees cases tried where the defendant does not take the stand and he is puzzled to know why, notwithstanding the fact that the defendant is said to be innocent.

It is questionable whether the rule that forbids comment on a defendant's failure to take the stand has any reason now for existence. The rule was made at a time when the defendant could not take the stand and could not testify, and hence he obviously could not be criticised for his failure to do so.

The same outcry is made today against the removal of this restriction on the prosecution as was raised many years ago, when it was proposed to the defendant take the stand. The same Bourbon type of mind characterized the ban in the '40s and '50s was the subject was discussed of permitting the defendant to testify for himself and yet today no one would think of depriving the defendant the right to testify.

Having given him the right to testify he certainly ought not to have the right and the exceptional privilege of refusing to testify without fear of consequences. So long as the ideal of public justice is to ascertain the truth and punish crime, there seems to be no reason for shutting the gate to a broad avenue of information, that is the defendant's own knowledge of the case.

The objection is made that the defendant ought not to be compelled to criminate himself. To admit a right to remain silent without compulsion is not to compel him to bear witness, but merely compels him to choose between telling what he knows of the case and suffering the same adverse criticism which attaches to every witness in the case who conceals facts. Of course, if the trial is to be regarded as a game, the defendant may assert that the handicaps are not of a heavily heavy in his favor. But the public is coming more and more to disregard the "sporting" idea of trial and will, I believe, welcome in change of procedure which makes the trial process more certain.

Today there are grave in the administration of the law agencies who were unknown to the earlier practitioners, and which guarantee as nearly as may be done, that each defendant will have a fair opportunity to be heard and present his side of the case.

With a better and more efficient administration of the law by judges and juries, working in conjunction with the social agencies dealing with petty and actual offenders, the administration of the criminal law should show marked improvement.

The work of reclaiming actual offenders is not so important as the preventive work which is now so well done by many of the charitable agencies in the city. If the courts keep pace with the present conditions of criminals, the agencies now existing upon the rising generation will be able to make marked advances in the reduction of crime.



Judge James A. Delehanty. Photo, copyright, L. Favata.

less checked by proper administration of the law. Severity in treatment of a convicted prisoner is not essential to the preservation of the law, but it is essential that into the minds of potential criminals there should be instilled the idea that the prosecution of the law is swift and sure.

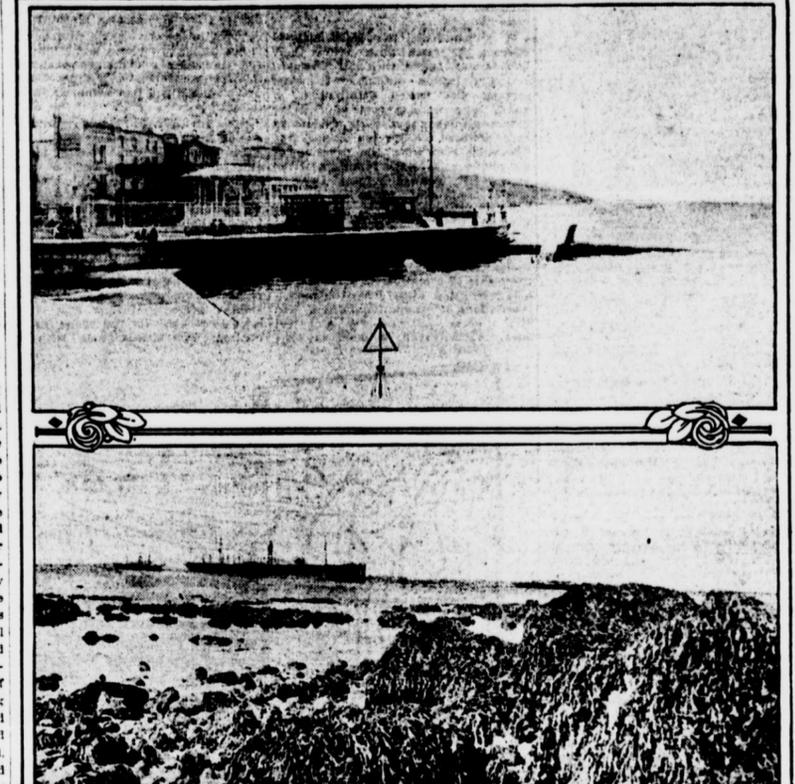
In our day in some jurisdictions the prosecution of crime has degenerated into a sort of game, and the victory won by a skilful defendant's counsel over law and order is hailed with as much acclaim as is a prosecutor's success in maintaining the law.

The criminal in our jurisdiction sees a vast procession of men accused of serious crime arrested and discharged without ever reaching a trial court,

pletely to control the course of the case so as to elicit the full truth in the case and guide the jury to a correct determination.

The law which now permits defendants separately indicted to demand separate trials should be abolished, unless it is specifically shown by the defendant that a joint trial is an injustice to him. It should never be recognized as a reason for a separate trial that thereby a criminal's chances of escape from justice are increased.

Considerable improvement in these conditions could be had from a revision of the statutes, but under the law as it is now the judges may materially improve conditions by exercising to the fullest the powers now



View of the harbor off Cowes. Above—The dock at the Isle of Wight.

the Sheriff and several members of the force at the police station, where I was imprisoned, I inquired whether or not the man of my long acquaintance was in any way responsible for my final arrest. And, however much I was inclined to an opposite opinion, I was forced to the conclusion that he was not. Strange stranger!

In the jail they came to be very good to me, even the young sergeants. One, I remember, showed me a small worn postcard picture of his "gel," "Here's a very nice gel," he informed me, but his pay was very small, he added, although to be sure "us all has our uniforms provided."

For a very little money I got food from the warden's own kitchen, which was a vast improvement over the tea, cheese and bread which so largely constitute the regular fare. I was allowed to spend some hours of the day in the bare but scrupulously scrubbed waiting room of the jail, which was much better than my cell. For the cell was a thing to haunt one's dreams. Afterward I mean. For to dream presupposes sleep; and sleep, to a novice at least, was out of question.

one of three or four prisoners who were up for a hearing. But I was the star case, I believe. There was a case of wife desertion. If I remember exactly, one of cruelty to children, in which the slatternly wife of a soldier was convicted of criminal neglect and abuse of his children, and one of assault.

As all the papers, letters, credentials, consular certificates, &c., for which I had telegraphed to London had not yet arrived I was bound over to the next session.

But by that time, however, I had concluded that it was the fault of no one but the inadequate Government that I was on the island with a kodak. I had carried the plaything in my hand upon arrival, had made no secret of using it, had admitted my nationality and had been absolutely unquestioned and unchallenged until I attempted to leave.

In all my walking tour of which Cowes was the terminal I remembered I had stopped at but a single hotel or inn where the proprietor had registration forms or even knew the necessity for registering his guests, although the billboards and public houses all over

times around the earth at the equator. His record is unique.

In June, 1916, Mr. Dailey will round up fifty years of railroading and forty-two years of that time as an engineer on the same run. He came into Clayton with the first train that ever ran into that place and he is running into Clayton to-day in the same old way. And the books of the railroad company do not show one accident charged against his account during that time.

In speaking of the great changes in the character of the equipment of the road during the last half century Mr. Dailey recalls the old engine Major Priest, which with the engines of that day carried a world of brass.

"When the ill-grease work was taken off the Major Priest," said Mr. Dailey, "she was divested of about \$2,000 worth of brass. She was a beauty, but in those days it required the ser-

# MISS ELSIE DE WOLFE, TO AID WAR VICTIMS, MAKES FIRST STAGE APPEARANCE IN YEARS



Mrs. Lydig Hoyt.



Lady Muriel (Miss Elsie de Wolfe) and Capt. Tom Robinson (Evert J. Wendell) go out to supper to the despair of Jack Deeds (Ferdinand Gottschalk), who is rehearsing them.



Miss Marie Dressler auctions off the poster.



Melville Ellis and Miss Marie Tempest.

# "A Pantomime Rehearsal" Given at the Plaza for the Benefit of the French Ambulance Fund

THE entertainment given on Thursday night at the Plaza for the benefit of the Ambulance des Dames Americaines de Versailles resulted in the raising of \$6,000 for the use of the organization. "A Pantomime Rehearsal" began the entertainment and was especially of interest because in it Miss Elsie de Wolfe made her first appearance on

the stage since the close of her professional career eleven years ago. Others in the cast were Mrs. Lydig Hoyt, Miss Marjorie Curtis, Miss Helen Alexander, Evert Jansen Wendell, Francis Roche, Ferdinand Gottschalk, Algernon Greig and Henry Wise Miller. The sketch depicted the troubles of the director of an amateur theatrical

performance in which the members of the cast were more interested in interpreting the actions of their neighbors than in the characters that were assigned them. Miss Marie Tempest sang and was accompanied by Melville Ellis; Miss Marie Dressler then gave her interpretation of "L'Après Midi d'un faune." She made an ideal faun,

skipping and romping about the stage with all the sinuous grace of the original goat from which the faun was descended. She also gave an imitation of a grand opera singer. The applause apparently annoyed her, and to avenge herself on the audience she auctioned off a poster, helped by Mr. Crownshield, and incidental to relieving the war victims she relieved the purchaser of \$250. "La Chance du Mari" was a clever little sketch of a matrimonial spat. A husband and wife fall out over a black lace parasol which the wife wanted and the husband did not want to pay for. To get even with him the wife makes an appointment with two of her former sweethearts to meet her at the same place. Conscience, however, gets the better of her and it is her husband with whom she finally keeps her engagement. Mille Bordon and Edgar Beaman played the

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