

JUDGE NOT ORDERS BOY OF 16 ADMITS ROBERT WOOD TRIED FIFTY BURGLARIES

Court Refuses Prosecutor's Request to Dismiss Bribery Indictment.

AMAZING, SAYS SWANN

Both Jurist and District Attorney Insist Politics Isn't Involved.

Judge Charles C. Nott of the Court of General Sessions refused yesterday the request of District Attorney Swann to dismiss a bribery indictment against former Public Service Commissioner Robert Colgate Wood, and said that the case was a public trial, whether the result be conviction or acquittal.

The District Attorney recommended that the indictment, which was procured by himself on January 25, shortly after he took office, be dismissed because of the impossibility of procuring a conviction on a charge that Wood offered to accept \$5,000 to use his influence as a Public Service Commissioner to get the Union Switch and Signal Company to contract accepted by the commission.

Judge Nott in an opinion which might be characterized as a masterpiece of acceptance of the District Attorney's view that a conviction is impossible, and added that the case must be brought to trial because the public interest in the public officer accused of a felony must have a public trial, whether the result be conviction or acquittal.

No Politics, They Say.

Both Judge Nott and District Attorney Swann declined to discuss the case as being nothing personal or political hidden at the back of the controversy, but it was observed that friends of each official were inclined to believe that the agreement something more than a formal and technical difference between two law officers.

It will be recalled, was indicated largely on testimony given before the Grand Jury by Sidney G. Johnson, who was an officer of the Union Switch and Signal Company, that Wood solicited a \$5,000 bribe. Certain statements made by Col. Henry C. Prout, who was the president of the signal concern, and by the directors of the concern, to whom Johnson is alleged to have referred the solicitation, also figured in the bribery indictment.

Working on the case nearly a year, District Attorney Swann satisfied himself, he says, that Johnson is an unwilling witness who might be intimidated or coerced, and that the directors of the Union Switch and Signal Company would testify that Johnson was an accomplice, and that Col. Prout could only "testify to impression."

The recommendation of the District Attorney is based on two reasons: First, that the success of the prosecution depends on the testimony of Sidney G. Johnson, that Johnson is an unwilling witness, that his testimony is vague and that by his recent acts and declarations he has manifested his hostile attitude and refused to discuss the case further; second, that there is a question of fact in the case as to whether or not Johnson is an accomplice of the defendant, it being contended that the necessary corroboration of his testimony is lacking.

Public Policy.

It may be laid down as a general principle that when an indictment for a felony is returned against a public officer holding an important position public policy requires that the case be publicly tried, and that perfectly apparent that under no circumstances can the prosecution succeed, especially where it is evident that the trial of the case cannot be a prolonged one unless the public interest is unduly obstructed or public business.

In this case, while the evidence of Johnson in certain respects is unimpaired, yet it is believed by the jury that he is not an accomplice, a prima facie case against the defendant is made out. The fact that Johnson is an unwilling witness does not necessarily weaken the case. Very often the fact that a witness is unwilling and is testifying against his inclination adds strength to his testimony.

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NIGHT LIFE MADE SEEN IN REVOLVING DOOR OF THIS SLAYERS

Members of Respected Brooklyn Families Confess to Series of Crimes.

COOLLY TELLS OF MURDER

Robbed and Killed to Have a Good Time With Women.

With comrades that must have been born, it would seem, of a lack of full comprehension of the situation, young men of respected South Brooklyn families sat in the office of Assistant District Attorney Conway in Brooklyn all yesterday afternoon and spun long tales of their misdoings.

Holdups and assaults for money comprised most of the list, but it was a murder that had led to their undoing. As one of them corrected or supplemented the details volunteered by the other it seemed as if they did not desire to appear vainglorious over their misdeeds, but craved a reputation for bearing a goodly share of the burden of the great crimes which had broken their lives.

Desperate characters they have been, they vowed, and they were in great fear lest the detectives withhold from them credit for some of the holdups they have performed. They were careful at all times to wear the same air of easy confidence with which they have been boasting of their exploits in South Brooklyn and the dance hall quarters where they were out spending the profits from their midnight occupations.

Both Are Young Men.

John Harold Cantwell, Jr., one of them, is just past his twenty-third birthday, and he lives with his father in 468A East 107th street, Astoria, N. Y., and in the Municipal Court, Brooklyn, and a Democratic politician of importance in his home section.

When policemen of the West Thirty-seventh street station were making bright the squalid homes of their precinct on Christmas Day by distributing presents to the children, Cantwell, Jr., was there, he was one hour at least that they overlooked—right next door to the station house.

In two tiny dark rooms in the rear of West Thirty-seventh street lived James Stevens, his wife, Minnie, and three children, 3 years, 1½ years and 3 weeks. Stevens is a truck driver, employed three or four days a week. He has \$5 a week for the rooms, and what is left out of his wage; hadn't been enough to buy proper food for his family and heat his home.

The policemen learned of this home last night, when they were out to do anything for one member of the family, the baby, a little girl. The child had been ailing because of lack of proper food, and the mother, Mrs. Stevens, had been unable to get any medicine for herself, his strong ill last night that Mrs. Stevens rushed from the house with her to a drug store and implored the druggist to do something for the child.

Dr. Harwell came from New York Hospital and while the mother almost in hysterics pleaded with him to do something for the child, the tiny life flickered out in spite of the physician's efforts.

Then came Policeman Tighe, who wrapped the body up in a sheet and followed Mrs. Stevens with it to her home. He placed his burden on the bed, and the two other children played around it with no realization of what it was. Mrs. Stevens could not pay the amount of burial, so finally came the Morgue wagon to take the body away. Meaningless the body up in a sheet and followed Mrs. Stevens with it to her home.

When the body was taken to the Morgue, the police learned of this home last night, when they were out to do anything for one member of the family, the baby, a little girl. The child had been ailing because of lack of proper food, and the mother, Mrs. Stevens, had been unable to get any medicine for herself, his strong ill last night that Mrs. Stevens rushed from the house with her to a drug store and implored the druggist to do something for the child.

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THE HUMAN BRAIN

A LEARNED German scientist, a resident of this country, retired from business at sixty.

Continued from First Page.

estimate at that time of the expense of not only building the levees but protecting them by revetment was \$225,000,000. Of this expense the owners of the land, the Mississippi River levee owners, present form, will pay about \$100,000,000.

It was testified also before the committee by experts that the land thus reclaimed and covered by private individuals and syndicates could reasonably be depended upon to produce annually something like \$700,000,000 worth of cotton. Sixteen million acres of the geological cream of the earth, said Representative Humphreys of Mississippi, chairman of the flood committee, growing eloquent at the prospect, "are awaiting the day when they will be put to use."

"Filled with this spirit, Representatives Humphreys and his Southern associates immediately drew up a bill by which \$5 per cent, at least of the ultimate cost of this gigantic scheme is to be added not upon the men who will reap this cotton harvest, but upon the taxpayers of the country as a whole, nine-tenths of the money coming from the North. The four States of Alabama, Arkansas, Louisiana and Mississippi, which are the income and corporation taxes, according to the report of the Internal Revenue Commissioner, a total of \$2,150,000.

Advice Disregarded.

Southern statesmen now in control of Congress have been the first to advance this principle that private lands shall be reclaimed and covered by private individuals and syndicates, and in basing this "pork" bill on this principle they have utterly disregarded the opinion of a governmental commission appointed some years ago, when the project of raising levees and other works first began knocking at the doors of Congress.

This commission, the United States National Waterways Commission, made a careful investigation of the whole subject here and in Europe. Senator Burton was the chairman. Others on the committee were Senators Simmons, North Carolina; Clarke, Arkansas, and Representative Sparkman, Florida, now chairman of the Rivers and Harbors Committee of the House. The Southerners signed the report, which declared that waterways improvements made by the Federal Government should be restricted to navigation and flood protection.

When bank protection or flood protection or the clarification of water is the sole object of improvement, the question presents little difficulty of solution. Such projects are not a proper charge upon the Federal Treasury. In many instances, proposed improvements are of a character which the protection or benefit of private property. In such cases there is a distinct benefit conferred upon individuals or localities, and the Federal Government is very indirect benefit to the country as a whole.

When the object is to reclaim land or to protect the levees from the danger of erosion when improved are multiplied many times in value, and there is a constant danger that such improvements will be neglected, the Federal Government is very indirect benefit to the country as a whole.

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DIRY BANQUET FOR TWELVE FARM LOAN BANK CITIES PICKED

Fearful of Wet Grounds Circus Men Refuse to Have Strong Drink.

STARS WERE ALL THERE

Baby Elephant Helped to Entertain Crowd in the Astor.

Maybe it was because one of the greatest banquets of the outdoor showmen in the West, which he may have expected at the party. Whatever the reason the fact remains that when the outdoor showmen of the West were gathered in the Hotel Astor last night 600 strong for their first annual Christmas dinner, indoor show and hall manager, and his manager, T. Ed O'Sullivan, for instance, and his Commissioner Adamson, who gets his name on the programmes of all the indoor shows in the city, Chin-Chin, the baby elephant, which once graced the lobby of the greatest show house in the West, the H-p-p-o-m-e, (the full name of the show house is the Barnum & Bailey and other outdoor show folk who dined and danced last night—the outdoor folk once belonged to the H-p-p-o-m-e, all done out in red velvet chairs trimmed with gold, was last night parading the Astor lobby.

Not a cocktail during the big noise of conversation in the reception room before fling into the dining hall. Not even light wines or beers during the dinner nor a single cordial later. William Jennings Bryan, the best dressed and most popular of the showmen, and his manager, T. Ed O'Sullivan, for instance, and his Commissioner Adamson, who gets his name on the programmes of all the indoor shows in the city, Chin-Chin, the baby elephant, which once graced the lobby of the greatest show house in the West, the H-p-p-o-m-e, (the full name of the show house is the Barnum & Bailey and other outdoor show folk who dined and danced last night—the outdoor folk once belonged to the H-p-p-o-m-e, all done out in red velvet chairs trimmed with gold, was last night parading the Astor lobby.

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BABY MISSED BY SANTA DIES OF STARVATION

Family Suffering in Poverty Found Right Next to Police Station.

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In two tiny dark rooms in the rear of West Thirty-seventh street lived James Stevens, his wife, Minnie, and three children, 3 years, 1½ years and 3 weeks. Stevens is a truck driver, employed three or four days a week. He has \$5 a week for the rooms, and what is left out of his wage; hadn't been enough to buy proper food for his family and heat his home.

The policemen learned of this home last night, when they were out to do anything for one member of the family, the baby, a little girl. The child had been ailing because of lack of proper food, and the mother, Mrs. Stevens, had been unable to get any medicine for herself, his strong ill last night that Mrs. Stevens rushed from the house with her to a drug store and implored the druggist to do something for the child.

Then came Policeman Tighe, who wrapped the body up in a sheet and followed Mrs. Stevens with it to her home. He placed his burden on the bed, and the two other children played around it with no realization of what it was. Mrs. Stevens could not pay the amount of burial, so finally came the Morgue wagon to take the body away. Meaningless the body up in a sheet and followed Mrs. Stevens with it to her home.

When the body was taken to the Morgue, the police learned of this home last night, when they were out to do anything for one member of the family, the baby, a little girl. The child had been ailing because of lack of proper food, and the mother, Mrs. Stevens, had been unable to get any medicine for herself, his strong ill last night that Mrs. Stevens rushed from the house with her to a drug store and implored the druggist to do something for the child.

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