

LAWYERS IN BATTLE

Haywood Attorneys Fight for Omission of Evidence.

BORAH DENIES THEIR CLAIM

Judge Wood's Decision To-day May Cut Thousands of Words from Final Argument—Summing Up of Famous Case to Be Begun To-day—Jury Rests While Men of Law Contend.

Boise, Idaho, July 18.—This was a day of long argument in the Haywood murder trial, with the jury out of the courtroom. It was all about the exclusion or admission to the jury's consideration of the evidence introduced by the defense dealing with the conditions of violence in Colorado, the riots, and the raids that were made by the miners on the mine owners' property and by the mine owners and other citizens on the property of the miners.

Judge Wood had indicated that there was, in his mind, considerable doubt as to whether this evidence should not be stricken from the record and the jury instructed not to consider it, and the argument was for the purpose of resolving that doubt or confirming it.

Narrow opened first after Judge Wood had said that his doubts also extended to the evidence introduced by the defense to establish the evidence of a conspiracy against the union miners by the mine owners and the Pinkertons.

Darrow began by asking if it was contended that anything that happened in the Federation could be connected with Haywood before the latter became an officer of the Federation. He went on to declare that part of the evidence that indicated a conspiracy was the fact that all the testimony that had been brought by the State had been procured by the work of the Pinkertons.

Blames the Operators. He then contended that all evidence to show that Haywood had nothing to do with the Bradley explosion, the Vindicator affair, the Independence depot explosion, or any other crimes charged to Haywood by Orchard was perfectly competent, and that if it were not, there was no such thing as competent testimony.

He declared that the defense had shown that the attempt to wreck a Florence and Cripple Creek Railroad train never took place, but was a plot on the part of mine owners to discredit the union miners. He called attention to the defense's witnesses who testified to seeing Orchard in Sterling's room several times before the Independence station was blown up, added a reference to the testimony showing that Sterling had stopped the search for the guilty parties in that affair by saying that it was Steve Adams who had done it, and alleged that this surely was evidence tending to show a conspiracy against the union miners.

Darrow poured out a first-class line of epithets on the heads of Orchard and Detectives Scott and Sterling. Senator Borah retorted that if there were detectives who were employed to join the unions and who then advocated murder, the more violence they urged the higher they got in the union. He added that if they had become violent enough they might even have risen to become president of the Western Federation of Miners.

The Senator went on to point out that the defense made no claim that the mine owners and the Pinkertons had any connection with any conspiracy to blow up the Vindicator Mine, to kill Fred Bradley, or Steubenberg, or Gov. Peabody, or Judge Goddard, or Judge Gabbert. The defense's counter-claim related entirely to the train wrecking and the Independence depot explosion, and as to both of these there was no claim advanced that the Pinkertons were in any way connected therewith.

Position of the Pinkertons. In fact, no contention was made that the Pinkertons had anything to do with the commission of any specific crime, but that they merely went around urging the miners to violence in a general way. As for the Independence depot case, the contention was made that Orchard had been seen with Sterling, the mine owner's association detective, several times, two or three months before the explosion.

After the explosion, Sterling, according to one witness, had said that he knew Steve Adams committed the crime. From this it was argued that a conspiracy had been made out. It had not been testified to by a single witness that any single specific crime had been committed as a result of any conspiracy on the part of the mine owners, the Pinkertons, or the Citizens' Alliance.

Richardson's argument was, for the most part, on strictly legal lines. All three lawyers quoted at length from various authorities.

Should the Judge rule out the evidence under discussion to-day, it is estimated that his action will eliminate thousands of words from the closing arguments of counsel.

The defense rested its case this morning, and the final argument will begin tomorrow morning, Hawley opening for the State, to talk probably all day. Darrow announced to-day that he would probably not call any witnesses in sur-rebuttal, but if he did call any later it would be for about half an hour's testimony.

PEASANTS MASSACRE JEWS.

Hundreds Slain in Polish Town Near Austrian Border. Warsaw, Poland, July 18.—Hundreds of persons were killed or injured to-day in an anti-Jewish massacre at Skonitz, a Polish town on the Austrian border.

Peasants were instigated by the programme, and they are still wildly excited. Hundreds of Jews fled from the city and are seeking safety by crossing into Austria. Men, women, and children were cut down indiscriminately by the rioters. Not until the ghetto had been cleaned out did the peasants desist. Then Cossacks assumed control. Further outbreaks are feared, however.

Kaiser Builds Private Auto Tracks. Berlin, July 18.—The Kaiser is reported to be building a twenty-three-mile automobile track on his estate at Scharhofede. It will be for his private use. He himself bears the cost, which is great, owing to the necessity for cutting through the forest and laying a cement roadbed.

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The plan and construction of each make guarantee good service. All are dry-air refrigerators.

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HAU IN DEATH PACT, WITNESS DECLARES

CONTINUED FROM PAGE ONE.

until she had emphatically declared she had never been friendly enough with Hau to have been the cause for his returning to Germany after his and his wife had arrived in London and made preparations to sail for America.

Her testimony as to the actual shooting of her mother disagrees with the opinions of medical experts and Privy Counsellors Newman, of Baden-Baden, and Andree, of Karlsruhe, who performed the autopsy.

Miss Molitor's story was to the effect that while she and her mother were walking down the street, in reply to a telephone message that there was a package at the post-office for the frau, she heard some one following. The steps grew closer; but when the "explosion" took place the man was still several feet away. When her mother sank to the ground, she started to see what had happened, and states that a man walked rapidly away. His coat collar was turned up, and she was unable to identify him; but she did tell of his flowing coat, that corresponds to that worn by Hau, according to the station agent at Baden-Baden. Witness insisted, however, that the man did not come close enough to her and her mother for her to identify him.

The experts, however, produced the cloak worn by Frau Molitor, and from the burns on the garment they insist the muzzle of the revolver with which the woman was killed must have been within six inches of her body when it was discharged, and for that reason they do not see why Miss Molitor could not have easily identified the murderer.

Courtroom Crowded. The courtroom was crowded again to-day. Interest in the trial is spreading all through Germany, principally because of the charge made by Hau's counsel as to the methods of the police. Hau is standing the ordeal well, and seems to be in good physical condition.

So far, it is admitted the case has not shown many points for the defense. Hau has not created a good impression because of his refusal to answer questions. It is intimated he is attempting to appear in the light of a martyr trying to shield some one.

The discrepancy between the testimony of Miss Molitor and the opinions of the experts is the only point which has not been made to point clearly to Hau by the prosecution.

The plan of defense has not yet become apparent, but because of the defendant's knowledge of law and the prominence of his counsel, it is taken for granted Hau will put up a good fight for his freedom and life.

Many Americans were among the spectators at the examination to-day, and all of them take a keen interest in the case because of the fact that Hau once lived in Washington.

DEATH PENALTY FOR BILLEK.

Hypnotist Found Guilty of Murder of Mary Vrzal. Chicago, July 18.—Herman Billek, hypnotist, palmist, and fortune teller, and convicted poisoner of Mary Vrzal, must hang.

A jury in Judge Barnes' division of the criminal court returned a verdict of guilty, and prescribed the death penalty to-night, after being out three hours and forty-two minutes.

The verdict against the Bohemian fortune teller, which involves the arsenical plot to wipe out the whole Vrzal family, was secured without argument in the jury room. From the start the jurors agreed that the man was guilty of the atrocious crime, and none demurred long to fix the punishment at death by the hangman's noose.

The trial just ended was the first of five charges of murder against Billek, who is accused of causing the death of five members of the Vrzal family and the suicide of Mrs. Rosie Vrzal. The surviving children declared that Billek, in the two years he knew the family, has obtained between \$5,000 and \$6,000 from Mrs. Vrzal. Much of this was life insurance. Every member of the family who was poisoned was insured in amounts varying from \$50 to \$1,000.

OPERATORS REJECT INCREASE.

Telegraph Companies Offer to Take Back Most of the Strikers. San Francisco, July 18.—From the action of the striking commercial telegraphers to-day in refusing the concessions of the telegraph companies, it looks as though the strike would be prolonged indefinitely.

The strikers, at a meeting to-day, refused to accept the concessions as framed by their national executive committee. The Western Union offered 25 per cent increase, and would receive back all except three strata of the Postal.

Mexico Releases Prisoners. Men, Charged with Complicity in Alleged Revolution, Acquitted. Mexico City, July 18.—The preliminary trial of twenty-six men who were arrested in the northern part of the country on charges of being implicated in the revolutionary raid that was made upon the town of Jimenez, Mexico, several months ago, has resulted in all of the prisoners being acquitted.

AROUSSED BY ATTACKS

New Yorkers Offer Reward for Assailant's Capture.

EPIDEMIC OF CRIME SPREADS

Police Working on Theory that Degenerate is Terrorizing Women in Two Boroughs—Man in Custody Charged with Attacking and Robbing Miss Mooney in Manhattan.

New York, July 18.—Several cases of assault or attempted assault which were reported to the Brooklyn and Queens police to-day make the police believe that an epidemic of this sort of crime is spreading over the two boroughs.

From Bath Beach, Winfield, and other points the reports come. One from Bath Beach made Capt. Knipe believe that he has found a clue to the man who assaulted eight-year-old Olga Schramek Tuesday. Capt. Knipe learned that last Friday a man resembling the one who abused the Schramek girl met Ethel Tellover, a girl about nine years old, near her home in Mapleton, Bath Beach. He offered the child some candy, and told her if she would walk along with him he would buy her some more. The girl became alarmed and ran away to her mother.

Big Reward Is Offered. The Dykers Country Club to-night offers a reward of \$1,500 for the arrest of the perpetrator of the Schramek assault.

A man who gave his name as Henry Meager, was held without bail for examination in the Flushing court to-day, charged with assaulting and robbing Elizabeth Mooney, a girl twenty years old, living at 238 East Eighty-sixth street, Manhattan. Police man Eberhardt told the girl's cries while patrolling near Bushwick Junction, Queens, and arrested Meager.

The alarm had been given out by a girl friend of Miss Mooney, with whom she was returning from school. Meager, who surrounded them to get off at Bushwick Junction, saying that he knew a quicker way for them to get home. The man who was with Meager, and who attempted to assault Miss Mooney's companion, escaped.

WOULD LYNCH BLACK HAND

New Orleans Excited Over Kidnapper Verdict. Jury Finds Slayers of Walter Lamanna Guilty, Without Capital Punishment.

New Orleans, July 18.—The jury at Hahnville, St. Charles Parish, trying the Italian members of the Black Hand who kidnaped and murdered Walter Lamanna, a child of eight years, to-night brought in a verdict of guilty without capital punishment against Ygnacio Campiciano, Mrs. Campiciano, his wife, Tony Costa, and Frank Gendusa. The verdict came as a surprise and a shock both to St. Charles Parish and to New Orleans, as a hanging was confidently counted on.

The original crime of kidnaping was committed in New Orleans, but as the murder occurred in St. Charles Parish for the capital offense was conducted in the latter parish.

The murder was a peculiarly atrocious one, the child being choked to death and the body thrown into a swamp when the ransom of \$5,000, demanded of the father, a well-to-do Italian, was refused.

When the news reached New Orleans it aroused the most intense indignation. Extras were issued by the newspapers, and large crowds collected, where several incendiary speeches were made as to the necessity of dealing with the Black Hand in the same way as the Mafia was corbed in New Orleans in 1891, by lynching of the leaders of the criminal organization.

It was suggested that the mob march to Hahnville, which is about twenty miles from New Orleans, and lynch the prisoners, and a party was set on foot in an automobile to see the condition of the public road and whether it would be possible for a party to reach there by automobiles. The demonstration and threats from New Orleans alarmed Sheriff Mardian, who appealed to Gov. Blanchard for military protection, saying that he had reason to believe that a mob would attack the Hahnville jail.

Two other companies were at once ordered there—one from New Orleans and the other from Gretna, both about twenty miles distant. It is believed that these will be sufficient to prevent a mob demonstration. The prisoners will be kept at Hahnville, as it is recognized fact that to bring them to New Orleans would unquestionably cause trouble.

IMPALED ON AUTO SPOKES.

One Dead and Two Injured in Head-on Collision of Machines. New York, July 18.—While rushing along at express train speed, two automobiles, one with merry-makers returning from Coney Island, crashed head on early to-day on the dimly lighted Ocean Parkway, and as a consequence one man is dead and two others are fatally injured.

The dead man, Thomas F. Donovan, of New York, was impaled on the spokes of an auto machine. The injured are Chapman Rogers, of Morrisstown, N. J., and an unidentified man. Donovan's machine carried no lights. Running along at sixty miles an hour Donovan determined to take the other side of the road. He did not see ropes, driving in an opposite direction, approaching about forty miles an hour. The two machines were upon one another before their drivers realized what had happened.

The crash reduced the machines to scrap iron. Donovan was thrown from his machine and the spokes of a broken wheel pierced his breast. Rogers and his companion were found beneath the wreckage. Donovan died in the hospital and physicians say that the two wounded men probably will die.

Messenger Robbed of \$4,500. Boston, July 18.—Two men stole \$4,500 from an elevated railway messenger named Ryan today and escaped. The money was in a leather bag, and was the proceeds of yesterday's business on one division. Three other messengers were with Ryan, but as they were carrying \$20,000, they were unable to assist him when the thieves grabbed his bag.

FLOOD CLAIMS A FAMILY.

Watching Flood Due to Cloudburst When Engulfed by Waters. Special to The Washington Herald.

Cumberland, Md., July 18.—Mrs. John Bolgard and her two children were drowned under unusual circumstances at Rowlesburg in yesterday's cloudburst. With Mr. Bolgard, they were standing on a porch at their home watching the flood, which surrounded the house, when a log struck the porch and carried it away, with the entire family. Bolgard tried in vain to save his family, and was nearly drowned himself.

Train movements began on some semblance of a schedule to-day, but it will be several days before even the most strenuous work can fully repair the roads. Freight trains are stalled at many points by washouts, of which there are fourteen on the Western Maryland alone between Thomas and Elkins. The extent of the damage throughout the flooded region will not be known for many days.

TWENTY HURT IN COLLISION.

Trolley Cars with Picketers Crash. Some Injured Internally. New Haven, Conn., July 18.—In a terrific rear-end trolley collision here to-night, a score of picketers, members of Taylor Congregational Church, were seriously injured.

Hal! a dozen of the twenty hurt have internal injuries and are in a critical condition. A fuse burned out, leaving the second excursion car uncontrollable, and it crashed into a crossing where passengers were alighting.

THINK RESERVE FORCE NEEDED

Maj. Dickman and Gen. Harries Express Opinion in Camp. Hot Day Does Not Prevent Practice March and Dress Parade for Visitors from Washington.

(By a Staff Correspondent.) Camp Ordway, Bolivar Heights, Va., July 18.—A strong plea for the establishment of a reserve to the United States army was made by Maj. Dickman to-day. He pointed out that the standing army of China is 450,000, and in the event of hostilities a like number of reserves would go to the front.

"The regular army of the United States," he said, "weakens in time of war. In Cuba the regular establishment had but small representation, and six months after the war began the regular army had virtually passed out of existence."

"A reserve force of trained men who have put in one or two enlistments in the army should be established. It costs this government \$5,000,000 a year to maintain the army, and when you come to figure it out, every soldier who finishes an enlistment has come pretty near costing the United States \$5,000 before he graduates from the service. After his three years are up, he can go where he pleases, when he pleases. The government has no string to him. It is these men, who have cost the government so many, many thousands of dollars, who should constitute the reserve force, so that in time of war every company can be put on a fighting footing."

Speaking of the Chinese forces, Maj. Dickman said: "There are thirty-six divisions of 10,000 men each, all fighters, well drilled, and good shooters. The time when a foreign force could go into China and do what it wanted to with 15,000 or 20,000 men has passed."

Gen. Harries also urged the adoption of the reserve force plan, and promised to lead his best efforts to securing legislation which would bring such a force into being.

The Second Regiment had a practice march to Hallsiton, two miles away, to-day. The first went through maneuvers on the parade ground. A special train brought many relatives and friends of the soldiers to camp from Washington this afternoon, and the visitors were shown what the District boys can do in the way of a dress parade, the first of the camp.

Gen. Harries made his first appearance on the field. The regular and District artillery, the regular cavalry and the District infantry regiments took part in the parade. To-day was probably the hottest since the camp began, but it did not prevent the troops from getting in the allotted amount of work.

NAVAL STRENGTH COMPARED.

England Issues List of Obsolete Vessels of Various Nations. London, July 18.—A parliamentary return has been issued showing the comparative strength in completed first class battle ships less than twenty-five years old and armored cruisers less than twenty years old on June 1.

Great Britain has fifty-seven battle ships, of which eighteen are considered of the obsolete type; the United States has twenty-eight battleships, of which four are considered obsolete; France twenty, with nine obsolete, and Japan eleven, with two obsolete. One French battle ship is returned as being seriously damaged. Of cruisers, Great Britain has thirty-two, the United States, twelve; France, eighteen; Germany, six, and Japan, ten.

PARAGRAPHS BY WIRE.

Copenhagen, July 18.—Fourteen persons were drowned by the capsizing of a sailboat off Mastrand, Sweden. A fifteenth escaped.

Atlanta, Ga., July 18.—Former Registrar of the Treasury Julian W. Love, of Augusta, a negro, suffered a serious injury in a Southern Railway wreck at Richland, S. C., to-day.

New York, July 18.—A somnambulist from childhood, George Sandberg, eighteen years old, in his sleep, bludgeoned a third-story window early to-day and is dying.

Camden, N. J., July 18.—Daniel C. Farrell, of St. Louis, was to-day sentenced to one month in the workhouse for attempting to stab E. C. Cummings, a member of the Hartford (Conn.) Lodge of Elks.

New York, July 18.—A resolution for a rigid investigation of the Interborough trolley system and the Brooklyn Rapid Transit company was introduced in the New York public utilities committee to-day.

New York, July 18.—President Corey, of the United States Steel Corporation, who went to Europe on his honeymoon trip after his marriage to Melodie Gilman, is expected to return to this city to-morrow.

Mexico City, July 18.—E. M. Hoggis, an American railroad man, has been placed in the rear of a Saltillo, charged with killing Louis N. Kild, master mechanic of the Mexican International Railroad, also an American.

Shop Early

Until Further Notice the HECHT STORES Will Close at 5 p. m.; on Saturdays at 6 o'Clock.

Advertisement for Hecht's shirts, featuring the brand name in a large, stylized font and the address 513-515-517 Seventh Street N. W. It includes the slogan 'Where You Can Have It Charged.'

Here's the Shirt Sale You've Been Waiting for--The Clean Sweep's Greatest Feature!

A Sale That Will ECLIPSE All Others! This will be welcome news to those thousands of men who always put off shirt buying until we announce these famous sales. Now we say: "Come to-day." Of course, you know the brand—it's one that ECLIPSES all others—stands at the head. We cannot advertise the name, because these shirts are a standard, high-class make that sells for much more than our sale price. The makers have removed the name from the shirts for their own protection, but the superb quality is there, if the name isn't. This morning you'll find the great display tables filled with thousands of these fine shirts—



FINEST WHITE NEGLIGES, FINEST COLORED NEGLIGES, WHITE PLEATED SHIRTS, COLORED PLEATED SHIRTS, PLAIN WHITE SHIRTS, IMPORTED MADRAS SHIRTS.

Both separate and attached cuffs; finest materials. These shirts represent the entire stock left by the maker from the entire season's business. One of them here and there may have a slight imperfection or small spot, but nothing that will affect wear or appearance in the least. All sizes from 14 to 18. The values are as high as \$2.50. We put them all in two gigantic lots at these wonderfully small Clean Sweep prices—

Shirts Worth as High as \$1.50 for 69c Shirts Worth as High as \$2.50 for 89c

Advertisement for boys' wear, titled 'The Fire Sale of Boys' Wear Is Making a Sensation!'. It features an illustration of a young boy in a suit and lists various items like 'BOYS' FINE WASH Suits in Galatea, Madras, and plain white' for 79c, and 'BOYS' WASH SUITS of fine striped and plain materials' for 98c.

CREW AND PASSENGERS SAFE

But Steamer Alleghany Is Practically a Total Loss. Company Is Officially Notified of the Burning of the Ship Off Tybee Island.

Special to The Washington Herald. Baltimore, Va., July 18.—The Merchants and Miners' Transportation Company was notified this morning by its agent, Mr. L. M. Erskine, at Savannah, Ga., of the destruction of its steamer Alleghany by fire last night while bound outward from that port to Philadelphia, as reported in The Washington Herald this morning.

The ship was commanded by Capt. L. E. Freeman and carried a crew of thirty-three men, in addition to having on board passengers. All were taken off in safety and the passengers will be sent to the Quaker City by rail at the expense of the company.

How the fire originated is unknown to the officials of the company. The flames broke out amidships at 8:30 o'clock last night about two hours after the boat had left Savannah. The ship was off Tybee, an island at the entrance of the Savannah River, about eighteen miles from the city, and, according to a telephone message from Erskine, the boat is still afloat, but with practically her entire cargo destroyed and the deck gone.

Immediately on hearing of the fire, J. M. Blankenship, superintendent of the line, who makes his headquarters here, arranged to go to Savannah to take charge of the wreck, and left this afternoon. It was announced at the main office of the company that the ship and its cargo, supposed to have been principally lumber and naval stores, were fully covered by insurance, but no figures were available.

Savannah, July 18.—The passengers and crew of the Alleghany were brought to Savannah to-day aboard a government dredge.

Drago Exounds His Doctrine. The Hague, July 18.—The day at the Peace Conference was divided between the Drago doctrine, obligatory arbitration, the naval bombardment of undefended places, and floating mines. Dr. Drago made a lucid and masterly speech, which was listened to attentively. He protested against allowing international financiers to employ armies and fleets to collect bonded debts.

"King Charles XVI" Inane. Copenhagen, July 18.—Peter Carlsson, the crank who applied to President Roosevelt for his daughter Alice's hand, has returned here, calling himself King Charles XVI, and claiming the united crown of the three Scandinavian kingdoms. He has been adjudged mad and taken to the Island of Hveer, where he will probably be permanently interned.

Advertisement for 'Always the Same Tharp's Pure Berkeley Rye'. It features the brand name in a large, stylized font and the address 512 F St. N. W. It includes the slogan 'Special Private Delivery.'

RICHMOND'S DAY AT THE FAIR

City's People Flock by Thousands to Jamestown. Anthracite Miners Will Wait, However, Till Agreement Expires.

Special to The Washington Herald. Norfolk, Va., July 18.—Thousands of persons came from Richmond to the exposition to-day. It was the capital city of the day at the fair. Among those here were Gov. and Mrs. Swanson, Mayor McCarthy, John Skelton Williams, George W. Stevens, Stewart Bryan, and many prominent bankers, business men, and councilmen.

The speakers were Mayor McCarthy, Gov. Swanson, Harry St. George Tucker, and John Skelton Williams, the last being the orator of the day. A big military parade was the feature of the programme for the afternoon, and to-night there was a display of fireworks.

The members of the Association of State and National Food and Dairy Products were nearer together to-day than yesterday on the question of Federal or State administration of food laws. It is probable that the convention will recommend uniformity in the laws, whether administered by States or by the Federal government. Sault Ste. Marie, Mich., was chosen as the next place of meeting. Officers of the association were elected to-day, as follows:

President, E. F. Ladd, of Fargo, N. Dak.; first vice president, E. W. Burke, of Evanston, Wyo.; second vice president, H. E. Shuckert, of Chicago, assistant food commissioner of Illinois; third vice president, E. W. Magruder, of Richmond, State analyst of Virginia; secretary, R. M. Allen, of Lexington, Ky.; and treasurer, T. K. Bruer, secretary of the North Carolina Board of Agriculture.

Seeks Death in Niagara Falls. Niagara Falls, July 18.—An unknown man leaped from the bridge between the mainland and Green Island into the rapids and was swept over the American falls to death to-night. Those who saw him say he waved his hand as he was carried by the current toward the brink. When he was 150 feet out on the bridge, he made the leap to death, leaving a note, which read: "Tell my friends I have gone to glory." The note was signed "J. D."

Always the Same Tharp's Pure Berkeley Rye. 512 F St. N. W. Phone No. 1111. Special Private Delivery.

Deserts to Follow Girl. Private Tramps Far in Vain and Now Await Court-martial. Bakerfield, Cal., July 18.—Because his sweetheart left her home in Delaware to come to Los Angeles, George Crichton, a private enlisted in the Fourth Company of Coast Artillery, at Fort Dupont, Del., deserted the army and followed the girl to the Coast.

Disappointed at not being able to find her here, and footsore, weary, and half sick, he surrendered himself to the local recruiting officers and is lodged in the county jail and must face a court-martial, with the prospect of a long term in the military prison on Alcatraz Island ahead of him.