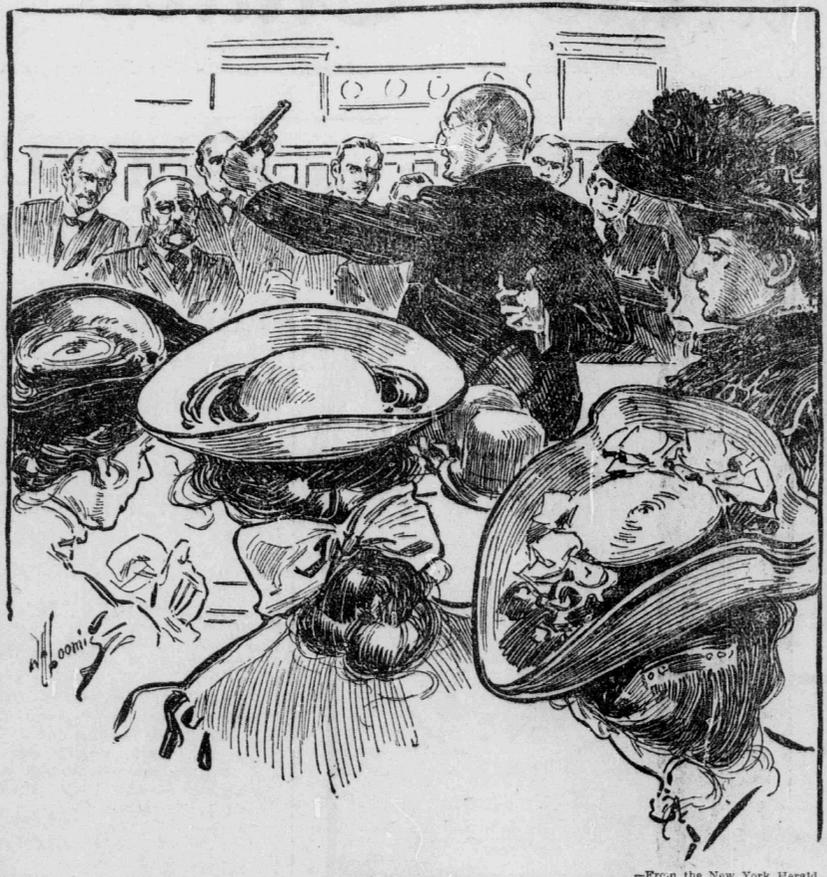


MR. LEVY, COUNSEL FOR ACTRESS ON TRIAL FOR MURDER, SHOWS HOW YOUNG COULD HAVE SHOT HIMSELF



—From the New York Herald.

with it. That is something for you to think of. Young loved her, why would there not be something in those letters to show it, and why are they not produced? They will show me a letter written by Young about May 3. Why don't they bring one letter of those many to show of his all-consuming passion for her?

Letter to Stableman. Mr. Rand spoke of the substance of the letter written on June 2 to a stableman in California, showing the horse-race man's future plans.

"What time did this plan come to him to kill himself? What did he say that very morning? He told his wife to take her warm clothing out of the trunk, as it might be cold in the country. Didn't he say he wanted to get a new hat, because he didn't want to have a poor hat if his friends met them at the pier on the other side? Now, what were the last words Caesar Young spoke? Five minutes before he died he called to the cabman, 'Hurry up, you got to get me there at 9 o'clock.' Were those the words of a man about to commit suicide within five minutes?"

"There is no thread of evidence in this case to show suicide. The theory of suicide is absolutely inconsistent with everything we know of the fact in this case. Now, many phases of this case may be discussed, but the fact of truth you may hang to, and that is that Caesar Young never shot himself."

Attorney Levy Pleads Justice for Accused

After recess yesterday Attorney Levy outlined the testimony of Junior and that of Stemm, who had heard the shot fired.

"What was the appearance of this woman, from the testimony of these witnesses?" Levy asked. "Did she appear as the exultant murderer, with her scheme for vengeance consummated? No, they told you she was pale, hollow-eyed and in great grief, crying 'Caesar, Caesar! Why did you do it?' Is it possible that within two minutes after the shooting she could have been so commiserate an actress as to pretend the horror she expressed?"

"Can you conceive this empty, frivolous girl could have conceived in one second to kill in the next to hide her crime behind a mask of horror? Why, the district attorney has said that crimes usually are committed in the dark, and that consequently circumstantial evidence must be relied upon to prove them. Do you suppose that if this girl had marked that man for slaughter, if she had conceived the design of wreaking vengeance on Young because he would not marry her, she would have chosen the highway in broad daylight in which to commit the crime?"

Chance for Secret Murder.

"Let me direct you to the circumstance that she had the opportunity to kill him in secret when she was alone with him for two hours on the night before. What is the testimony in regard to the crime? The policeman saw nothing, the druggist saw nothing, Stemm saw nothing and the cabman saw nothing; yet you are asked to convict her of murder on the insinuating inferences of the prosecutor of this unfortunate girl."

"It has been said Young did not have the pistol. What evidence is there to prove that except the word of his widow? She, you must acknowledge, is an interested witness. Young was a bookmaker, carried large sums of money, came from the West, where the carrying of firearms is not a novelty, and he would be going to Europe. Would it not have been natural for him to have carried a pistol? Hand, after a great flourish of trumpets, said he would have Smith identified as the purchaser of the weapon. He called Stern, the pawnbroker, to the stand and Stern failed to identify. Why didn't he call Stern's clerk and produce Stern's books, as he did at the last trial? Why didn't he call the telephone girl in the St. Paul Hotel? He said he wanted to be fair and present all the circumstances of the case. Well, why didn't he call those witnesses?"

Cry About "Thirst for Life."

"God help the man or woman without money who falls into the clutches of the criminal law. He or she hasn't a friend in the world except the jury who listens to the evidence. Why this thirst for life in this case? What was the evidence of Stemm? He told you what Miss Patterson did when she thought she was alone with her dead in the operating room of the hospital. She threw herself on the body and cried, 'Caesar, Caesar, speak to me! Why have you done this? She was alone with them. What need was there for simulation?"

Many women in the courtroom, as Miss Patterson wept, wept with her. Levy described the poignance of the young woman's grief at the death of Young. The lawyer repeated the evidence of the other witnesses, who said Nan wanted to die when she realized Young was dead.

"If you say this was assumed, you have got to say this girl is endowed with emotional ability greater than that of Rachel, Duse, or Mrs. Carter," Levy asserted. Discussing the finding of the pistol in Young's coat, Levy said Dr. O'Hanlon believed that after the shot was fired Young was possessed of the full power of his muscles for several minutes, as the bullet had not struck the spinal fluid, though it had struck the spinal column. Levy indicated the position in which Young had been and showed it would have been a natural movement to have dropped the weapon into his coat pocket.

Persistent Phone Calls.

"The district attorney vouched for the credibility of Mrs. Smith when he put her on the witness stand. Levy continued. "She told you of the message received from Young on the night before the shooting and that on the morning of the tragedy her sister was in bed when Young called up three times on the telephone."

"They say he knew he was marked for slaughter, yet on that morning, instead of escorting his wife to the boat, he called up the girl and insisted she meet him. Nan Patterson, the girl with murder in her heart, would have continued to sleep on quietly if Young had not called her up. There was nothing in the world to prevent him going to the boat with his wife, for he had parted from Nan on the night before. Why didn't he do it? Why did he seek her out if he feared she meant to harm him and if she had threatened him?"

In regard to the pawn tickets, Levy said that the Smiths had done business with Stern in a pawnshop in which he was buying a weapon with which to carry out a conspiracy to murder the actress. Levy said that the fact that there was danger of their being known, he said the fact they were in the shop before gave all the more reason to suppose Stern or one of his clerks should be able to identify the Smiths as the purchasers of the weapon. The fact that no identification had been made was strong proof Smith was not the purchaser.

Levy said Stern, at the request of the district attorney, had "chased about the country," trying to identify Smith, but had been unable to do so.

Theory of Suicidal Impulse.

"On the morning of the shooting Young had been drinking heavily on an empty stomach," Levy continued. "Who shall say that in a sudden delirium or in a fit of moroseness the impulse to commit suicide did not enter his mind?" The lawyer illustrated the ease with which the pistol could have slipped into Young's pocket after the shot was fired. He maintained also that the story Miss Patterson had told to Captain Sweeney

—that she had seen the weapon protruding from the pocket and had lifted it slightly and dropped it back again—was not improbable.

"This woman never had handled a pistol in her life," said Levy. "She was afraid of firearms. It is unnatural she should have touched the weapon and then dropped it back with a shudder?"

Miss Patterson's counsel ridiculed the story told by Hewitt, the newsboy, that on the night before the shooting he had seen J. Morgan Smith and Nan come out of Fabst's restaurant and had heard Smith say to her, "You must do it. Miss Patterson, the boy said, replied, 'I will not do it, whereupon Smith struck her and thrust her into a cab. Levy pointed out that testimony showed that at the time when Hewitt said he had seen the couple they were dining with Mrs. Smith in a restaurant at Sixty-sixth street and Columbus avenue."

"Either this woman committed murder or she didn't," Levy wound up. "If she did, she should be punished; if not, she should be set free. It will be better to find a verdict of murder in the first degree than to compromise. If you are uncertain and you compromise you will be guilty of a greater crime than the one with which this defendant is charged. I make no attempt to appeal to your hearts, but simply to your sense of what is fair. I ask only for justice."

KNOCKED DOWN AND ROBBED BY UNKNOWN

As Frank S. Hodson was on his way home, 929 M street northwest, about 1:15 o'clock this morning, he was knocked down on Tenth street, between F and G streets northwest, by an unknown man and robbed of his watch and chain, valued at \$33.

He reported the robbery to the police. Hodson thinks his assailant was an Englishman, about five feet eight inches tall, smooth face, wore a light suit and black derby, and talked with an English accent. Headquarters detectives are investigating the case.

PRISONER PROVES JUDGE WAS ENTIRELY WRONG

COLUMBUS, Ohio, May 2.—A. F. McCloy has proved that Probate Judge Samuel L. Black was wrong, but he had to kill himself to do it.

A week ago McCloy was before Judge Black on a lunacy charge. He had been arrested on many petty charges recently, and complaining that he was persecuted, said he would kill himself. "You are too big a coward to kill yourself," said Judge Black to him. "You are afraid to do it. Go on and kill yourself. No one cares." McCloy was found dead. He had taken carbolic acid.

REASONED IT OUT And Found a Change in Food Put Him Right.

A man does not count as wasted the time he spends in thinking over his business, but he seems loth to give the same sort of careful attention to himself and to his health.

And yet his business would be worth little without good health to care for it. A business man tells how he did himself good by carefully thinking over his physical condition, investigating to find out what was needed, and then changing to the right food.

"For some years I had been bothered a great deal after meals. My food seemed to lay like lead in my stomach, producing heaviness and dullness and sometimes positive pain. Of course this rendered me more or less unfit for business, and I made up my mind that something would have to be done.

"Reflection led me to the conclusion that over-eating, filling the stomach with indigestible food, was responsible for many of the ills that human flesh endures, and that I was punishing myself in that way—that was what was making me so dull, heavy and uncomfortable, and unfit for business after meals. I concluded to try Grape-Nuts food to see what it could do for me."

"I had been using it for some months now, and am glad to say that it has given me entire relief. I do not suffer any longer after meals; my food seems to assimilate easily and perfectly, and to do the work for which it was intended. I have regained my normal weight, and find that business is a pleasure once more—can take more interest in it, and my mind is clearer and more alert."

Name given by Postum Co., Battle Creek, Mich.

There's a reason.

SEEK TO FREE SICK SON FROM DANCER

PITTSBURG, Pa., May 2.—Mrs. Nellie Paris Reymier, who was a carnival dancer and kitchen girl some weeks ago, and who married S. S. Reymier, the son and heir of Jacob S. Reymier, the candy king, is back in Pittsburgh, while her husband remains penniless and sick in Denver, Col.

The wife of a short time is now with a friend's family on Shetland avenue. She is here with the full knowledge and consent of her husband's family, and an earnest effort is being made by the family to separate the pair through divorce.

Particulars of the strange marriage of Reymier and the girl have leaked out here. The elder Reymier, angered at the persistency with which his son followed the pretty little carnival dancer, ordered him from the home. The young man went, and at once married the girl.

DEATH RECORD.

Banks, Willie, 39, Garfield Hospital. Bowers, Ann D., 4 hours, 121 6th st. nw. Carter, Ardina, 2 years, 7 Prospect st. Cotten, Mary E., 12 days, 23 F st. nw. Fluke, Stephen M., 53, Gov't Hospital Insane. Henderson, Sandy, 31, Washington Asy. Hosp. Howard, Lyle, 29 days, 245 N st. nw. Kissan, John R., 65, 1823 H st. nw. Lang, John P. T., 74, 1339 14th st. nw. Lattimore, Frederick, 54, 622 2d st. nw. Lee, Mary N., 2, 116 Pierce st. Morris, Henry, 65, 1216 L st. nw. O'Leary, E. G., 63, 143 D st. ne. Smaller, Frank, 53, Emergency Hospital. Toliver, Gilbert, 54, 524 24th st. nw. Turner, Edward, 76, Washington Asy. Hosp. Turner, Charles, 55, Freedman's Hospital. Worthington, William, 46, Wash. Asy. Hosp.

J. WILLIAM LEE, UNDERTAKER AND LIVERY.

122 Penn. Ave. N. W., Washington, D. C. Telephone Main 1385.

Dulin & Martin Co.

Confectioners' and Druggists' SUPPLIES

Satisfactory Quality—Lowest Prices.

WE make a specialty of furnishing supplies for confectioners and druggists. Our stocks are the most complete, and we handle only such goods as we can conscientiously guarantee to give the longest and most satisfactory service. Prices the VERY LOWEST, quality considered.

For Making and Ice Cream Cabinets

Serving Ice Cream "Seaman" Freezers, hand and power. "Philadelphia" Freezers. Best Cedar Packing Tubs. Packing Cans—heavy tin, steel, and porcelain. Storage Cans, for brick cream. "White Mountain" Freezers, all sizes. Also extra parts for same.

D. & M. Freezers

Forty quarts, for hand and power. Thoroughly guaranteed, yet LOWER IN PRICE than any other freezer of equal capacity. Ice Picks. Ice Scoops. Ice Shavers. Ice Cream Sauces. Ice Tonges. Ice Cream Spoons. Ice Hatchets. Ice Cream Spoons.

Soda Fountain Requisites

Best quality Soda, Mineral Water, Sherbet, and Ice Cream Glasses, Glass Holders, Soda and Sherbet Spoons, Soda Fountain Ice Cream Spoons, Ice Cream Cabinets, Fruit and Punch Bowls. Ice Cream Measures, Spoon Holders, Lemon Squeezers, &c.

The Correct Shoe for Men

Richard's high-grade footwear is the production of the most skilled shoemakers in the country. You'll get solid comfort out of the Richard shoe.

Spring \$3.50, \$4, \$5. New at Models

Shoes Shined Free

Richard's Shoe Shop 1229 Pa. Ave.

DIED.

BATEMAN—On Tuesday, May 2, 1935, at 7:15 a. m., THOMAS J. Jr., beloved son of Annie E. and the late Thomas J. Bateman. Funeral from his late residence, 249 O street, on Thursday, May 4, at 8:30; thence to Holy Trinity Catholic Church, where requiem mass will be said for the repose of his soul. Friends and relatives invited to attend. (Baltimore and Pittsburgh papers please copy.)

EARNER—On Monday, May 1, 1935, at 12:45 p. m., ELLEN, the beloved wife of Peter Earnar. Funeral will take place from the residence of her son-in-law, P. J. McDonough, 242 I street northwest, thence to St. Stephen's Church, where requiem mass will be said for the repose of her soul at 8:30 Thursday morning. Friends and relatives are respectfully invited to attend.

NICHOLSON—On Monday, May 1, 1935, at 2:27 p. m., at his residence, 2019 Nineteenth street, SOMERVILLE, NICHOLSON, commander U. S. N., in the eighty-fourth year of his age.

WATSON—Suddenly, on Tuesday, May 2, 1935, GEORGE, the beloved son of John M. and the late Mary V. Watson, nee O'Connor. Funeral from the residence of his aunt, Mrs. William P. Welch, May 4, at 8:30 a. m. May his soul rest in peace. m3-2

FUNERAL DESIGNS

Or every description—moderately priced. GUYE, 124 F Street Northwest. Phone M. 302.

J. WILLIAM LEE, UNDERTAKER AND LIVERY.

122 Penn. Ave. N. W., Washington, D. C. Telephone Main 1385.

Dulin & Martin Co.

Confectioners' and Druggists' SUPPLIES

Satisfactory Quality—Lowest Prices.

WE make a specialty of furnishing supplies for confectioners and druggists. Our stocks are the most complete, and we handle only such goods as we can conscientiously guarantee to give the longest and most satisfactory service. Prices the VERY LOWEST, quality considered.

For Making and Ice Cream Cabinets

Serving Ice Cream "Seaman" Freezers, hand and power. "Philadelphia" Freezers. Best Cedar Packing Tubs. Packing Cans—heavy tin, steel, and porcelain. Storage Cans, for brick cream. "White Mountain" Freezers, all sizes. Also extra parts for same.

D. & M. Freezers

Forty quarts, for hand and power. Thoroughly guaranteed, yet LOWER IN PRICE than any other freezer of equal capacity. Ice Picks. Ice Scoops. Ice Shavers. Ice Cream Sauces. Ice Tonges. Ice Cream Spoons. Ice Hatchets. Ice Cream Spoons.

Soda Fountain Requisites

Best quality Soda, Mineral Water, Sherbet, and Ice Cream Glasses, Glass Holders, Soda and Sherbet Spoons, Soda Fountain Ice Cream Spoons, Ice Cream Cabinets, Fruit and Punch Bowls. Ice Cream Measures, Spoon Holders, Lemon Squeezers, &c.

The Correct Shoe for Men

Richard's high-grade footwear is the production of the most skilled shoemakers in the country. You'll get solid comfort out of the Richard shoe.

Spring \$3.50, \$4, \$5. New at Models

Shoes Shined Free

Richard's Shoe Shop 1229 Pa. Ave.

"Wonder what Mertz will say today" Store closes 5 p.m., 9 p.m. Saturdays.



Only \$7.50

For a summer suit to order in the "Mertz-way." Coat and vest, and pair of odd trousers, built in the latest style of single suit patterns left from the season's snappiest fancy mixed fabrics. Fit and satisfaction guaranteed.

Mertz and Mertz Co. 906 F Street

SPECIAL NOTICES.

LAFAYETTE LODGE, No. 19, F. A. A. M., will hold a special communication Thursday, May 4, 1935, at 2 o'clock p. m. for the purpose of attending the funeral of Bro. Chilton M. Stain, J. L. MARSHALL, Master; JOHN H. OLCOTT, Secretary.

Skirts Sun Plaited, \$2.00. Knife and Accordion Plaiting, 2c yard up. Work Called for and Delivered.

Oppenheimer's New Home AGENCY, 514 NINTH STREET.

Classified advertisements for The Washington Times will be received at the main floor bureau of S. Kann, Sons & Co.

At the regular office rate of one cent per word for most classifications. Want advertisements for the Evening Times will be received until 11:30 a. m. Saturday evening until 8:30.

Furs Stored and Insured

In the dry cold storage rooms in our fireproof warehouse.

Coats per season \$1.50 Long Coats per season \$2.00 Stoles, Boas 50c to \$1.50 Muffs 50c

Insurance against moth, theft, and fire.

\$1 per \$100 Storage Department,

American Security and Trust Company

1140 Fifteenth Street.

Equip your piano with a PIANOLA. Then every one can play. Pianolas at \$250 and \$300. Sanders & Stymus Co. 1327 F St.

FOUNTAIN PENS FREE

With Every Cash Purchase In Our

STATIONERY DEPARTMENT

INVESTIGATE!

R. P. Andrews Paper Co., 627-629 La. Ave. (28-630 D St.)

The Correct Shoe for Men

Richard's high-grade footwear is the production of the most skilled shoemakers in the country. You'll get solid comfort out of the Richard shoe.

Spring \$3.50, \$4, \$5. New at Models

Shoes Shined Free

Richard's Shoe Shop 1229 Pa. Ave.

SPRING RESORTS

The Washington Times advertising representative in Atlantic City is John C. Benson, general manager of the Resort Advertising Company, Bartlett building, North Carolina and Atlantic avenues. All advertisements will be accepted at the same rates as at the home office of The Washington Times. Catalogues and Booklets upon application Business Office of The Washington Times.

ATLANTIC CITY HOTELS.

UNQUESTIONABLY Our success is due mainly to our table; a portion of the choicest that the market affords, prepared by famous chef. Baths, running water in rooms. Elevator. Modernly decorated.

The New Fireproof Elmo Grande, New York ave. and Beach. J. PAUL KILPATRICK.

THE CEDARCROFT S. Carolina Ave., near the Beach, Piers, and best Bathing Grounds. High-grade cuisines and service; \$8 to \$15 weekly. Modern appointments. Booklet. E. VAN KEUREN.

COULTER HALL, Massachusetts Ave. and Beach. All modern appointments. Elevator to street level. Unobstructed ocean view; \$2 to \$250 daily; \$10 to \$15 weekly. E. J. McCLINTOCK.

HALLWOODE, Ocean End, near the Beach. Modern, high-class house, \$10 weekly. J. HALL.

HOTEL RAYMOND, Virginia ave. and Beach. Capacity 200. Large, well furnished rooms, with long-distance phones. B. J. & F. L. MILLER, formerly of Hotel Mt. Vernon. Bell phone 1408. ap3-20

THE LORRAINE, 14 Charles place, facing the Ocean. Capacity 200. Fresh and sea water baths; sun deck. Special spring rates. Booklet. CHAS. E. WAGNER. ap3-20

HOTEL PONCE DE LEON, Always open. Virginia ave. at Beach. Modern in appointments. Capacity 250. First-class cuisine and service. Special spring rates. Booklet. S. E. SWEENEY.

THE PENNHURST Ocean End of Atlantic City, N. J. Rooms on suite, with bath; long distance telephones in rooms; elevator to street level. Booklet mailed. ap3-20 WM. R. HOOD.

HOTEL NORMANDIE Ocean End of Atlantic City, N. J. High-class; rooms on suite; steam heat; elevator; superior table; all conveniences; \$2 up daily; \$8 up weekly. Booklet. S. L. MURPHY. ap3-20

HOTEL RICHMOND, Ocean front Kentucky ave. Capacity 250. Thoroughly appointed with elevator, steam heat, sun parlor, baths, etc. Special rates for Easter and Spring seasons. J. D. PEASE. C. H. PEASE, Manager.

ATLANTIC CITY HOTELS.

THE ALBEMARLE, VIRGINIA the ocean-most popular section. AVE., near modern hotel, new throughout. Capacity 400. Fine, large rooms, private bath, steam porch, orchestra, frequent social features. Superior table and service. Special spring rates—\$8, \$10, \$12.50, \$15 weekly; \$2 up daily. Number of desirable steam-heated rooms at the \$8 rate during May and June. Booklet. J. P. COPE.

HOTEL MORRIS Ocean end near appointments. New throughout; modern conveniences; superior table. Cafe and buffet attached. \$12.50 to \$25 weekly; \$10 to \$15 weekly. CHARLES R. PULTON, Of Pittsburgh.

VERMONT HOUSE, Vermont Ave., near the Beach. Beautiful location; open throughout; modern conveniences; \$3 Saturday until Monday; \$1 to \$2 daily; \$9 to \$12 weekly. M. E. GEIGAN.

BLENHEIM HOUSE, Ohio ave., near Beach. Modern, first class; \$10 weekly. K. WEISSER.

Roanoke Hotel and Annex, South New York ave. Renovated, enlarged; good table; \$8 to \$11 weekly. N. A. DUBING.

THE ROBBINS, S. South Carolina Ave., near Beach. All conv. Special, \$6 up wkly. Mrs. S. R. Allen. ml3-20

NEW CLARION— and the Beach. Sun parlor. \$9 up weekly. S. K. BONIFACE.

SPENCER HALL

Maryland ave. and Beach, near steel pier. Best moderate-priced hotel; \$10, \$12, \$15 weekly. All rooms have open view. Booklet. ml3-20

HOTEL LAWRENCE,

Ocean end Maryland ave. Unexcelled location. New, with every appointment; superior table. Capacity, 200. Special spring rates, \$10 up weekly. Booklet. FRANK A. COLEMAN.

VIRGINIA RESORTS.

LEESBURG INN, Leesburg, Va. Modern hotel. Good table. Pure water. Fine climate. No tax. For rates, per week or month, apply to proprietors, EICHOE & BARRY. ap3-20

Attractive, isn't it? Impossible to look at the picture without at least an inward sympathetic smile. Nothing so appeals to one as a pretty baby. That's why the page of baby pictures which the Washington Sunday Times is printing is attracting so much attention. That's why the Sunday Times' offer of \$50 for the prettiest three baby photographs is meeting so hearty a response. Next Sunday's Times tells all about it.

EDUCATIONAL

THE BERLITZ SCHOOL OF LANGUAGES Grand Prize St. Louis Exposition, 1904. 723 14th St. N. W. A. GONARD, Prince. French, German, Spanish, Italian, English, etc. Special summer rates. Trial lessons free. ap3-20

STRAYER'S Business College,

Corner 11th and F streets N. W. Best instruction day and night. Books free. Typewriter at home free. Situation guaranteed. Terms moderate. Begin now. Write, call, or phone for catalogue. 163-1

"Underselling Special."

Enameled Iron Bed.. \$2.29

Neat, well-built, Iron Beds, enamelled in green and white. Very strong and rigid. Worth \$4.50; special \$2.29 underselling price.....

"Credit Is Your Purse."

Hub Furniture Co. S. E. Cor. 7th and D Sts.

Always the Same. THARP'S PURE Berkeley Rye

812 F St. N. W. (Phone Main 1144. Special Private Delivery.

3-BURNER GAS RANGE

With Large Oven, \$6.50 GUARANTEE PERFECT BAKER

A. EBERLY'S SONS, 718 Seventh St. N. W.

TIMES WANT ADS BRING RESULTS