THE FIGHT TO SAVE ROWAN.

A Remarkable Story of Disputed Identity Whose Every Development Adds Sensation to Dramatic Interest.

IS THE CONVICT-INVENTOR THE BURGLAR WHO SHOT AT MISS COHEN?

He Was Positively Identified in Court, but His Own Impassioned Plea of Innocence Swayed Seven Jurymen in His Favor.

On His Second Trial To-Day a Confession from a Former Fellow-Convict Will Be Offered, but It Is Charged That This is Part of a Plot in Which Prison Officials Are Concerned.

Charles de Anford Rohan will be tried in the Court of General Sessions to-day for a desperate burglary committed in this city six years ago. On a former trial Miss Charlotte Cohen positively identified him as the man who shot three bullets in dangerous nearness to her head as he made his escape from a second-story window.

Rohan's defense was "mistaken identity," and the trial resulted in a disagreement of the jury, which stood five for conviction and seven for acquittal. The second trial was set down for to-day, and during the intervening time circumstances have come to light which promise to make the case one of the most remarkable ever tried in this city.

An affidavit will be read, in which John G. Shaw, a long-term convict in the Columbus (O.) Penitentiary, relates the details of the burglary and swears he was the man who fired at Miss Cohen when discovered robbing her father's house at No. 176 East Seventy-ninth street at 3 o'clock on the morning of April 15, 1885.

One of the most sensational developments in the case since the former trial is in connection with this same affidavit. Capt. Cochran, of Columbus, who was formerly a guard at the penitentiary there, has charged that Shaw's alleged confession is part of a conspiracy to save Rohan, and that Warden Dyer is in the plot.

Rohan, though he strenuously denies any connection with the Cohen burglary, does not claim to have been absent from the city. He is a member of society. For a burglary committed in Cleveland, O., not long after the New York affair, he was arrested, convicted and sentenced to the penitentiary, where he was a fellow-prisoner of Shaw's. It was here that he aroused Warden Dyer's interest.

Rohan is an intelligent, educated man and an inventor of no mean order. Applications in his name for patents are now before the Patent Bureau at Washington, and it is alleged that Warden Dyer wants to save him from a further imprisonment because the two are interested in Rohan's invention of a street-sweeper which scatters no dust.

I.
THE COHEN BURGLARY.

Miss Charlotte Cohen, the daughter of Joseph Cohen, a wealthy merchant residing at No. 176 East Seventy-ninth street, is a pretty, a beautiful young girl of sixteen years, was awakened at 3 o'clock on the morning of April 15, 1885, by a draught of cold air from one of the windows of her bedroom. She occupied the rear room on the second floor of the house, and was asleep in the front room on the same floor.

She listened intently and in a moment was startled by a creaking the floor and a gleam with a candle in his hand passed through her room close by her bed. The burglar opened the door cautiously and walked along the hall. With commendable pluck the girl arose, went to the door and looking through the crack saw the burglar turn the knob of the hall riding the pockets of some of her father's clothing.

He had lighted the gas and she could distinctly see his features as he fumbled at the clothing.

THE MURDEROUS ATTACK.

"Papa! papa!" screamed the girl. The cry was instantly extinguished, and before Miss Cohen had time to reach her father's door three pistol bullets flew so close one bullet whizzed by her, grazing her right cheek and the chance acquaintance was renewed. Rohan proposed immediate marriage, and the girl consented. He asked her to accompany him that very afternoon to the City Hall and become his wife. It was late in the day when they reached the City Hall, and the License Bureau was closed for the day.

Rohan urged her to forego the formality of a marriage that day and to go with him. She consented, and he took her to the residence of a friend, at No. 175 East Seventy-eighth street, where he stated that she was his wife and engaged the rear bedroom on the second floor. The room was in the rear of the Cohen residence on East Seventy-ninth street.

WHERE WAS ROHAN?

It was nearly midnight of April 14 when Maud Wilton went to bed. She was very tired, and when she went to sleep she left Rohan sitting on a chair in the room reading and reading a newspaper. She was sufficiently awakened from her sleep by a sound that startled her and decided. She thought it was a series of explosions, and in her fright she jumped over the foot of the bed and ran screaming into the hall. She thought that the door and window of the room were open.

The house was alarmed, and it was soon discovered that the cause was a burglary at Cohen's. In the excitement Rohan's absence was not noticed. Maud Wilton retreated to bed again and fell asleep. When she awakened Rohan was in the room. It was daylight, and he was fully dressed. He was not asleep in the bathroom. He declared that he had heard no noise.

He said he had seen an advertisement in the newspapers and had a chance to get an engagement with a theatrical troupe in Newark, and he would go out for an engagement the place. It was 6 o'clock in the morning, and he kissed Maud good-by, and with his satchel in his hand left the house, promising to return that night.

OFF FOR NEWARK.

As he descended the steps he was stopped by two policemen. He explained that he was an actor, living at the house will, his wife and was on his way to Newark early train to join his company in Newark. They told him about the burglary, and he displayed a natural interest and his manner was perfectly composed. The chief thought, and he walked up the street with a light, active step and was lost to sight.

A few hours later a blue serge jacket was found under the window of the room occupied by Rohan and Maud Wilton. It was at once suspected that he was hooking. Maud was very much charrined, and she gave up the room and left the house that afternoon. It was the first time in her young history that a room was told by herself at the trial over five years after the crime.

III.
THE IDENTIFICATION.

On June 1, 1886, Frank Koehne was appointed as a keeper in the Ohio Penitentiary at Columbus. He had been a saloon keeper in New York and paid a visit to his cousins, the Misses Koehne, at No. 176 East Seventy-eighth street. While at Columbus Miss Koehne related the story of the Cohen burglary, and also told about her mysterious lodger, Charles Rohan, whom she had always believed committed the burglary. She gave a minute description of the man, saying he was a tall, slender, well-dressed and fair-haired and had a most musical voice.

Koehne was impressed with the description of the burglary and with the Cohen-Rohan bill calling himself C. W. Mills fitted it exactly. So when he returned to Columbus he had a talk with Rohan, who had been sentenced to seven years for a burglary in Cleveland, committed in April, 1885, about a week after the Cohen burglary. Although Mills strenuously denied the charge, he was convinced that he was the man and sent his picture on to Miss Koehne for identification. She declared that the picture was that of Charles Rohan, and he returned to the workshop and told Mills that now he was positive he was the man who committed the burglary.

FELL INTO THE TRAP.

"My cousins have identified your photograph, which I sent them," said Koehne. "And they also tell me that you took away with you a latch-key belonging to them."

Koehne asserts that Mills fell into the trap and replied:

"Why, Mr. Koehne, I did not intend to cause your cousins any annoyance nor any pleasant notoriety. I gave that latch key to my partner, Mitchell, and told him to return it."

Koehne then notified the New York authorities. Inspector Byrnes ascertained that Mills's home was in Newark, N. J., in April, 1890, and sent Detective-Sergt. Valleily to Columbus. He brought Mills to this city in the early part of last December.

IV.
THE PRISONER'S STORY.

"I was born in Cleveland, O., in the year 1866, of respectable parents. My father's name is Charles de Anford, and I am twenty-eight years old now. My father's name was William and my mother's maiden name was Sarah Mitchell. I received my parents in Cleveland, and at the age of four-teen I went to work for Prof. Houston in Cleveland. I am a skilful and competent electrician.

"Prof. Houston had a laboratory on Superior street, and my engaged with Charles Brush at that time in perfecting the present dynamo. While I was employed with him I received a salary of $18 a week from my parents. I remained in his employ until 1879, when I joined a company of actors with my cousin Mitchell, Mrs. Mand Wilton.

At that time the gold excitement in that region had reached its height, and these companies were going from all the employ of the United States Government.

"During the time I was out in this region the party of us suffered much from the inclement cold. Dead-wood was the principal city at that time and it was almost impossible to get provisions out in the plains where we had to travel and camp. There was no money at that time, it cost the party nearly $10 a day to live. Salt was 30 cents a pound and everything else was in proportion. Finally we

"In March, 1881, I returned to Cleveland and opened a small shop in Detroit street for the repair of electrical instruments. In 1882 I joined another party and went to the Black Hills again. On reaching Deadwood I joined a theatrical company and stayed with them until March, 1885. On my way home the second time I followed what is known as the Northern Pacific Railroad, which runs from the Hills to Elliot City. From there I went to Cheyenne, and there I struck the Northern Pacific Railroad, which runs to Omaha. From Omaha to St. Louis, from St. Louis to Chicago and from Chicago to Cleveland. I went to New York and from New York to Newark, and wrote to Mr. Koehne, my cousin, I was in New York State before I was brought here this time.

"In April, 1885, I felt that I had company in a saloon in Cleveland and committed a crime. Accompanied by a companion I broke into a citizen's house and stole some clothing, was arrested and acknowledged my guilt. I was sentenced to serve a term of seven years in the Columbus Penitentiary. I have been there since the middle of July, 1885.

A VISIT FROM VALLELY.

"While I was confined in the Cleveland Jail, and before I was sent to the penitentiary, Detective Valleily visited me. He told me of the Cohen burglary and accused me of it. I told him I knew nothing of it. He said that Mr. Cohen was quite anxious to recover his goods, particularly the daughter's sealskin sacque. I told Mr. Valleily, or whatever your name is, you must be insane to make such a charge against me. I am known here in this city and, never left it for New York. Do you want me to confess to a crime which I never committed?

After Valleily had left me I found that the name of Charles Rohan had been added to my name I was arrested and I had a conversation with Keeper Koehne in the penitentiary, but I never told him that I gave the latch key to Mr. Mitchell."

THE STREET SWEEPER.

It appeared on the trial that Mills or Rohan or De Anford is a man of considerable mechanical ability, educated at Oberlin College, Ohio. During his imprisonment in the Ohio Penitentiary, he had made mechanical attempts to clean New York's streets he perfected a street-sweeper. It is a device which not only cleans the streets, but lifting up the dirt deposits it into a cart. The street sweeper is attached.

He made arrangement with E. P. Boring, the superintendent of the Ohio Penitentiary, to go into partnership and have the invention patented on the conclusion of his term. Lawyer Kelley, who had been seen and examined the model made by the prisoner say that, in their opinion, if perfected and patented it will prove a valuable invention for large cities. It may be that out of this case may come the solution of the street-cleaning problem in New York.

V.
THE TRIAL.

Before Judge Cowing and a jury in Part III. of the Court of General Sessions on Dec. 10 last, Charlie Rohan was placed on trial for the crime of burglary in the first degree. The trial was intensely exciting. Imprisonment from ten years to life was the penalty which was expected and he knew it and his counsel prepared themselves for a desperate struggle. The jury was selected and taken all sorts of precautions. Lawyer Kelley defending and William Travers Jerome prosecuting.

As he appeared in the court-room Rohan was a tall, loose-jointed young man with a pale mustache and pointed beard. The most remarkable thing about him was his piercing, deep-set eyes. The witnesses were called in turn. The Miss Charlotte Cohen told her story and told the prisoner's voice they recognized the voice of the man who hired a room in Miss Koehne's house.

VI.
WAS SHAW THE BURGLAR?

And now comes the strangest turn of all in this remarkable case. Lawyer Kelley wrote to the Warden of the Columbus Jail, offering the disagreement of the New York jury, asking that the affidavit of Joseph B. Shaw, a prisoner there, who it was suggested on the trial had been present when the burglary was taken. He received by mail an affidavit made by Shaw, in which he declares that he committed the burglary in the Cohen residence.

He swears that Rohan is innocent of the crime, and describes with minute detail the circumstances connected with the burglary up to the point where the shots were fired at Miss Cohen, when he decided to encounter with a man and not a woman. This defect in his story will be vigorously attacked on the trial, which begins to-day.

SHAW IN A BAD WAY.

Shaw is serving a double sentence, with a total of ten years hanging over his burglary and assault, committed in Columbus. The prison officials in the jail at Columbus regard him as a bad man and keep him very closely guarded. He has an unhealthy mental skill and has done manual labor. Just now he is making clothes for the prisoners.

The Sun's correspondent at Columbus saw Shaw last week. He said in reply to a question:

"Well, I do not want to contribute any newspaper articles now. I am a convict, and I have had my little say about that matter," and nothing could induce him to open his mouth again.

Shaw is heavy-set and well built, about five feet six inches in height, with a fair complexion, gray eyes, light hair and weare a light-colored, thin mustache. He does this remarkable case. Lawyer Kelley wrote to the Warden of the Columbus Jail, offering the disagreement of the New York jury, asking that the affidavit of Joseph B. Shaw, a prisoner there, who it was suggested on the trial had been present when the burglary was taken. He received by mail an affidavit made by Shaw, in which he declares that he committed the burglary in the Cohen residence.

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THE TRIPS BETWEEN EAST SEVENTY-EIGHTH AND EAST SEVENTY-NINTH STREETS, SHOWING THE REAR ROOM OCCUPIED BY ROHAN'S BOSOM FRIEND, MAUD WILTON, AND THE RESIDENCE THROUGH WHICH ENTRANCE WAS EFFECTED.

not seem to be over twenty-two years of age. He remembered never had a conversation with Shaw, or even had a chance to see him, nor do he know anything about the prisoner. He weighs about one hundred and eighty pounds.

WHY DID HE MAKE THE AFFIDAVIT?

It was Mr. Boring who secured Shaw's affidavit that he committed the Cohen burglary in New York. It was taken by an attorney named Thompson in Mr. Boring's office at the prison on Dec. 19 last. Boring says he asked Shaw if he was not afraid to make the affidavit, suggesting that he might be held for the crime when released from Columbus if prosecutions in the matter. He in an indefinite way, stating that he was up for a long time anyway and that there was no show for clemency. The idea that seemed to be conveyed in his answer was that he hoped to escape in some way if he could.

It is suggested in Columbus that Shaw hopes to be taken to New York, and that opportunity will be afforded him on the way to break from custody.

The prison officials have no photograph of Shaw, nor is there any in existence. He has never been photographed in the "Rogues' Gallery." The Cleveland police station has two or three, but his features are distorted so that they are scarcely recognized. The prison officials say that when Rohan was in charge of the electrical shop in the prison, Shaw was a trusty of the prison, and it would have been an easy matter to fix up the plot whereby Shaw was to make the confession.

VII.
THE PRISONER INVENTOR.

Early in his prison career Mills, or Rohan, gave evidence of mechanical skill and he was put at work making patterns for Harden's foundry, one of the shops in the yard. Where prison contract labor is employed. Here he spent the greater part of his working hours. About two years ago the prison was supplied with a small electric plant for lighting and furnishing light power. The agent who superintended the plant for a time and whom Mills assisted found him perfectly competent to look after it. During the rest of the time Mills was employed in the shop of the station wires and lights. While in the pattern shop he made several designs of a street-sweeper, which he showed to his fellow-prisoners. The day after he was discharged the contractor who knew he had made them applied to the Deputy Warden for them, but was refused. The ownership is still in dispute, the Deputy Warden claiming they were left in trust with him by Rohan, and Contractor Boring claiming that they were made of his material and while he had the prisoner's labor under contract.

After taking charge of the electric plant Rohan was constantly making electric machines. Opening a crack in the door Deputy Warden Porter showed The World correspondent several of them. One was a miniature electric motor, which Capt. Porter said would run perfectly with a light current.

KILLING BATS BY ELECTRICITY.

"His mind seemed to run continually on electricity," said Porter. "Every few days he would come into my office with some new invention he was making. One day he came to me and asked me to come over to the shop and see him kill rats by electricity. I went down with him and there he had arranged a number of wires in one corner of the building. By baiting the place he induced the rats to come from their holes. The wires were connected with a battery, and every time a rat touched one of them he would be jerked clean across the room. It killed them."

E. P. Boring, Superintendent of Printing in the prison, who gained the confidence of Mills, or Rohan, more completely than any other of the institution, says that Rohan recently invented a storage-battery for electricity. He had some correspondence with a Chicago capitalist with a view to selling the invention to them. The Company wrote back that if he had what he claimed he had a large fortune in his hands and prescribe it. This the convict refused to do, saying that if he did the Chicago people would steal his invention. Mr. Boring says he also holds in trust for Mills, or Rohan, a sealed box full of models of machines he has invented.

None of the inventions made while in the Ohio prison have been patented. Two of these are now in the hands of C. G. Shepard, a local patent attorney, who is preparing for the patent rights for the ex-convict.

THE STREET SWEEPER.

One is a street sweeper, which not only sweeps the streets, but lifts the dirt into a cart. Attorney Shepard showed The World correspondent the model of this device, made by the prisoner himself, about a foot long. The sweeper is attached to two gears being not unlike those of a farm wagon. In front of the rear wheels is a revolving brush, which is driven by the gearing from the rear wheels in the opposite direction to that the wheels move in. Immediately behind the brush and just above touching the ground is a tan in the shape of a half cylinder, the section being longitudinal, with the curved side up. Into this pan the dirt is swept by the revolving broom in much the same way that a carpet sweeper gathers dust. The dirt is swept into the pan carries the dirt to one end of the pan, where, by a bell-and-bucket elevator, it is deposited in a cart behind the wagon carries. When full the box is lifted by a derrick on to a truck to be hauled to the dump.

PATENTS FOR THE CONVICT.

Mills, or Rohan, excited for a patent for this device through an ex-guard named Hoffman, who claimed that he had made the application in his own name, swearing that he was the inventor. In consequence of Rohan's board of a trick and wrote Attorney Shepard, stating the facts. Barnes has disappeared and the patent application was withdrawn. In addition. Attorney Shepard says he thinks the device is a good one. Mr. Boring regards it as the most valuable one that York last week asking him to try to sell the invention to some capitalist, as he wants money to carry on his defense on the new trial beginning to-day.

The other device is for extinguishing fire in car stoves in case of accident. The patent is in Rohan's name, Mills being a nom de plume. Attorney Shepard says he does not think this will amount to much, however.

Mr. Boring showed The World correspondent a clipping from the *Scientific American* of March, 1890, which the convict-inventor had sent to the Ohio street-sweeping machine. It reads as follows:

Cannot some inventor contrive a machine which will take the place of the scavenger? It is to one side or the other of the street and leave it in windrows? There is demanded something that will take the dirt up and put it in the box, to be carried away.

THE CONVICT'S FEARS.

For nearly a year before the convict's time expired he gave evidence of uneasiness lest he should be released. Warden Dyer has sounded those officials with whom he came in contact. The prison officials were not surprised, however, when New York officials notified them that he was wanted for burglary.

"I kept the fact from him for a long time after the demand for him was made," said Deputy Warden Porter. "Finally I determined to tell him. He said: "Well, I confess that I am crooked and have been in a great many scrapes, but this New York matter is not one of them. I have never been in New York and don't like to go now."

During the time he had charge of the electric plant the convict was frequently allowed to go outside the walls to fix the wall lights, but after the request came from New York he was never allowed to leave off him when he was given this necessary liberty. He never applied for a parole nor asked for one. Porter said he understood from Rohan that he feared he would be taken for a "job" done at Springfield, O.

VIII.
HIS CLEVELAND RECORD.

Five years ago the residence of F. H. Bayerle, on Franklin avenue, Cleveland, O., was entered by burglars and several hundred dollars worth of jewelry stolen. Two days later Detective Halligan, who was fatally hurt by the Binky Morgan gang at Toledo, for which work Morgan was subsequently hanged, saw De Anford and one Devine on Superior street. Calling Patrolman Bernard to his aid, the officers arrested the two men on suspicion. On the way to the police station Devine broke loose and escaped. Bernard found the stolen goods street hill, throwing away diamonds and jewelry as he ran. He was recentured and the goods were recovered and identified as belonging to the Bayerles.

DE AUFORD'S CONVICTION.

Both men were indicted for the burglary. Devine pleaded guilty and was sentenced to seven years' imprisonment. De Anford stood trial and was convicted of participation in the Bayerle burglary and sent to Columbus Penitentiary for seven years.

De Anford's parents then lived at Parma, and were respectable people. His father has since died. The young man was said by the police of Cleveland to be the ringleader of a gang of thieves that made their headquarters near Parma, in a cave.

IX.
IS THERE A PLOT TO FREE HIM?

The Cincinnati *Commercial Gazette* last Wednesday had a special despatch from Columbus which said:

"Frank Koehne, formerly captain of the guard-room and afterwards assistant clerk in the penitentiary, is now in Washington to one of the most prominent Democratic members of the General Assembly is making an inquiry in regard to a case in the penitentiary. The substance of this letter is as follows:

SHAW'S PHOTOGRAPH WANTED.

"Capt. Koehne asks the Democratic member to obtain for him a photograph of Charles Shaw, who was sent to the penitentiary from Cleveland. Shaw claims to have committed a burglary in New York City in 1885, and Koehne has written to the Ohio Penitentiary by the name of Charles Rohan is now held for trial in New York. Two cousins of Capt. Koehne's residence. New York have identified Rohan as the burglar, but Rohan's attorney is making a fight for his client on the ground of mistaken identity.

"I had my son make a request at the O. P.," says Capt. Koehne, "for Shaw's photograph, and the request was refused by Mr. Dyer, but I was insulted without cause for interesting myself in the case.

THE WARDEN'S ANSWER.

"As to the cause of this refusal by Warden Dyer to surrender a photograph, Capt. Koehne says:

"He (the Warden) and Porter (the Deputy Warden) are interested in a plot of Rohan's. It is a conspiracy to free Rohan and that Dyer will sweepings. They want to aid him to get clear and make money out of him. It seems that Rohan is a very remarkable inventor. Two New York officers awaited him, was given special attention by the Warden and Deputy Warden to be guilty of the burglary for which Rohan was sent to be tried. Shaw was found. He even admitted the crime, but said he was in Missouri, and could well afford to make the claim he does. Dyer knows that Shaw does not resemble Rohan, and that the conspiracy seems to withhold the photograph of Shaw."

THE WARDEN'S ANSWER.

The *Commercial Gazette* says that the Representative who received the letter in question showed it to Warden Dyer.

"Warden Dyer was spoken to to-night with regard to the matter. He denies that he has received any letter from Koehne, or that he knew anything about Rohan's conspiracy, and says that there is no truth in the charge. The fact has leaked out that Koehne is mainly in Rohan's behalf. Rohan is an expert electrician, and his invention is an electric motor, which is said to be wonderful. Rohan is worth many thousands of dollars. It is said that this invention was perfected while he was in the penitentiary."