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HINDU PLOT CASE GOES TO JURY FOLLOWING TRAGEDY

COURT CITES ENEMY PLOTS IN ADMONITION

Explicit Address to Jury Warns That There Is but One Charge in Conspiracy Case

Judge Van Fleet, consumed several hours of the last day of the celebrated action in charging the jury.

The court's admonition reviewed in careful detail the charges against the seventeen Hindus and the fifteen Germans and American defendants enmeshed in the gigantic net of international intrigue and alleged subversion of diplomatic instrumentalities.

In the reading of the charge, Judge Van Fleet again brought before the minds of the jury the events as chronicled in the evidence submitted by prosecution and defense in the days, many of them weary and tedious, many of them fraught with romance and nefarious adventure, of the trial as it has proceeded its technical way.

PLOTS IN AMERICA.

In continuing he said, as if by way of apology for being so explicit in his charge:

It would be a vain and idle thing to ask you to ignore the conditions which beset us, growing out of the frightful and appalling war in which we are, now involved and the fact that the conspiracies, one of which we are rapidly becoming more immediately and painfully acquainted; nor shall I expect you as citizens, to put out of your minds the existence in our midst and throughout the entire country of the many criminal activities by the enemies of our country in fomenting and plotting in execution, plots for destruction of war materials and other property, and for the doing of many other acts of a criminal and evil character calculated and intended to hamper, impede and weaken us in our prosecution of the war; these things are daily noted in our press and are of common knowledge which cannot be kept from you, and the knowledge is naturally calculated to excite strong sentiments of hostility and bitterness in the breasts of loyal American citizens against the enemies of this, and who adhere to or lend aid to them.

But while you may not justly be asked or expected to ignore these conditions as citizens, I must admonish you that it is your duty to ignore them as jurors.

RIGHT TO OPINIONS.

It has been necessary in a case of this magnitude to cover the essential principles embraced in a very large number of requests made in behalf of the defendants. These defendants are to be judged solely by the facts of this particular charge and by no other charge may you consider or apply law to the facts under our laws.

The court emphasized the fact that the alien defendants were not on trial for wrong against any other country or for entertaining sentiments of loyalty and patriotism toward the countries whence they came. "This is a free country," the court declared, "and we do not question the right of any man within our borders, whatever his birth, to entertain such sentiments and opinions and convictions * * * so long as those convictions are not given voice or acted upon in a way to transgress our laws or jeopardize the safety of our country.

"What the defendants, be they Hindu, German or American, are here to answer for are acts alleged to have been wrongfully committed by them which contravene the statutes of the United States, which are intended and to protect it against the danger of international complications and difficulties with its neighbors with whom it must place through the violation of its laws governing its neutrality."

MEANING OF CONSPIRACY.

Judge Van Fleet called the jury's attention to a score of interpretation of the term "conspiracy." "You will bear in mind that the defendants are not charged with the substantive offense—that of beginning or setting on foot a military enterprise, as defined in section 31, or knowingly contributing into a conspiracy to commit that offense, which is, under our law, in itself a distinct criminal offense as provided in section 37," which the court read.

"In other words, to warrant conviction the evidence must not only show that conspiracy was entered into, but that it was with the intent to begin or set on foot a military enterprise or expedition."

The admonition then reviewed the charges against the defendants, en bloc and individually, and summed up briefly the defense interposed for each.

MANY REST CASES.

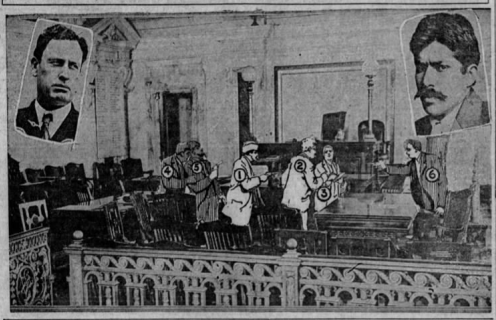
Moreover the Hindu defendants did not introduce evidence to refute that of the prosecution, but rested their cause, preferring, after the stoical philosophy of the Oriental, to rely upon the American presumption of innocence, and to leave their cause to the fates which they believe sit in judgment over the cases.

ONLY ONE CHARGE.

Several times the court admonished the jury to bear in mind that "the charge, "and the only charge," upon which the defendants were being tried, is that of entering into a conspiracy against the United States and no other country.

In substance and effect the charges against the defendants, as outlined by the indictments and reviewed by the court, involved the conspiring "to hamper, impede and weaken our government and we all food and provide and prepare the means for a military enterprise to be carried on from within the United States against India, which country is the territory and possession of the British crown, a war with which the United States had not peace and with which the German empire was at war."

PHOTO DIAGRAM showing positions in courtroom of principals in double shooting. The light figures represent the first episode in the tragedy, the dark figures the positions of the men after Ram Chandra had been shot to death. Ram Singh, who assassinated Ram Chandra, No. 3, as he was about to chat with Attorney Roche, No. 3. No. 4 is Attorney Moore attempting to hold the assassin, now numbered 5, as Marshal Holohan, No. 6, leaning over the prosecutors' table, shot the murderer through the heart. The insert on the left is James B. Holohan, that on the right, Ram Chandra.



SIKH SHOT DEAD AS HE SLAYS RAM CHANDRA IN CROWDED COURT

(Continued From Page One.)

the federal government, and particularly United States Attorney John W. Preston and his assistant, Mrs. Annette Adams, who conducted the prosecution.

Craig was acquitted upon his showing that he had taken a contract in good faith to repair the gunpowder Maderski, his shipmate in the belief that the vessel was the property of Fred Johnson, the vessel later figuring as one used in the shipping of munitions to German warships.

The tragedy which marked the close of the trial occurred as court was adjourning for the noon recess. Judge Van Fleet had left the bench, gone to his chamber only to return quickly upon hearing the shots, which were fired by Singh and Holohan. Deputy marshals rushed the defendants into custody, Hindus, Germans and Americans as well. Deputy marshals, secret service men and armed soldiers took quick hand in the confusion to restore order.

FIRES UPON CHANDRA.

The jurymen had left the courtroom, having been excused for luncheon, after United States Attorney John W. Preston had finished his final argument. It was the time approaching for giving of the court's charge to the jury, which was done after the recess.

Out of the group of turbaned Hindus, imperturbable in their stoggish Oriental mysticism, just after noon, while the courtroom was still filled with lawyers, spectators and the many defendants, about to retire for the recess—little Ram Singh quietly rose from his place in the dock, Chandra was sidling by on his way toward Attorneys George McEwen and Theodore Roche, to talk with them.

Singh flashed a revolver, and presenting the weapon against his victim's side, fired. Chandra shrunk against the shock, then tried to rush away from the assassin, who continued to fire.

Four bullets went home.

Deputy United States Marshal Stanley Moore, who leaped over and grappled the pistol wielder's arm, though writhing, swinging the revolver like a swopping automatic machine gun and still sending shots at Chandra, who had fallen to the floor.

Then it was that Holohan acted. He could not have been any quicker. Right in line with the Sikh was Preston, near by was Attorney Bert Schlesinger, Attorney Roche, and separated them was Mrs. Holohan and Mrs. Preston. Attorney Otto Irving Wise was so near that he had tried to stop Singh from firing.

One shot from Holohan's revolver killed the assassin.

When the end came, men wrapped Singh's black turban about him for a shroud and soon both bodies were taken away. Ram Chandra's wife was present in the courtroom.

The murder of Chandra was the climax to the feud which is said to have run through the Hindu plot like a snakelike trail of far eastern mysticism, revolved in all the secretive operations of the Indian mind.

Chandra, marked for death, was shot down, the federal authorities take it from the confessions of the defendants went out of the courtroom and returned immediately.

The United States authorities took up the investigation immediately, fresh out the causes for the shooting, which, it is said, may be ascribed to the possibility of outside conspiracy, also in a plot to kill Chandra.

SPECIAL ADMONITION.

Though the jurymen were not present when the shooting occurred, Judge Van Fleet opened the afternoon session with a special admonition to them to disregard the fact that "two lives had been snuffed out in the courtroom," and lives of two of the defendants in the case before them. Judge Van Fleet said, in part:

I regret the fact of this occurrence. But it is not the subject of your inquiry. It is due to a great emotion and a nervous tension, an event should occur in a federal court room.

My examination of the facts has been sufficient to satisfy me to exonerate completely the office of the United States Marshal. It appears that the individual who did the shooting procured the weapon at the mid hour recess. I say this because I have had the information from of the office of the United States Marshal that there shall be no reflection upon it growing out of this unfortunate occurrence.

PROMINENT FIGURE.

The charge to the jury was then read.

Of the two figures in the tragic shooting, Singh was, so far as the case appeared, of lesser note. He had been accused as one of the conspirators in connection, it was charged, with the editing and the publication of the Hindu propaganda. With Ram Singh, Holohan managed to court had been brought to the attention of the court that had given to his mind the bahiar of Chandra's life.

On the other hand Chandra was marked almost from the beginning of the trial as one of the most prominent figures in the whole world wide tale of international conspiracy, plotting its way out of India, across America into Latin America, touching the German Empire and leading even to the British capital in London. Chandra was known to Hindu, who was said to have fled to Germany before the plot accusations became public.

Witnesses from the drama was the hint that man fearful of Chandra's knowledge, should be convicted and talk afterward, were interested. This and as many other side angles were started upon at once.

The Hindus themselves held to their own counsel. They said nothing. They returned to the courtroom under guard of the United States Marshals, with the exception of Ram Singh, who, handcuffed as if there had not occurred that which Judge Van Fleet from the bench declared to be one of the most dastardly affairs which had ever taken place in a United States court.

Several suspects were picked up by the officials in their search of the slayer, including Ram Singh's brother, the absentee among them Ism Ism Sos, Jagat Singh and Sanat Singh, but after being questioned, they were released.

Examination was begun last evening of the effects of the defendants and of the men killed, by United States Department of Justice officers, to seek after clews which might uncover evidence of a conspiracy of several, rather than one, in the plot to slay Ram Chandra.

Ram Singh, the Oriental found burned through the trial, it was particularized observed in the defense of the Sikh assassin in the story told by his own counsel, Attorney Timothy Healy, who declared that Singh was one of the victims of the machinations of the dead Chandra, in that Ram Singh, who had been a successful merchant in Canada, had put many thousands of dollars into the Hindu propaganda, only to discover that Chandra had turned the funds over to personal uses. On the other hand the sentiment of the clain Hindu were equally positive, that he had played fair as they put it; in that he had been living for many months in evident poverty.

Chandra, himself, had always denied his guilt of the charge of betrayal of his countrymen, made in the Hindu plot. Ram Singh himself had declared that he had made the charge on the witness stand that Chandra had sold out the cause into German hands for $15,000. And in one way and another swept along through the whole trial, at least previous to all external appearance the cause for shooting down of the Hindu editor.

During the panic following the shots, Attorney Roche, who had endeared himself to the court, had knocked down Kauffman, an aged defendant, who was chancellor of the German Consulate, and trampled on him. Kauffman's face was badly cut and he has a black eye. Some of the other defendants rushed to Kauffman's aid. Kauffman's wrist was also sprained.

His face was bleeding, and it gave rise to a rumor that he had been shot.

Turks Claim Victory.

LONDON, April 24.—A Turkish official communication issued April 22 and received here to-day says: "Our engaging our forces near Ujh Tepe Ridge and have occupied Ouzu Gali, fifty kilometers northeast of Jerusalem."

OUTSTANDING DATES IN BIG HINDU TRIAL

THE outstanding dates of the Hindu conspiracy trial are:

July 7, 1917—Indictments returned.

July 30 — Defendants arraigned for trial.

November 21—Jury secured.

November 26—Trial opens to take testimony.

April 17, 1918—Arguments begin.

April 22—Argumente close; case goes to the jury.

PRESTON FLAYS DEFENDANTS

The closing hours of John W. Preston's argument to the jury were devoted to the review of the evidence that had been given against the accused in the Hindu conspiracy case, and in which he declared to be as much a Hindu as any defendant on anything. Robert Craig, one accused to be the king pin of the conspirators and a "known and confessed German agent."

Preston denounced John F. Craig, millionaire stockholder of Long Beach and Louis T. Hengstler because he said, they had "sold out" Hindus and had lied when they were brought face to face the Grand Jury to tell of the plot.

Hengstler, Preston said, had only been convicted after he, Preston, had done everything to make him make a full statement to the Government.

"I was the last Government officer to whom Hengstler would confess, because I thought a piece of his standing in his profession would not stoop to break the law," Preston told the jury.

The angry looks between the rival Hindu factions, to which Preston called the jurors' attention, was due, he said, because Grey had disagreed with the contention of German gold which had come to the revolutionists.

Preston concluded his appeal to the jury to do its duty. He said that the jury system had lately come into disrepute and some of the officials of Washington were advocating the passage of a bill dispensing with the service of a jury in certain cases because jurors were "too chicken hearted." Preston said he had, however, great faith in the honesty and capacity the jury which had the fate of the defendants in its power.

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WHAT DEFENSE ATTORNEYS SAY

Statements made by defense attorneys following the verdict of the jury follow:

OTTO IRVING WISE—I cannot accept the verdict as the impartial and unbiased judgment of a jury free from the influence of war difficulties and the atmosphere which surrounded the proceedings during these five months. The tragedy in the courtroom undoubtedly had its effect. Mr. Hart was unjustly accused and unjustly convicted. Evidence against the Hindus and against the Germans was accepted against my client. It would be impossible to weigh the evidence against Mr. Hart and fail to give him prompt consideration. An appeal will be taken.

THEODORE ROCHE—The charge to the court was eminently fair. It was masterly a charge and as fair upon facts and law as I have ever heard delivered by any judge at any trial. The verdict was a surprise to me so far as some of the defendants were concerned. I felt that under the facts in the case, Grey and one or two others, of the defendants could have been acquitted.

STANLEY MOORE—The verdict was a great surprise to me so far as Hengstler was concerned. I had felt that the evidence introduced by him amounted to an absolute demonstration of his innocence.

BERT SCHLESINGER—I endorse what Mr. Wise has said with regard to our client, Harry J. Hart.

TIMOTHY HEALY—I have declared my belief in the innocence of my clients and I still believe them innocent, notwithstanding the verdict of the jury. But it does not lie in the mouth of any man to find fault with the verdict of the twelve men who have deliberated upon the evidence, the jury was made up of truly representative American citizens, who gave close attention to the evidence and have declared their belief in the guilt of the defendants. The jury has served its country and done its duty, without fear or prejudice, and with regard only for the evidence and the probabilities of the case. They are just such men as any defendant in any case should be well satisfied with as arbiters of the issue of guilt or innocence. They were free from the national bias of a partisan, such as an attorney is in every cause he advocates, and my clients bow to them and their judgment.

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The American men and women must guard constantly against Kidney trouble, because we eat too much and all our food is rich. Our kidneys are tired out. We ask them to filter the poisons from our blood, they weaken; then comes aching, misery, stiffness, the eliminative tissues tire and the result is kidney trouble, dull aches, sickness and a general decline in health.

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"Calomel is dangerous, and people know it. While Dodson's Liver Tone is perfectly safe and gives better results," said a prominent local druggist. Dodson's Liver Tone is guaranteed by every druggist who sells it. A large bottle doesn't cost very much, but it is bound to give relief in every case of liver sluggishness and constipation. If you have only to ask for your money back.

Dodson's Liver Tone is a pleasant, vegetable liquid, guaranteed perfectly safe for both children and adults. Take a spoonful at night and you'll feel great next morning. It does not gripe nor sicken, and stands alone as a gentle laxative and stomach and bowels. It doesn't gripe or cause inconvenience all the next day like violent calomel. Take a dose of Dodson's Liver Tone tonight and you will feel fresh, cool, and invigorated. Don't lose a day's work! Take Dodson's Liver Tone tonight and feel fine. Full of vigor and energy tomorrow morning.

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