

## PATRICK MUST DIE

Court of Appeals Affirms Sentence on Lawyer.

### FOR MURDER OF HIS CLIENT

He Caused Valet to Kill Aged Millionaire and Therefore Is Equally Guilty—Majority of One Decides the Case.

ALBANY, N. Y., June 9.—The Court of Appeals today, by a divided court, voting four to three, sustained the lower court in adjudging Albert T. Patrick, the New York lawyer, guilty of murder in the first degree, in causing the death of William Marsh Rice, an aged millionaire, formerly of Texas.

On April 7, 1902, Patrick was convicted on an indictment charging him with the murder of Rice by chloroform and mercury, administered to him during his sickness on September 12.

The case reached the Court of Appeals on March 14 of this year, when David B. Hill, who appeared for the defense, based his argument for reversal mainly on the contention that the condition of Rice's body, revealed by the postmortem examination, might have been caused by fluids used in embalming.

Patrick has succeeded in postponing the ultimate decision of his fate for over three years by a display of acumen and resourcefulness that has excited the wonder of the members of the bar and the public at large. The opinion of the court, written by Judge Green, is exhaustive, reviewing the formidable record in every detail, and containing upwards of 30,000 words.

#### Theory of Prosecution.

Judge Gray sets forth that the theory of the people was that the defendant had conspired with Charles E. Jones, the valet, or as sometimes called the secretary of Rice, to kill Rice, and that the defendant procured Jones to administer chloroform to him while he was asleep, in the accomplishment of their joint purpose. The purpose, they said, had been to motivate the desire to obtain possession of Rice's estate through a will in favor of the defendant and through various transfers to him of properties, all purporting to have been executed by Rice, but which had, in fact, been forged by the defendant, with Jones' aid.

The defense is based upon a denial that Rice's death was effected by violent means, that was, that the procurer of our defendant and the propositus is advanced that the forgeries were not brought home to the defendant, or, if the evidence warranted the finding that they were, that that fact did not necessarily fasten upon him a criminal agency in the murder.

#### Patrick Principal in Crime.

It was not claimed that Patrick personally committed the murder, for the prosecution admitted that the secretaries of Jones that it was he who did it, induced and aided thereto by Patrick, but the defendant was a principal in the commission of the crime, under the law, if he aided and abetted it, whether present or absent, or if he directly or indirectly counseled, commanded, induced, or procured another to commit it." After a review of the evidence, the opinion con-

#### Good Ground for Verdict.

The jury might well find upon the evidence that the death was not the result of natural causes and that it was due to some criminal agency. They could well conclude that the autopsy disclosed no natural cause for the death, and that the theory of the medical opinions, it could only be accounted for as having happened in the way testified to by Jones, that is, by chloroform poisoning administered by the defendant.

The persons who assisted at the autopsy testified to physical conditions making a natural death incredible. It was for the jury, to say nothing of the court, to decide whether the facts and circumstances satisfactorily accounted for a death by chloroform poisoning. The finding of mercury in the body corroborated Jones as to having given mortal poison to the deceased to weaken his system.

## JEWELS, LACE AND SABLES

### PRICELESS WEDDING GIFTS FOR GUSTAVUS' BRIDE.

British Society Turns Attention From Alfonso to Princess Margaret's Coming Marriage.

LONDON, June 9.—With the departure of King Alfonso, interest in society begins to center on the coming wedding of Prince Gustavus Adolphus, eldest son of Crown Prince Gustave of Sweden and Norway, and Princess Margaret Victoria, daughter of the Duke of Connaught, to which unusual attention is drawn by the present crisis between Norway and Sweden. The wedding guests will begin to arrive next week.

Elaborate descriptions are published of the trousseau of the Princess Margaret and of the dresses of the bridesmaids, a view of which has been given to the members of the press. The four bridesmaids will be Princess Mary of Wales, Princess Patricia of Connaught, Princess Beatrice of Saxe-Coburg and Gotha, and Princess Eugenia of Altenburg.

The wedding dress is a cloud of pure white Irish lace, posed over white satin and strewed with garlands of orange blossoms and myrtles. The corsage is cut out, and there is the regulation court train. This is an importation from Paris, but practically all the other dresses for the bride and bridesmaids are of English make or Irish material.

The Duke and Duchess of Connaught gave a garden party at Clarence House today for the display of the magnificent wedding gifts, which formed a amazing show of jewels, especially rubies. Princess Margaret Victoria's favorite.

The Duke and Duchess of Connaught gave their daughter a diamond tiara and a sable coat. King Edward and Queen Alexandra gave a magnificent tiara of rubies and diamonds, while a beautiful necklace of rubies and diamonds is the joint gift of the Princess and Princess of Wales, Princess Victoria and the Duke of Fife.

Princess Victoria and the Princess of Denmark. The Duchess of Fife sent a diamond tiara. The Duchess of Albermarle and other Irish peerses, in behalf of the ladies of Ireland, called at Clarence House and presented to Princess Margaret Victoria a beautiful wedding lace and a veil of choice Irish muslin. Baron von Beldi, the Minister of Finance of Norway, and the Swedish and Norwegian residents of London, presented to the Princess a service of gold plate.



## ENDS ALL STRIFE

(Continued From First Page.)

hands of the policy-holders and will eliminate entirely the one-man power to which so much objection has been made.

#### Morton Chosen as Compromise.

The selection of Mr. Morton, in the opinion of those who have followed events, is in the nature of a compromise and a victory for the Hyde faction. In any event, the outcome was seemingly a surprise to some of the members of the so-called Alexander forces.

There were two sessions of the board today, a recess being taken at 5 o'clock this evening, when a committee consisting of Senator Depew, Mr. Belmont and Mr. Moffatt was appointed to notify Mr. Morton, who had already been elected a director. The committee spent almost an hour looking for Mr. Morton, who was escorted into the room between files of expectant employees. As the door closed behind him, the sound of hand-clapping was heard. The session following the recess was comparatively brief.

Mr. Hyde proceeded to his private office, where, after consultation with his lawyers, he issued a letter in which he declared that as the legal rights of the stockholders had been determined by the Supreme Court of the state, he had deemed it to be the best interests of the society to part with a majority of the stock in such a form that no one individual should control the destiny of the society. He mentioned that he would retain a substantial stock interest, and expressed the hope that he should continue to be identified with the Equitable. Following this was the tender of his resignation as vice-president. Later came Mr. Untermyer's statement, which follows:

"Mr. Hyde retains a representative of the policyholders represented in his home office, and of whom he is one. Mr. Hyde retains a substantial stock interest and will continue to be identified with the company. All the officers, including Mr. Hyde, have placed their resignations in the hands of Mr. Morton, subject to the control and disposition of Mr. Morton. The interests of the policyholders have been most carefully safeguarded by Mr. Hyde, as will be apparent from the terms of his letter to the board of trustees. This check was indorsed twice."

This evening Mr. Ryan made public a letter to Mr. Cleveland, named as one of the trustees. Copies were also sent to Justice O'Brien and Mr. Westinghouse. After reviewing Equitable affairs in the letter, Mr. Ryan said Mr. Cleveland to accept a place on the board of trustees, was invited to serve.

**Cleveland Invited to Serve.**

I beg you to act as one of this board with other gentlemen, who shall be of a character entirely satisfactory to you. I should not venture to ask that of you on any personal grounds, but to restore this great trust, affecting so many people of slender means, to soundness and public confidence would certainly be a great public service, and this view embodies me to make the request.

Justice Morgan J. O'Brien tonight announced his acceptance of a place on the board of trustees.

#### WESTINGHOUSE ACCEPTS TOO

All Trustees Secured—Mutualization Assured by New Deal.

NEW YORK, June 9.—A letter has been sent Thomas F. Ryan by George Westinghouse of Pittsburgh, accepting his appointment on the board of directors of the Equitable Life Assurance Society. Roger Winthrop, financial manager of the society, tendered his resignation as

## HIS PLEA FOR PEACE

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and German Ambassadors. They feared that unwise counsel in the Czar's domain might prevail. Finally, it is said, when the Czar expressed a desire to treat along the lines which he was given to understand Japan had laid down, the President's application was drafted and immediately dispatched. It is understood that the French Ambassador conversed yesterday morning to the President; Russia's willingness to

treat for peace.

#### REID AIDS IN NEGOTIATIONS

Russian Officials in London Expect an Armistice.

LONDON, June 9 (12 P. M.)—Much satisfaction is expressed in the diplomatic circles here at the apparent success of President Roosevelt in bringing about an armistice between the two powers.

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"I have had a talk with Mr. Morton concerning the resignations that have been accepted in his home office, and I wish him strength to accept them all. When a man starts out to run an establishment, he cannot afford to throw out all the old servants who know how the place ought to be run. I believe he will keep at least some of those who have resigned."

"I am perfectly satisfied with the result of the meeting. We have done everything that the public required of us, and more. We have complied with everything that public opinion has demanded and rightly demanded."

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