

MILLANE IS FREED; THREE OTHERS HELD

FORMER'S PART WAS THAT OF
PACIFIER; OTHERS FOUND
GUILTY—SENTENCE
TOMORROW.

After a trial lasting more than three hours in the city court this morning, a judgment of not guilty was found in the case of Neal A. Millane, charged with participating in the riot last Saturday morning when Carl Herrmann and Carl Herrmann, Jr., alleged German sympathizers, were compelled to kiss the American flag, while Berney Scanlon, John Rosano and Frank Gorman were found guilty. Judge Edlin continued the cases of the three young men until tomorrow morning however, for sentence. Prosecuting Attorney Bertrand E. Spencer asked for the imposition of a jail sentence of ten days, stating that the whole procedure was an outrage.

The court room was packed to the doors, standing room being at a premium long before the court opened at 9 a. m. Many women were present to listen to the testimony. A large crowd stood in the corridor of the court room during the proceedings listening to the testimony. Corporation Counsel Gustaf B. Carlson appeared for all four of the accused. All pleaded not guilty.

Carl Herrmann, the proprietor of the delicatessen store, was the first witness. He said that he was aroused early Saturday morning about 1:30 or 1:45 by the crowd. They shouted and pounded on the door, demanding that he come out. Before the door was opened they broke the glass and broke off the lock. He and his son Carl were seized and hauled out onto the veranda. They were told to salute and kiss the American flag which they did. His son made a speech and someone hit him. He did not recognize anyone in the crowd.

Carl Herrmann, Jr., told a longer story. He said that he was down street with the celebrators Friday night. He went home with some girls on Spring street and came home in his auto about 1:45. The crowd was at the corner of Fountain avenue and Cross streets. They followed him down. He was taking off his hat to hang it on the hat tree when the door was broken it. His father was in his pajamas. They were seized and pulled out onto the veranda. His father was ordered to salute and then to kiss the American flag. He was then ordered to make a speech but could not do so because he was so frightened.

Carl said then that he was put through the same treatment. He made the speech and told the crowd that he saw no reason why they should pick on his family. They had bought Liberty bonds, given to the Red Cross and were doing knitting. He said that Gorman hit him in the cheek. It was with his fist but it made no mark. Rosano he said, had a lantern. Scanlon and Millane were two others that he recognized in the crowd.

Neal A. Millane took the stand and was the first witness for the defense. Judge Gustaf B. Carlson who appeared for the defendants examined him at length. Mr. Millane said that he was in Hartford on Friday night. He arrived in town after midnight and saw some fellows in front of Brewer's store. They told him there had been a celebration and that the crowd had gone up to make the Herrmanns kiss the flag. He finally started off with Councilman Adelbert B. Lane and Richard D. Hyland. When they arrived there things were just starting. He stood on the other side of the street. Someone shouted police and he went over across the street, elbowed his way through the crowd and said that "they have had enough." He then pulled some of the crowd away. He said that he was a special constable and showed his badge in court. In answer to a question from Prosecuting Attorney Spencer he admitted that his reason for going there was curiosity rather than to prevent any breach of the peace. His desire to stop a breach of the peace was formed after he arrived there.

Frank Gorman denied that he had struck young Herrmann. He said that he went there with the rest and that he went only to see the fun. He was on the veranda, but he did nothing except to shout when the rest did.

John Rosano denied having a lantern as young Herrmann had charged. He said that he was in bed when the celebration started. He came up street when he heard the noise and when someone said that the crowd was going to Herrmanns, he started off also. He had never heard anyone who knew that the Herrmanns had said anything against the country, but had heard people say that they were against America. He said he was fifteen years old.

Bernard Scanlon gave about the same testimony. He was there to see the fun he said. He touched no one and only shouted when the rest of the crowd did.

Councilman Adelbert B. Lane said that he went to the scene of the trouble with Mr. Millane. He was on the opposite side of the street. When someone shouted police, he said that Mr. Millane said: "They have had enough," and then went across the street. Mr. Hyland also gave similar testimony.

The arguments of the counsel were really the most interesting thing in the proceedings. Prosecuting Attorney Spencer said that he believed he spoke for all sober-minded citizens of the town when he stated that the affair of last Friday night was an outrage. It was a disgrace to the fair name of Middletown, and the guilty ones should be punished. "There is no one in this court room who has more respect for the American flag than I have myself; but," he continued, "it is not showing respect to the flag to use it for any such purpose as it was used last Friday night. That is not patriotism. It is simply rowdyism, and the decent citizens of the town will not stand for it. If anyone in this city knows of a single word or expression that Mr. Herrmann or his son has used against this country, and will come to me and repeat it, I will immediately take up the matter with the United States district attorney and see that the Herrmanns are punished. There is a federal prison at Atlanta and a federal espionage law with teeth in it which will attend to all cases of this sort, and the only thing for people to do is to make complaint, and they will be attended to. However, if people are to be subject to attack merely because some person starts a story that they are opposed to this country, then

those starting such reports must be punished."

The celebration and the parade last Friday night, were fine things, he said. The people should be allowed to express their patriotic feelings in this manner, but Middletown is no place for rowdyism such as occurred at the Herrmann house. He then went on to review the evidence. He said that with the exception of Millane, the evidence pointed to the guilt of all three young men. With regard to Millane he was in doubt.

Judge Carlson, in rebuttal, went into details in the case. He said that he, too, upheld Mr. Spencer, that the affair was a disgraceful one. It was a riot, and citizens of German birth should not be assailed merely because of that fact. The great majority of German citizens were patriotic and stood for this country. However, the main thing was the guilt of these four accused. He then went on to show how, in his opinion, the evidence indicated that they had taken no part in the affair, aside from that of a passive spectator. Mr. Millane, he said, was entitled to great credit and commendation for his part in the affair. He had tried to quell the disturbance.

The court after hearing the argument announced that in the case of Mr. Millane the evidence showed that he was not guilty, but in the other three cases, guilt had been proven. Sentence was, however, deferred until tomorrow morning. The result of the trial was the subject of much comment about the corridor after the adjournment of the court.

Mr. Millane after being found not guilty asked the court to commend him for his action in connection with the affairs, urging that he needed to be set right before the public. The court replied that the judgment of not guilty spoke for itself as its effect was to exonerate Mr. Millane of all guilty connection with the affair, on the evidence submitted. It added that Mr. Millane's attempt to check further disorder was entirely in line with his duty as a good citizen as Mr. Carlson had suggested.

There were two other cases before the court besides the riot cases. Jeremiah Reidy was sent to jail for thirty days for intoxication. He was arrested Friday night for intoxication but was too drunk to try, Saturday. He has been before the court before.

Edward, better known as "Dummy" Kennedy was sent to jail for thirty days for intoxication and thirty days for indecent exposure. He was arrested late Saturday night, laid out drunk.