

POOR DOCUMENT

MC 2035

THE EVENING TIMES AND STAR, ST. JOHN, N. B., WEDNESDAY, FEBRUARY 14, 1923

JAIL FOR FOUR LA MONTAGNES IN RUM CASE

Montague, Eldest Brother, Sentenced to Two Months, Rene, William and Morgan to 4, as Bootleggers—Clubmen Must Also Pay \$2,000 Fines.

(New York Tribune) Prison sentences and fines were imposed on Friday by Judge Winslow in the United States District Court on Montague, Rene M., William A. and Morgan E. La Montagne, members of the Racquet and Tennis and other clubs, who were indicted as society

bootleggers and pleaded guilty yesterday to the indictments. The sentences were imposed after leaders of the bar had pleaded with the court for leniency on the ground that the four brothers, men of unquestioned honor and position in the community, had found their inherited business "made illegal overnight" and, in the disgrace of their present position, were suffering punishment far beyond the power of the law to impose.

Each of the defendants pleaded guilty to two indictments, one charging conspiracy to violate the Volstead act and the other conspiracy to defraud the government of taxes. Judge Winslow imposed sentences on the first indictment.

Montague La Montagne, eldest of the brothers and head of the family enterprise, which include the Green River and Eminence distilleries in this country, was sentenced to two months in the Essex County Penitentiary.

William A. La Montagne, a polo player who has represented this country in an international match, was sentenced to four months in the Essex County Penitentiary and to pay a fine of \$2,000. Similar sentences were imposed on William A. and Morgan E. La Montagne. They have five days to settle their business affairs and their bail of \$15,000 each was continued.

In pleading for clemency for the La Montagnes John G. Milburn, president of the Bar Association, intimated that the enactment of prohibition had affected the family fortunes to an extent which seemed to threaten comparative poverty.

It is expected that they will dispose of their liquor business in this country. In addition they will have to pay considerable sums in back taxes and penalties to clear their record of evaded tax payments.

Numerous friends of the four defendants were in court. The brothers sat with their attorney of record, Harford T. Marshall, in the otherwise vacant jury box and avoided the eyes of others in the room. For the most part they stared at their knees, which they held between their knees.

They were moved almost to tears as their attorneys described their plight to the court and Rene La Montagne wept unaffectedly as he stood at the bar awaiting sentence, twisting his derby in his hands.

Joseph Auerbach, the first attorney to seek clemency, based his plea upon the resentment caused by prohibition and reminded the court that Dr. Nicholas Murray Butler, president of Columbia University and a recent candidate for the Republican nomination for President of the country, had declared that the law was not the public will and violation of it was no offense against society.

Wade Ellis, former Deputy Attorney General, spoke of the punishment which their present predicament was to the La Montagnes.

"They have already had their lesson," he said. "They can suffer no greater public disgrace than that to which they have submitted themselves by appearing here in an audience composed of their friends and associates and pleading guilty of a crime."

Head of Bar Pleads. Then came the president of the Bar Association, whose son, John G. Milburn Jr., is one of the world's foremost polo players. He had known "these four boys for years and their fathers before them," he said.

"They are not aggressive business men, striving for the dollar," said Mr. Milburn. "They were interested in the generalities of things. This business had been in their family for years. They were interested in the pleasures of the mode of life in which they had been brought up."

"Overnight their legitimate business has been turned into a crime. Yesterday it was within the law for these men to conduct their business. Today the law makes them criminals. Men do not adapt themselves to these sudden changes in a day, a week, a month or a year. Such changes must come."

"If it were made unlawful today for

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Caldwell and to pay a fine of \$2,000. He was in France in the interests of the wine business of the family at the time the offenses mentioned in the indictments were committed, but admitted a general knowledge of them.

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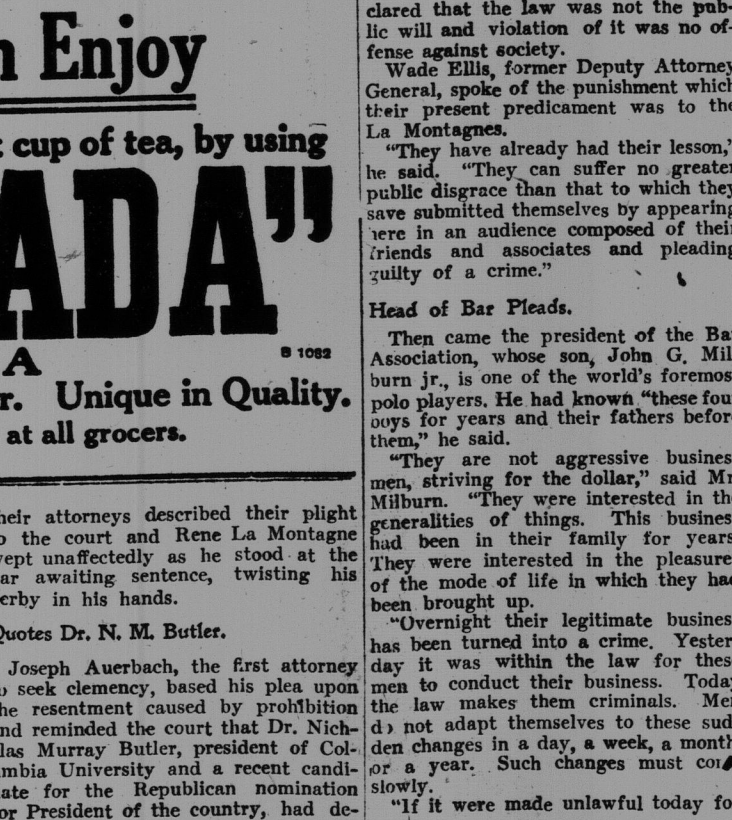
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us to practice law, directly or indirectly, how long would it be before we could adjust our habits so that we could conform faithfully to the statute?"

Mr. Hayward rose and asked briefly for jail sentences for the quartet. He had been informed early in the week, he said, that they intended to enter pleas of guilty. There was no bargaining about it, he said beyond the implied bargain in all such cases owing to the saving of the government's money and time.

Issue Clear, Says Hayward. The case against the defendants was clear, he said, and was based on the testimony of their friends, many of them members of the Racquet and Tennis Club, the government having undertaken the prosecution on the theory that a gentleman might buy liquor, but he would not commit perjury.

He was not in court, he said, to debate prohibition or to discuss Dr. Nicholas Murray Butler, whom he characterized as "a just of crime," he was there simply to urge the imposition of prison sentences in mitigation of a really grave peril which threatened the community.

"A prison sentence is necessary," said Mr. Hayward, "to avert the tendency toward alcoholic anarchy which is prevalent in New York."

Mr. Hayward said he intended to move the cases of the others indicted with the LaMontagnes immediately, with the exception of two who have not yet surrendered on the indictments. One of the two missing defendants is Samuel Story, manager of the La Montagne commission house, who is in Europe.

The La Montagnes were indicted December 29, with nine others, most of them employees, though one, Eddie Harlow, was in charge of the cigar stand at the Racquet and Tennis Club.

TO CREMATE BODY OF X-RAY INVENTOR. Roentgen Ennobled for Services to Science.

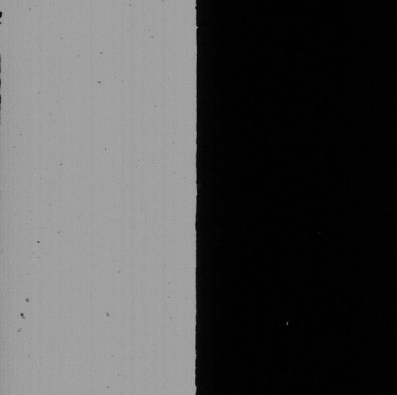
Munich, Feb. 14.—The body of Prof. William Conrad Roentgen, discoverer of the X-ray, who died Sunday, was cremated on Tuesday at Ostfriedhof cemetery here.

The immediate cause of death was a brief illness from an intestinal stricture. The fact that he was ill was not known outside the family circle.

Prof. Roentgen retired as ordinary professor and director of the physical institute of the University of Munich about three years ago on reaching his 75th birthday. He had been on active duty at the university previously for 29 years. Up to the past few weeks he had pursued his scientific investigations privately. His wife died three years ago, and the only surviving member of the immediate family is an adopted daughter.

Prof. Roentgen, because of his discovery of the X-ray, was elected to membership in practically all national

In the absence of the president, the vice-president, Mrs. E. N. Davis, presided at the meeting of the Central Baptist W. M. S. last night. Two missionary papers of exceptional interest were read by Miss Kathleen McArthur and Miss Edna Wiggins.



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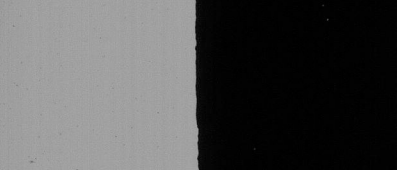


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Assurances in force	- - - - -	\$631,404,869.49
Increase for year, \$94,686,738.96 (Including Reassurances)		
Assets	- - - - -	174,088,858.32
Increase for year \$44,716,730.99		
Cash income	- - - - -	36,251,322.13
Increase for year, \$5,144,172.97		
Payments to policyholders	-	15,615,505.85
Surplus over all liabilities and capital	-	14,269,420.95
Increase for year, \$3,885,511.85		
New assurances issued and paid for in cash	- - - - -	90,798,648.79

AVERAGE RATE OF INTEREST EARNED 6.27%

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