

# SENTENCED TO DEATH.

**Czolgosz's Speech was scarcely audible to the Judge.**

**ALONE IN HIS CRIME**

**Court allows him to state that in order to clear his Parents.**

**ASSASSIN IS BADLY BROKEN**

**Accepted the Bible and took Oath before answering the formal Questions.**

**GREAT CROWD IN THE COURTROOM**

**No Demonstration at all—Czolgosz was pale and hardly able to stand unsupported.**

Sentence of death in the week beginning on October 28th was passed upon Leon F. Czolgosz at 2.10 o'clock yesterday afternoon. It was a solemn scene, a ceremony most impressive. The law seemed to take the clammy faced assassin by the shoulders and turned him face to face with death bidding him so wait until the given day of doom, when retribution, grinding steadily and surely in the mills of justice, shall take a life for a life.

There was an eagerness manifest everywhere to see and hear the fellow doomed to die. It was not an eagerness born alone of curiosity. The feeling fathering it was that it would be a high privilege to be present when his fate was sealed.

Czolgosz spoke. His voice was faint and feeble. It almost was a whisper. His face was clammy and yellow. He was nervous. With his right hand he steadied himself, as he stood, by clutching the back of a chair in front of him. He feigned deafness, as if his senses were numbed. He showed a freakish preference by insisting that the District Attorney, instead of the justice, or his own counsel or the court reporter or the clerk, should repeat to him questions it was desired he should answer. The substance of his words was that he was alone in the crime he had committed, that his family knew nothing of it, that no one else knew of it, that he himself had premeditated it for only two days before he committed it. He

knew it was a crime. Even to him it was a crime, a thing that was wrong, for his own words called it "a crime." His mumble almost was regretful as he spoke of having deliberated two days.

## *Great Crush in Court.*

Before 1 o'clock the second floor of the City Hall was crowded with people who had slipped in early and waited. The doors of the courtroom were locked. Supt. Bull, Inspectors Donovan and Martin and Capt. Regan were in charge of the police. A squad cleared the corridor. Detective-Sergeants Kennedy and O'Loughlin were posted at the door. Crier Frank Hess and eight deputies were in charge inside. The doors were opened at 1.15 o'clock and there was a rush to get in. The police sorted the crowd quickly. It is no exaggeration to say that if Czolgosz were to have been sentenced in the Stadium the Pan-American Exposition grounds would have been taxed to their capacity. Yesterday the courtroom would have been crowded thrice over by those in the corridors who were unable to pass the doors. Among the many that packed the courtroom were the Hon. Wilson S. Bissell, James L. Quackenbush, Martin Carey, Gen. S. M. Welch, Dr. Joseph Fowler, George A. Lewis, John W. Fisher, Phillip G. Schaefer, Col. John L. Schwartz, William H. Love, Ganson Depew, Frank M. Loomis, Col. Ransdell, sergeant-at-arms of the United States Senate; Porter Norton, John J. Hynes, Henry H. Seymour, Senor Don Edelberto Farres, president of the Cuban commission to the exposition; Willis H. Meads, William A. Rix, Curt M. Treat, William H. Underwood, the Hon. John Laughlin, Dr. E. C. W. O'Brien, Senator George A. Davis, Sheriff Samuel Caldwell, Dr. Matthew D. Mann, Dr. Herman Mynter, J. Ambrose Butler, Charles F. Susdorf and A. Wilcox. Henry W. Wendt, Ben. C. Ralph and other members of the jury were present. Many women were in the courtroom. The seating capacity was taxed to the utmost and dozens stood. The jury-box seats were filled by well-known lawyers. Outside, in the corridor, the jam was so thick that even some who held passes could not get in. Despite the crush all was orderly.

## *Czolgosz comes in.*

Judge Titus, of the assassin's counsel, entered the courtroom at 1.52 o'clock. Judge Lewis did not appear. He had done his full duty. One minute after Judge Titus sat down Czolgosz appeared. He slouched up the aisle handcuffed to Detective-Sergeants Geary and Solomon, with Asst.-Supt. Cysack watching as he walked beside them. Czolgosz wore the old black trousers, gray sack coat and waistcoat, a blue-and-white striped turn-down collar and a light blue four-in-hand tie. He sat down between the two detectives in a chair close behind Judge Titus and directly facing the bench where Justice White would sit. The instant the handcuffs were removed he produced a white handkerchief and mopped his face nervously eight or ten times. His pallid skin shone with a cold moisture. His eyelids drooped, so his eyes seemed almost closed. His head inclined to the right and slightly forward. So he sat, a gray-faced, haggard-featured, heavy-eyed murderer, looking almost woe-begone and a fit object for pity, were not pity and all charitable feeling crowded out by an intense disgust born of his mien and makeup and appearance and career. There was no pity there. The faces on every side showed compassion was absent.

## *Mr. Penney moves Sentence.*

Two thumps of a tipstaff heralded the coming of the court. Justice White entered deliberately, through the aisle narrowed by rows of standing people. Crier Hess's voice was heard.

"Pursuant to a recess, this trial term of the Supreme Court is now open for the transaction of business," he said as Justice White sat down.

There was a moment's pause, then Justice White leaned forward and politely

said to the District Attorney: "Mr. Penney, the court is at your service."

"I move sentence in the case of the people against Leon F. Czolgosz, Your Honor," promptly replied Mr. Penney, who stood to the right of Judge Titus. Turning to the assassin, he said: "Stand up, Czolgosz, please."

Czolgosz stood up. He rose slowly. His eyes were downcast, his whole attitude was listless. He swayed slightly and his right hand clutched the back of the chair in front of him and he held fast to it, as if from the bit of wood he could gain strength or support.

### *Czolgosz takes an Oath.*

"Put your right hand on the Book," said Crier Hess.

Even the wooden support was denied him. Czolgosz swung the hand over to the Bible, whose teachings he had spurned. He did not turn his head, but stood downcast, dejected.

"You do solemnly swear that you will true answers make to such questions as shall be put to you touching your name, your place of birth and occupation and such other questions as shall be asked you, so help you God," said Clerk Fisher.

Court-Reporters Walsh and Bailey moved close to the assassin to hear his every word. No answer, not even a deeper inclination of the head came to the oath. Mr. Penney turned to the assassin and spoke almost kindly.

"Leon," he said, "how old are you?"

### *Answers inaudible.*

There was a pause. The assassin barely turned toward Mr. Penney. His right hand clutched again the chair back. Then his lips moved. Their movement was almost imperceptible. The voice was a mere murmur, a mournful whisper, so low, so faint that in the utter silence of the courtroom, it could be heard not more than 20 feet away. But he had spoken, he intended to speak and the audience listened eagerly.

"Twenty-eight," was his answer to the question of his age.

"Twenty-eight. Where were you born?" said Mr. Penney.

"Detroit," said Czolgosz, in the same low, muttered monotone, even lower, in fact, than before.

"Detroit?" repeated Mr. Penney, to make sure he heard aright.

"Yes, sir," said the assassin humbly, faintly.

"Where did you live last?" asked Mr. Penney, following the customary questions.

"Buffalo," said Czolgosz, so that it seemed a low "Buf" and "lo."

"Do you know what place—the street and number?" asked Mr. Penney.

"Broadway," answered Czolgosz, very low.

### *Statutory Questions.*

So the questioning and answering went. Czolgosz would hesitate, halt, then mumble so feebly that his words seemed to be almost more lip-movement than voice intonation. Here is the colloquy, as it ran, question and answer:

Q.—At Nowak's?

A.—Yes, sir.

Q.—Have you any trade or are you a laborer?

A.—Laborer.

Q.—Are you married?

A.—Single.

Q.—What schools have you attended?

A.—Small—common school.

Q.—Been to the church school, too?

A.—Yes.

Q.—Catholic Church?

A.—Yes.

Q.—What church were you educated in?

Did you use to go to the Catholic Church?

A.—I did.

Q.—Are your father and mother alive?

A.—No, sir.

Q.—Which is dead?

A.—My mother is dead.

Q.—Your father is living?

A.—Yes, sir.

Q.—Are you temperate? Do you know what that means?

A.—No, sir.

Q.—Do you drink much? Drink intoxicating liquors much?

A.—No, sir; don't drink too much.

Q.—You never get drunk? Have you been in the habit of getting drunk? You are not, are you?

At this point Czolgosz refused to answer. He stood mute, with eyes almost closed.

"Pass to something else, Mr. Penney," said Justice White.

"Have you been convicted of any crime before this?" asked Mr. Penney.

"No, sir," numbed Czolgosz.

### *Asked Penney to speak.*

"Have you any legal cause to show why sentence of the court should not now be pronounced against you?" asked Clerk Fisher.

At the sound of another voice Czolgosz's face deadened as if he had fallen heavily asleep. Then his eyelids fluttered as he mumbled very feebly.

"Can't hear that," was his reply, as he heard a rustle in the rear of the room by those eager to see.

"People in the room should remain absolutely quiet and those who are unwilling to do that until the proceeding here is terminated should retire from the room at this time," said Justice White, and all was still.

"Have you any legal cause to show why sentence of the court should not now be pronounced against you?" repeated Clerk Fisher.

Czolgosz raised his dull, blue eyes a moment to the court.

"I would rather have this gentleman speak, over here," he muttered, with a slight motion of the head toward Mr. Penney.

It was the longest, loudest speech he had made, nine words in a rough whisper. He showed either his sullenness toward the court or his preference for Mr. Penney, a preference manifest several times before. Justice White nodded to Mr. Penney, who said:

"The clerk asks you if you have any legal cause to show why sentence should not now be pronounced against you. Do you understand?"

"No, sir," said Czolgosz, evidently striving in vain to muster up courage to make his promised speech.

### *He wanted to talk.*

"He wants to know if you have any reason to tell the court why you should not now be sentenced—say anything to the judge. Have you anything to say to the judge before sentence? Say yes or no, if you have," said Mr. Penney, encouragingly.

"Yes," mumbled Czolgosz.

"Make your statement, then," said Mr. Penney.

The colloquy had seemed almost one-sided save to those close to Czolgosz.

"Does he answer?" asked Justice White.

"He says 'Yes,' he has something to say," said Mr. Penney.

"In that behalf, Czolgosz, what you have a right to say," began Justice White when Czolgosz, raised his face and seemingly by great effort, began to speak.

"I want to say this much—" he mumbled faintly.

"Wait a moment," said Justice White.

"Listen to the judge," said Mr. Penney, and Czolgosz resumed his abject, listless air.

### *Limits of the Speech.*

Justice White, resuming, said:

"What you have a right to say relates explicitly to the subject in hand here at this time, and the legal causes which the law provides that you may claim in exempting you from having judgment pronounced against you at this time are defined by statute. The first is, that you may claim that you were insane; the next is, that you have good cause to offer either in arrest of the judgment about to be pronounced against you, or for a new trial. Those are the grounds specified by statute upon which you have

the right to speak at this time, and you are at perfect liberty to do so freely."

Czolgosz had seemed not to listen, but when Justice White ceased he murmured: "I have nothing to say about that."

Mr. Penney repeated it so all could hear, saying: "He says, 'I have nothing to say about that.'"

"Are you ready?" asked Justice White.

"I am through, sir," said Mr. Penney.

"Nothing to say?" asked Justice White of Czolgosz.

"What is it?" murmured Czolgosz to Mr. Penney.

"What is your answer, Leon?" said Mr. Penney.

"What is it? In regard to—" whispered Czolgosz, as if dazed or unable to speak as he had planned.

#### *To clear his Family.*

His counsel, Judge Titus, rose and stood by him and asked him what he wished to say.

"My family," said Czolgosz in part, in a low whisper, audible to only two or three. "They had nothing to do with it. I was alone. I want to say I was alone and had no one else. No one else but me."

Judge Titus turned to Justice White.

If the court please, I think he ought to be permitted—" said Judge Titus.

"Have you anything to say in behalf of the prisoner, Judge Titus?" said Justice White.

"I think he ought to be permitted to make a statement in exculpation of his family, if the court will permit it? (To the defendant) Go on."

"Well, Judge Titus, that depends, of course," said Justice White.

"What does Your Honor say?" asked Judge Titus.

"It will depend on what the statement is," said the court.

"Well, so far as the commission—" began Judge Titus.

"Have you anything to say in behalf of the defendant at this time?" asked Justice White.

"Well, I have nothing to say within the definition Your Honor has read, as to what we can say, but it seemed to me that in order that innocent people should not suffer by this defendant's crime, that the court should permit him to exculpate, at least his father and brothers and sisters," said Judge Titus.

"Certainly, if that is the object of any statement that he will make," said Justice White.

"That is what he tells us," said Judge Titus.

"Yes. Proceed, Czolgosz," said the court.

It was 2.09 o'clock as the white face of Czolgosz turned a moment to the white face of the clock. Then he spoke, low, faintly, feebly, a murmur, or at least a mumble, with figure drooping, right hand clutching a chair, eyes dull, but open, lips bluish, face clammy and moist. He used a slight accent as he spoke, not German, but rather Polish and it sounded as if he had a slight lisp or had something on his tongue. He spoke rapidly by jerks and starts. He said:

#### *Speech of the Assassin.*

"I would like to say this much: that the crime was committed by no one else but me! No one told me to do it and I never told anybody to do it."

"Your father and mother had nothing to do with it?" interrupted Judge Titus.

"No, sir," said Czolgosz, "not only my father and mother, but there hasn't anybody else had nothing to do with this."

Then he stopped short and hung his head.

"Did you hear what he said, Your Honor?" asked Mr. Penney.

"What did he say?" asked Justice White.

"He says no one had anything to do with the commission of this crime but himself; that his father or mother or no one else had anything to do with it," said Judge Titus, and, turning to Czolgosz he asked: "Did they know anything about it?"

"No, sir; they didn't know about it," said Czolgosz, without looking up.

"Does he desire to say anything further?" asked Justice White.

"And they knew nothing about it," said Judge Titus, repeating for Czolgosz and then asking him: "Anything further you want to say?"

#### *Deliberated two Days.*

"I never told anything to nobody; I never told anything of that kind. I never thought of that until a couple of days before I committed the crime," said Czolgosz, in low voice.

"He never told anybody that he intended to commit the crime nor did not intend to until a couple of days before its commission," repeated Judge Titus.

There was a pause. Absolute stillness pervaded the room. Czolgosz clung to the back of the chair with head downcast.

"Anything further, Czolgosz?" asked Justice White, patiently.

#### *The Sentence.*

The assassin's head bent lower, then he raised his face, moist and pallid.

"No, sir," he murmured and stood still.

Justice White, without rising, leaned forward. The fateful words were about to fall. All watched the prisoner who stood, as if drowsed, but yet aware of what was said, a drooping being doomed to die about to hear his sentence. Justice White began to speak, slowly, solemnly, in clear, deep voice, without waver, without emotion, without expression either of pity or disgust, the voice of the law, the voice of justice, the voice of fate. The voice said; and its every word could be heard in the remotest corner of the room:

"Czolgosz, in taking the life of our beloved President, you committed a crime which shocked and outraged the moral sense of the civilized world. You have confessed your guilt, and, after learning all that can at this time be learned of the facts and circumstances of the case, twelve good men have pronounced your confession true and have found you guilty of murder in the first degree. You declare, according to the testimony of credible witnesses, that no other person aided or abetted you in the commission of this terrible act. God grant it may be so. The penalty for the crime of which you stand convicted is fixed by statute, and it now becomes my duty to pronounce its judgment against you. The sentence of the court is that in the week beginning on October 28, 1901, at the place, in the manner and by the means prescribed by law, you suffer the punishment of death. Remove the prisoner."

The voice ceased. The doomed assassin stood still. Those in the room sat or stood motionless, watching, waiting. There had been no parting "May God have mercy on your soul," no word of mercy, no word of hate, simply the austere, emotionless voice of the law, dooming an infamous miscreant to die, branding him as unfit to live, condemning him to the time and place and manner of his end. The awesome word "death" came in a deep, hushed tone that made it doubly impressive. The assassin's face whitened still more and the features grew even duller.

The hand of Detective Geary, the hand that caught the President as he reeled after the fatal shots, reached up and drew the assassin down as he drooped after the fatal words. He sank into his chair, then half-straightened as they snapped the handcuffs on him. It was exactly 2.12 o'clock.

#### *Judge Titus said Good-bye.*

"Czolgosz," said Judge Titus, turning toward him, "Good-bye."

"Good-bye," whispered Czolgosz huskily.

Judge Titus put out his hand, as if to a dying man. Czolgosz saw it, hesitated, then shook it listlessly.

He stood up between the detectives. Gen. Bull and Mr. Cusack cleared the way. Then they led him out of the halls of justice, through the corridors of the City Hall, down the crepe-draped stairs,

through the basement, through the tunnel, through the Jail to his cell. At the cell door they took off the handcuffs. Czolgosz turned to them.

"Well—good-bye," he said and shook hands with Detectives Geary and Solomon.

His hands were icy and clammy, his face was white, he was in a cold sweat. He watched them a moment, then stepped into his cell, took off his coat and sat down, his head in his hands.