

"PINKY" MUST STAY IN PRISON.

Judge Philips Will Not Let the Vote Repeater Out on Bond.

If Judge Philips can have his way—and he generally does—"Pinky" Blitz, the vote repeater, must remain an inmate of the state penitentiary for the next two years even though his attorneys take his case to the supreme court of the nation in the meantime.

This morning ex-Governor T. T. Crittenden came into the federal court and asked Judge Philips to sign a writ of error to the supreme court in the Blitz case. The court cheerfully complied and Mr. Crittenden said he would return in the afternoon with application for a bond to be fixed by the court in order that Blitz might be released from custody pending the disposition of his appeal. Judge Philips politely told Mr. Crittenden that he might file his application, but announced in open court that in no event would he issue a supersedeas. This was in the nature of a surprise to everyone concerned in the case, as it was supposed that if Blitz's appeal was perfected he would be admitted to bail immediately. Judge Philips holds, however, that there is no error in the case and the question of taking bail for Blitz he believes to a matter wholly in his discretion.

Attorney Lyman called on District Attorney Neal later in regard to the bill of exceptions in the case and was astounded when informed that Blitz could not be released on bond. Mr. Lyman declared the power of the supreme court would be appealed to and Judge Philips mandamus to accept bail. Then he hastened away to consult with the other attorneys in the case.

If Blitz is not released it is difficult to determine of what use the appeal could be. Before the supreme court could pass on the case the two years to which Blitz was sentenced would have expired. If Judge Philips were reversed Blitz's character would not be vindicated, as the appeal is made on account of alleged flaws in the indictment. A new indictment would be drawn in that event and the case would have to be tried over again. If Blitz were convicted a second time the two years he had spent in the penitentiary would not prevent him from getting a fresh sentence if the judge felt so disposed.

It is thought that the "push" will now abandon the case as hopeless.

District Attorney Neal dismissed to-day the cases against Alderman "Andy" Foley, Joseph Higgins, his bartender, and Patrick Sherlock, the livermen, who were indicted at the same time as Blitz for assaulting United States deputy marshals at the last general election.

MISTIC SHRINERS COMING.

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