

# THE BAUMANN CASE.

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**This Famous Affair Comes to a Sudden  
Termination.**

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**The State Orders the Case Nolle  
Prosequed.**

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**Admitting Not Having the Evidence  
Necessary to Convict.**

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**Judge Ferguson Grants the Motion  
and Discharges the Accused  
From Custody.**

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Judge J. C. Baumann, the well-known Republican politician, over whose head a capital charge has for some time been hanging, walked out of the criminal district courtroom yesterday a free man. Denis Richards, the negro, who was charged as the principal in the same case, was also released from custody, the prosecution being compelled to abandon its case before any movement toward a trial was made. The manner of discharging the prisoners, however, gave rise to considerable discussion in the court, and a

large array of counsel participated in the discussion.

The public is generally familiar with the case. Judge Baumann and Judge Long were rival political leaders in the town of Kenner, in the parish of Jefferson. That was a Republican stronghold and Judge Baumann was the head and front of the Republican element in the town. Troubles between the races happened in the parish about three years ago, and continued some time. More than a year ago Judge Baumann was run out of the parish, his house having been fired into at night. Subsequently Judge Long carried the town politically, and it is now as strong a Democratic stronghold as it was once Republican.

In the early part of this year Judge Long was shot and badly wounded near his home in Kenner. He was brought to the city, and was at the point of death for a long time in the charity hospital. He finally recovered. Several negroes were arrested, charged with the crime, and one of them, Ed. Dixon, was lynched at Kenner. Finally Dennis Richards was caught. He made a confession, in which he said he had shot Long, and that he had been paid to do so by Baumann. Then Baumann was arrested. Afterwards Milbert Williams was apprehended, and made a statement in which he said that he had carried messages to Richards from Baumann.

When the case was called in the parish of Jefferson application was made by both accused for a change of venue, the ground being that witnesses for the defense were afraid to go to the parish to testify. The change of venue was granted. Since then Richards and Baumann have been confined in the parish prison on this side of the river. So has Milbert Williams.

Last Friday Williams and Richards made statements in which they said that their previous confessions had been made under threats, and after they had been subjected to violence. Richards claimed that he had shot Long in self-

release.

The case was assigned to Judge Ferguson's division of the criminal court and set down for trial yesterday. There was a large crowd in the courtroom when the prisoners were called, both sides of the river being represented in the audience. Messrs. Evans and Dunn and Mr. M. J. Cunningham, Jr., representing the attorney general of the state, appeared for the prosecution. A. D. Henriques, Walter H. Rogers, Paul Fourchy and H. N. Gautler, Esqs., were on hand for Baumann.

Mr. Gustave Soulat, who was appointed by Judge Rost, was on hand to represent the negro prisoner.

There was no trial. After the names of the witnesses had been called Mr. Cunningham said he desired leave of the court to enter a nolle prosequi as to both of the accused. The state, he said, was satisfied that in course of time it could collect evidence against the prisoners, but that it did not have the evidence at this time. Mr. Cunningham, in support of his motion, read a letter from Judge Long, upon whose life the attempt at assassination was made, in which the latter advised Mr. Cunningham that the only evidence against the prisoners was the statements of the two negroes, and as the negroes had recently denied the truth of those statements, he suggested that Mr. Cunningham enter a nolle prosequi until additional evidence could be secured.

Mr. Henriques and Judge Rogers both protested against this disposition of the case, and referred to the prosecution as a criminal and infamous conspiracy. They desired the acquittal of Judge Baumann by a jury and did not want the charge hanging over his head, as would be the case if a nolle prosequi were entered. If the case was not finally disposed of now, and a nolle pros. were entered, there was nothing to prevent a new indictment in the parish of Jefferson, and all the endless worry of another application for a change of venue. Under these circumstances they believed that a

jury should be impaneled and that the accused, Baumann, should be regularly adjudged innocent of the crime with which he was charged.

Mr. Soulat was also opposed to a nolle prosequi, saying that his client was innocent of the charge of lying in wait and shooting Judge Long. Richards desired to be tried for shooting Judge Long, and would prove that it had been done in self-defense.

A question arose as to the right of Mr. Cunningham to appear in behalf of the state. Mr. Henriques insisted that under the law there was no such office as assistant attorney general, and that Mr. Cunningham, the attorney general, was not present.

Mr. Cunningham denied the charges of conspiracy made by opposing counsel. Replying to Mr. Henriques, Mr. Cunningham said that he had been authorized by his father, the attorney general, to appear in court and make the motion for a nolle prosequi.

At this point Mr. Butler, the district attorney, rose to assure the court that as the case had been transferred from an adjoining parish, he had no connection with the prosecution and did not appear at all.

After considerable discussion between counsel, Judge Ferguson said that he could only pass on the motion of Mr. Cunningham if Mr. Cunningham appeared as the authorized representative of the attorney general.

Mr. Cunningham said he appeared in that capacity, and Judge Ferguson granted the motion for a nolle prosequi. Thereupon the accused were discharged from custody.

Judge Ferguson also ordered that the witness Milbert Williams, who had been held under instructions of the court, be discharged from custody.