

History

The Warner trial comes to an end

Part Four

Some called it Willimantic's trial of the century. In 1897, the Willimantic Sunday Herald had accused a local policeman of taking bribes so as not to close down illegal Sunday drinking establishments. The trial continued, and the defense was attempting to prove that the newspaper's publishers had not committed libel, and that Sunday drinking in Willimantic was rife.

Susan Herrick testified that Seth Hooker of the Hooker House Hotel sold liquor every Sunday. "My husband went in there to get a drink after church one Sunday. On another Sunday he went out with a bottle and came back with it full and said it was whiskey and he couldn't get it anywhere but at the Hooker house. That Hooker house has made terrible work in our family." Herrick put prosecuting attorney John Hunter on the spot, and asked him if he knew if Herbert Leonard ever prosecuted a Willimantic saloonkeeper.

Kate Warner took the stand, and explained she had lived in Willimantic since 1890, and had been the correspondent of the Middletown Penny Press and Hartford Sunday Journal for seven years, until launching the Willimantic Sunday Herald on Jan. 31, 1897. She admitted writing the article about Leonard, but had no ill-feeling towards him. Kate stated that the article was the result of a long investigation. She had seen intoxicated people on the streets of Willimantic every Sunday for the past year. "I have seen men go into hotels sober and come out



Tom Beardsley

drunk."

P.D. Moran, who ran a Willimantic tavern known as the "Bucket of Blood" paid Leonard \$5 a week to look the other way. The proprietor of Young's Hotel had told Kate Warner that he had to sell rum on Sunday to pay his bills. Leonard was bleeding all the liquor men in Danielson, and making occasional prosecutions to cover it up.

Henry Leonard took the stand and denied that he had ever taken any bribes from saloonkeepers. He said he had 95 prosecutions in Killingly in 18 months and 165 in all Windham county.

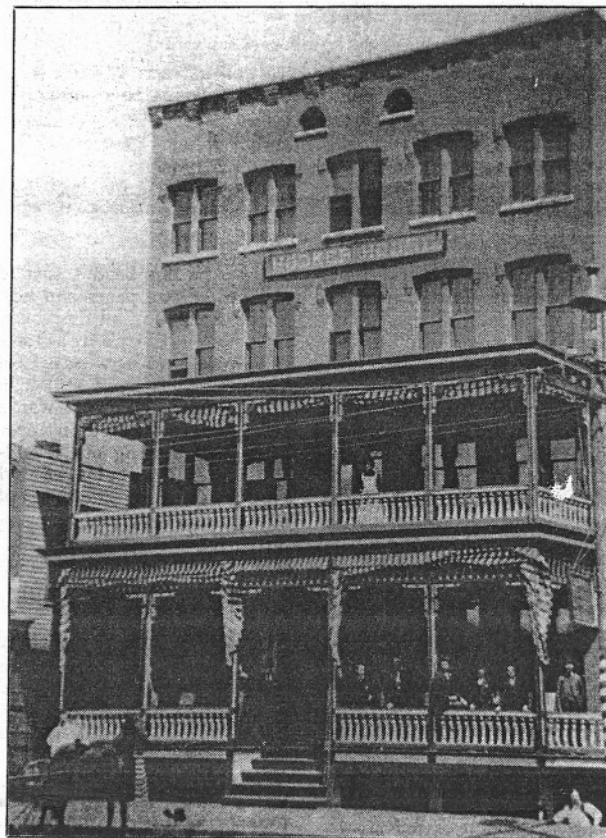
Sunday selling of booze was banned in Willimantic in 1882, but according to prosecuting attorney E. Frank Bugbee, Willimantic had built a reputation for keeping its saloons illegally open on the Lord's Day, and that the jury must decide what was the definition of criminal libel in this case. Defense attorney Harvey admitted that the Warners had written the Herald article, but the state must prove defamation, malice and falsity. The defense has proven that liquor is sold here on Sundays. "Leonard has come here seeking vindication. The man who isn't diseased doesn't seek the physician." Defense attorney Sumner added that bad men fear news-

papers, and the jury would be doing the community a great wrong if it finds this, "virtuous, upright, moral woman guilty."

Hunter summed up and told the jury to ignore Sumner's temperance lecture. The issue was the malice directed at Leonard. "It must be proven that Mr. Leonard was allowing such sales to go on."

Judge Shumway directed the jury in the matter and explained that the state must show that the Warners acted maliciously in writing this article. Did it expose Leonard to "contempt and ridicule and hindering virtuous men from association with him." The jury departed at 12:30 p.m. and returned at 2:10 p.m. The foreman reported a disagreement and said there was no possibility of an agreement. Nine stood for acquittal and three for conviction. This was the result of the first vote and the three men favoring conviction stood out until the last. The following day, state attorney Hunter reported that the state was dismissing the case.

The depths of feelings exposed by this case were apparent in a letter that state attorney John L. Hunter sent to the editor of the *Willimantic Chronicle*, John A. MacDonald, warning him not to attack the decision or attack him. MacDonald responded in an editorial which suggested that Hunter's close relationship with the Warners made a prosecution most unlikely. MacDonald responded that Willimantic was tired of the "stabbing of private character" and the "assailing of public institutions" by the Warners. And why should the *Chronicle*



Seth Hooker's Main Street hotel, pictured here in 1894, was the center of the 1897 Willimantic Sunday Herald illegal drinking scandal.

attack Hunter? Was it not the *Chronicle* who had been his greatest supporter in being appointed the state attorney for Windham County?

Nothing was heard of James and Kate Warners again in the local newspapers until March 23, 1898. It was reported that Esther Dondero had evicted the Warners from her tenement on the corner of North and Spring. They moved to a tenement on Walnut Street.

They left some possessions in Dondero's house overnight, during the move and later discovered the carpets, curtains and bureau drawers had been badly damaged by acid. Clothes and linen had been cut into pieces by a knife or scissors and the acid had destroyed the carpets and curtains, burning holes into them. Shortly afterwards the Warners left town and left behind them an interesting chapter in Willimantic history.