

DEATH HALTED BY A FEDERAL JUDGE

LAWYER SEMPLE GOT A STAY AND
THEODORE LAMBERT WAS NOT
HANGED.

WILL LIVE A YEAR AT LEAST

United States Supreme Court's Order Served Just Before the Hour Fixed for the Execution—Lambert Wept for Joy—Other Jersey Matters.

A glossy walnut coffin with a lie nailed on its lid; an empty grave and an unused noose tell of a life saved by the law after it had been forfeited to the law. If any other evidence were necessary it could be found in the person of thankful Theodore Lambert, burglar and murderer, who rejoices behind the bars of the Camden County



Theodore Lambert.

Jail that he has temporarily escaped death on the gallows.

Lawyer John L. Semple won, after all, in his race with death. Yesterday morning a little more than an hour before the time fixed for Lambert's execution he served on Sheriff Barrett an order from Associate Justice Shiras of the United States Supreme Court, staying the hanging. Lawyer Semple secured the order in Washington Wednesday night. He returned to Philadelphia about midnight and got an indorsement by District Judge Dallas to make the court record complete. Then, dodging reporters, so as to make a dramatic denouement in the morning, the lucky lawyer went to a hotel and secured a few hours' sleep.

SEMPLER'S BOMBSHELL

Supreme Court Justice Shiras' stay dropped like a bombshell in the Camden county Sheriff's office. Everything was in readiness for the hanging. Lambert's grave was dug, his coffin decorated with a plate inscribed "Died, January 3, 1907," had been delivered at the jail, and he had written farewell letters to relatives and friends. The witnesses and Sheriff's deputies were assembling in the Sheriff's office when Lawyer Semple ar-



He Hears the Glad Tidings.

rived at twenty minutes of 9 o'clock and put a stop to the proceedings.

Sheriff Barrett sent for his counsel, City Solicitor Morgan, who looked at the document from the United States Supreme Court and said it was in proper form and must be obeyed. Prosecutor Jenkins peered through his gold rimmed eye-glasses at the half sheet of foolscap and said he guessed it was straight but Justice Shiras must be a goose to recognize such a trivial point as Lawyer Semple had raised. The Sheriff announced that the "necktie party" was postponed indefinitely and then he and Lawyer Semple went into the jail to carry the joyful tidings to the condemned man.

Lambert was engaged in religious exercises with two colored ministers. He was ready to be led out to the gallows and had not the slightest hope of escaping death.

LAMBERT'S JOY.

Lawyer Semple grasped the hand of the condemned man and said:

"It's all right, Dorey. You're not



The Scaffold.

to be hanged. I've got an order from the United States Supreme Court to stop the execution."

For a moment Lambert seemed dazed. The news seemed too good to be true. Then, as he realized that he was not to die, he wept for joy and said: "Thank God, my prayers have been answered. You have saved my life, Mr. Semple; how can I ever thank you enough?" Lambert and the two ministers knelt and poured out their joy in prayer. The death watch was immediately removed and Lambert was put

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DEATH HALTED

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on the same footing as ordinary prisoners. He had protested in the face of what he considered inevitable death that he was innocent of the murder of Baker Kalrer and that Josiah Stevens, who aided him in the robbery, had fired the fatal shot.

Lawyer Semple, who is a firm believer in Lambert's innocence, says his client will never be hanged. He thinks the United States Supreme Court will sustain his constitutional point, that Governor Werts had no right to grant a reprieve and that Lambert cannot be legally executed. Justice Shiras' order removes the case to the United States Supreme Court. The writ is returnable March 4. It will not be argued until the October term, and may even go over until the next term, so that Lambert will have at least a year to live.

JUDGE SHIRAS' STATEMENT.

A dispatch from Washington gives the following interview with Justice Shiras:

"I did not interfere with the State Court in granting Lambert's counsel the provisional writ of error which has acted as a stay of execution. In the haste with which the original application for a writ of habeas corpus was urged, no record was made in Judge Dallas' court. Without this record I could not interfere, although in criminal cases the defendant is entitled to the writ of error, which is merely a formal proceeding.

"When Lambert's counsel called upon me last night there was no time to send him back to Judge Dallas' court. His client would meanwhile have been hanged. Therefore I issued to him a writ of error contingent upon the completion of the record in the court.

"I did not take into consideration the merits of Lambert's case, which was not before me. I merely made it possible for the condemned man to avail himself of such advantage as, had the proceedings been regular, he would have been clearly entitled to."