

## GLYNN GOVERNOR SAYS CARMODY

### Holds That Sulzer Ceased to Be Chief Executive When Impeached.

## ASSEMBLY SUSTAINED

### Both Governors on Duty, but Only Glynn Does an Official Act.

## BART DUNN IS INDICTED

### Hennessy Opens Fight on Contracts—Levy Outlines Plans of Managers.

The impeachment of Gov. Sulzer was legal and Lieut.-Gov. Martin H. Glynn is constitutionally required to act as Governor until after Sulzer's trial, according to an opinion given yesterday by Attorney-General Thomas Carmody.

The contention that Mr. Sulzer does not relinquish his office unless found guilty does not stand in the face of the Constitution, Mr. Carmody says.

Answering the argument that the Assembly had no right to pass an impeachment resolution in special session, Mr. Carmody holds that the action was judicial and not legislative, and therefore is legal without recommendation from the Governor.

Gov. Sulzer and acting Governor Glynn each took a hand in the Thaw case. Gov. Sulzer had a talk with John B. Elley, Superintendent of Prisons, and Mr. Glynn announced that he had set machinery in motion by which it was hoped to find out who was responsible for Thaw's escape.

## CARMODY SUSTAINS GLYNN.

### Attorney-General Says Sulzer's Powers Have Ceased.

ALBANY, Aug. 18.—When the Assembly voted last week to impeach William Sulzer as Governor Lieut.-Gov. Martin H. Glynn automatically succeeded to the Governorship and will continue to hold that office until Gov. Sulzer is acquitted or the impeachment proceedings are dismissed by the court of impeachment.

An opinion to this effect was given today by Attorney-General Carmody to Secretary of State Mitchell May.

Mr. Carmody laid down the following principles of law: "After the impeachment of the Governor by the Assembly made at the time of an extraordinary session of the Legislature, what is the status of the Governor and Lieutenant-Governor pending trial and determination of the impeachment charges?"

## SHORTS FALLS BENEATH TRAIN.

### Interborough Head Has a Narrow Escape in France.

PARIS, Aug. 18.—Theodore P. Shonts of New York, president of the Interborough Rapid Transit Company, fell beneath a moving train in Le Brouillat today and had a narrow escape from death. A man who was standing near by saw Mr. Shonts fall and pulled him from in front of the wheels just in time to save his life. Mr. Shonts had his hands and legs cut badly. Lillian Russell, who was a passenger on the train, had a first aid outfit with her and quickly alighted and bandaged up Mr. Shonts' injuries. Afterward Mr. Shonts came on to Paris. Mr. Shonts was on his way from Deauville to the capital and when the train stopped in Le Brouillat he got off for a short stroll on the station platform. In getting back to his compartment he experienced some difficulty in opening the door and was tugging at the handle when the train started. He lost his balance and fell on the track. An unknown man quickly grabbed him and pulled him out of danger.

## SENATOR DU PONT ILL IN PARIS.

### Delaware Member, 75 Years Old, Went Abroad for Health.

WILMINGTON, Del., Aug. 18.—Senator Henry A. Du Pont of Delaware is ill in Paris, according to word which reached here today. He went abroad early in July for his health.

## STEAMER SINKS OFF ALASKA; 32 DEAD

### Twenty-five Passengers Among Those Drowned When Boat Hits Submerged Rock.

JUNEAU, Alaska, Aug. 18.—Thirty-two persons were drowned early Sunday morning when the 400,000 steamer the State of California, commanded by Capt. Cann, struck an uncharted rock in Gambier Bay, off the southeastern coast of Alaska, and sank within three minutes. Twenty-five of those drowned were passengers.

Besides the crew the State of California carried fifty-four passengers, mostly tourists.

Following is a list of the dead whose bodies have been recovered: BIRNBAUM, Mrs. A. REARDON, Mrs. STELLA. VANDERLANS, Mrs. CLARA. WARD, Miss LILLA, daughter of the assistant manager of the Pacific Coast Steamship Company, who died after being rescued from a raft.

## HAIRSTORM IN HOT WAVE.

### Fort Plain Visited by a Cyclone, Which Does Much Damage.

FORT PLAIN, N. Y., Aug. 18.—During the stifling heat this afternoon a cyclone suddenly struck the farming section a few miles north of Fort Plain and caused much damage to buildings and crops.

## U. S. EXECUTOR IN BALKANS.

### Postal Bank Pays \$300 to Montenegrin Soldier's Father.

WASHINGTON, Aug. 18.—Postmaster-General Burleson has just ordered that \$300 be sent to Bojov Martinovich, whose son Milo R. Martinovich was killed in the assault on Fort Tarakasch at Scutari in the Balkan war.

## FALSE FIRE ALARM IS FATAL.

### Miss Irwin, Rear Admiral's Daughter, Dies of Apoplexy.

VALLEJO, Cal., Aug. 18.—Miss Louise W. Irwin, daughter of the late Rear Admiral John T. Irwin, formerly commandant at Mare Island, died of apoplexy early this morning as the result of a fire alarm turned in at her home.

## STILL NO TRACE OF HARRY THAW

### Wide Search for Matteawan Fugitive Meets With Failure.

## VANISHES COMPLETELY

### Arrest of Two Men Who Aided in Conspiracy Is Vaguely Reported.

## THAW WRITES TO MOTHER

### Hurriedly Scrawled Message to Mrs. Thaw Mailed Here by Confederate.

Harry Thaw is still at large. The wires were singing through all the Eastern States yesterday with rumors that "he has just passed through this town"; but he wasn't really found, nor is there any evidence that any of the men reported as Matteawan's escaped prisoner was really he.

The most definite information that reached New York yesterday bore on his intentions, rather than his whereabouts. His mother, at the Hotel Gotham, got a scrawled note saying that he would take a rest before going to their country home in Crescon, Pa.

## O'SHAUGHNESSY TO GET HIS PASSPORTS

### Washington Hears That U. S. Charge Has Been Invited to Leave Mexico.

## OFFICIALS HERE AMAZED

### Affront Offered by Mexican Ruler Expected to Lead to Grave Crisis.

WASHINGTON, Aug. 19.—At 1:30 o'clock this morning officials in Washington had received no official confirmation of Huerta's ultimatum to this Government, but they were willing to concede it probably was true.

## SAY LIND WILL BE EXPELLED.

### El Paso Mexicans Think Huerta Will Take Drastic Action.

EL PASO, Tex., Aug. 18.—Mexicans here who are in close touch with the Huerta Administration say to-night that Provisional President Huerta has already decided to expel John Lind and Dr. William Hayward Hale from Mexico under Article 33 of the Mexican Constitution, applying to pernicious foreigners.

## LONDON HEARS OF ULTIMATUM.

### Huerta's Action Expected to Have Depressing Effect on Exchange.

LONDON, Aug. 19.—The report of President Huerta's ultimatum to the United States reached London early this morning, but too late to appear in the newspapers. The announcement will undoubtedly cause much speculation at the Foreign Office and in other quarters when it becomes known as to what Huerta's next move will be.

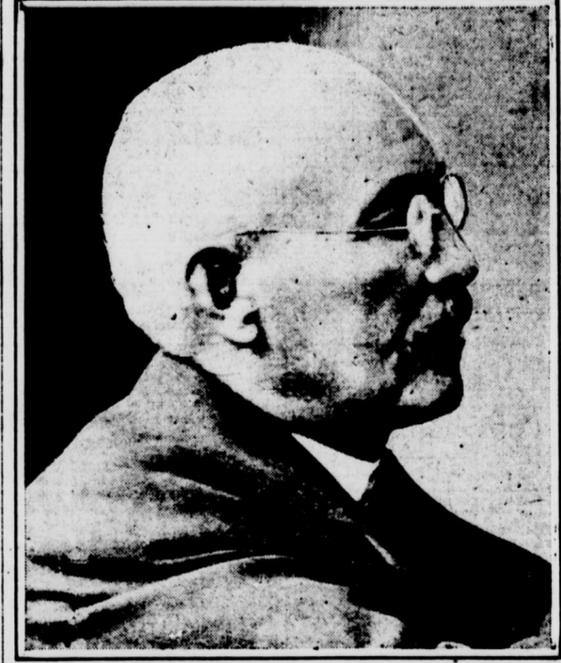
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# HUERTA SENDS AN ULTIMATUM TO U.S.; DEMANDS IMMEDIATE RECOGNITION OF HIS GOVERNMENT; REJECTS WILSON PLAN

President Huerta of Mexico



Who has rejected President Wilson's plan for mediation and issued an ultimatum to the United States.

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## Mexico's Provisional President Gives Washington Twelve Hours to Grant His Demand, Threatening to Sever All Communications

## ASKS GUARANTEE OF QUICK ACTION

## Military Ruler of Southern Republic Rejects, in Curt Message, Wilson's Mediation Plan, Declining Any Foreign Intervention.

MEXICO CITY, Aug. 19, 12:30 A. M.—Provisional President Huerta yesterday afternoon answered John Lind's note, flatly refusing to tolerate any interference on the part of the United States in the internal affairs of Mexico.

Gen. Huerta's reply demanded recognition of this Government within twelve hours, in default of which further communications between the two Governments would be precluded. It is generally believed the time expired at midnight last night.

It is officially admitted that the President's action practically amounts to a demand of recognition or the absolute cessation of all relations between the two countries.

It is likewise admitted that the United States might assume the onlooker's attitude without the right to communicate with this Government.

The text of Huerta's statement will not be given out until an answer to the same is received from Washington, the reason being that the statement is couched in rather severe language and the publication of its contents might excite the people and be inconvenient in case that Washington's answer is favorable.

It was rumored all yesterday afternoon that Huerta's answer had been given, but nothing was obtainable on the subject until this morning.

The local papers by order of the Government will not discuss the matter until this evening, when Washington's attitude will be known.

The exchange went up yesterday higher than ever, it being necessary to pay two hundred and seventy pesos for a hundred dollar draft on New York. One theory for this is the rumor of Huerta's reply, but some say the exchange soared because the gold reserve in the banks is short.

The exchange closed more moderately, a hundred dollar foreign draft costing two hundred and sixty pesos.

MEXICO CITY, Aug. 19 (1:30 A. M.)—It was learned late to-night that Washington will not reply to Huerta's answer to John Lind's note for three days at least, if indeed Washington replies at all.

It was learned officially that if Washington promised recognition this Government will await a reply to Huerta's answer for some time, but must have a guarantee of recognition immediately.

Huerta talked before a cabinet meeting yesterday preparatory to answering Lind's note.

MEXICO CITY, Aug. 19 2:30 A. M.—The correspondent of THE SUN interviewed John Lind at 11 o'clock last night. President Wilson's envoy said he conferred with Huerta from 6 to 8 o'clock last night and that the conference was most cordial.

Mr. Lind says nothing has reached him either written or verbal which could be construed as an ultimatum regarding the recognition of this Government.

## WILSON PLAN CURTLY REJECTED BY HUERTA

### Mexican President, in Sharp Note, Declines Any Foreign Intervention.

### HE HAS OUTPLAYED U. S.

### Avoided Pressure From Other Nations by Demanding Secrecy Regarding Note.

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