

# COL. MURPHY'S LOVE SONG IS SENSATION OF TRIAL

## Tries to Die With Mother

## GOV. SULZER FLAYED

### RECORD OF EXECUTIVE WILL BE EXPOSED

All Technicalities Swept Aside, Prosecution Begins Attack; Call Executive "Money Hungry"

ALBANY, Sept. 24.—Brushing aside all legal technicalities, the high court of impeachment this afternoon put the trial of Governor William Sulzer actually under way, with but one question standing out above all others. That question is:

"Is William Sulzer guilty or not guilty of the offenses charged in the eight articles of impeachment preferred against him by the assembly of the state of New York?"

At the resumption of the trial at 2 o'clock Richards concluded his opening statement for the prosecution. In this statement, in concise terms, he reviewed all the facts that the board of managers expect to present during the entire course of the trial. Then came the proof.

#### PROMINENT DEMOCRATS CALLED

Secretary of State Mitchell May, the president and clerk of the senate and the speaker and the clerk of the assembly were called to establish the technical facts upon which the prosecution rests. Behind them, Jacob Schiff, Henry Morgenthau, Abraham I. Elkus, John Lind, the representative of the American Maltng company, and the other witnesses who had previously testified regarding contributing toward the Sulzer campaign fund, stood ready to take the stand.

#### DEFENSE SCORES POINT

Mr. Richards concluded at 2:11 o'clock and John B. Stanchfield began for the board of managers to insist that the defense must make its opening statement before any evidence could be introduced. The purpose was to force the defense to state its case.

Judge Cullen ruled against Mr. Stanchfield and held that the governor could put in his opening statement at the opening of the case of the defense.

Then Mitchell May, secretary of state, was called to the stand.

Beginning with Secretary of State May witnesses were called to show that Mr. Sulzer was duly and legally inducted into office. Then in sequence were detailed official acts relative to his impeachment. This testimony was merely to keep the record straight.

#### DECISION IS RESERVED

Chief Judge Cullen at the close of the argument by counsel for the governor upon the motion to strike out the first, second and sixth articles of impeachment, relating to acts committed before the term of the governor began, today recommended that the court reserve the decision of the question until the close of the trial and that it be determined as a part of the general result as to the guilt or innocence.

This ruling insured immediate proceedings of the trial, as the senate at once agreed to the recommendation of the chief judge by a vote of 49 to 7. The court of appeals voted as a unit on the question and the senators voted for immediate decision.

#### DENIAL IS GENERAL

Immediately after the decision of the court, Judge D. Cady Herrick for the defense answered the impeachment charges. It was merely a general denial of any of the charges, with no attempt at specific explanation.

When the denial had been duly recorded, Eugene Lamb Richards was

### \$2,000,000 Gaynor Estate Is Tangled By Many Wills

NEW YORK, Sept. 24.—Complications may attend the distribution of the \$2,000,000 estate of William J. Gaynor, late mayor of this city. Pending the filing of the supposedly last will of Mr. Gaynor, it was learned today from a close friend of the Gaynor family that a number of wills had been drawn up by the late mayor and that some of them undoubtedly will make their appearance. This friend declared that former Mayor Gaynor drew up a fresh will almost every month.

Most of the Gaynor estate consists of Brooklyn real estate and stock in the Royal Baking Powder company. The supposedly last will was read to members of the Gaynor family by Surrogate Ketchum of Kings county in his Brooklyn office. It divided the estate among the unmarried daughters and son, leaving \$1,000 to each of his married daughters and a small sum to the widow.

### RAKE FOREST FIRE RUINS FOR VICTIM

#### Foss Valley Rancher Lost in Blaze—Other Districts Under Control

Charred ruins of a score of ranch houses and orchards and vineyards devastated in a wide swath extending through the entire eastern end of Napa county mark the most disastrous forest fire that ever visited that section of the state.

One man is believed to have lost his life in the fire. Herman Kuhart, a farmer, 70 years old, has not been seen since the Kuhart ranch house was destroyed early yesterday by the fire sweeping through Foss valley. He did not rush out with the other members of the family and the ruins are now being searched for his body.

The flames are now working into Solano county, with volunteers by the hundreds, state troops and city employees from many cities and towns of Solano and Napa counties aiding the ranchers, orchardists and state forest supervisors and fire wardens battle against them. The state hospital for the insane was endangered during the night and the 2,100 inmates were held in readiness for removal.

The fires in Santa Cruz mountains and southwestern part of San Mateo county are well under control.

The fire at Auburn is reported still beyond control, having burned over 15 miles by 6 in the ranches of that district.

Two fires are still burning in Sonoma county, one through the ranches of Alexander valley, and the second through Grants peak country.

#### SAVE THE NAPA ASYLUM

NAPA, Sept. 24.—Guards and attendants held the 2,100 inmates of the Napa state hospital for insane in readiness for immediate removal during the night when the forest fire, which has swept the entire length of the county, swerved dangerously near the institution. The sheet of flames, miles in length, gained the ridge above Wild Horse canyon and was progressing at a fearful rate down the ridge to the asylum three miles below.

#### CHECK THE FLAMES

Four hundred volunteers under Sheriff Edward Kelton, and national guard troops under Adjutant General Edwin Forbes, checked the flames early this morning, and it is now believed the state hospital is out of danger.

Sweeping destruction in its path, 25 miles long, the fire has burned the entire length of the eastern end of this county. The heaviest fire this

### CUTS THROAT WHEN BOAT SAILS

#### Finally Overtakes Liner in Launch and Continues On to Dying Mother

Tony Robinson of Sacramento loved his mother. She lives in Honolulu. He has not seen her for many years. There never was a boy who had a more sacred, passionate desire to do things for a mother than Tony.

Yesterday his heart sank when word came telling him that sainted mother is dying.

Fortunately the Wilhelmina sailed for the island today.

The ship had cast off her mooring lines and was standing out in the bay when Tony got to the edge of the dock. He cried in dismay and drew a razor across his throat.

His attempt at suicide failed.

He said if he couldn't make that boat he wanted to die with his mother.

Captain Saunders, marine superintendent, signalled the liner to wait. They took Tony out in a launch.

Three times he tried to jump overboard, thinking his kind friends were fooling him.

Now he is on his way to her.

#### Dog Supposed Mad Bites Two Children And Snaps at Others

#### Second Animal, House Pet, Lacerates Delivery Man; Pasteur Treatment Given

A dog thought to be mad, running wild near the Le Conte school this morning, terrified the neighborhood, biting two children and snapping at two others before the police captured the animal. Robert Booth, 10 years old, son of Mrs. H. C. Booth, 2231 Pine street, was bitten in the hand and the other boy was bitten in the leg. Both are being given the Pasteur treatment. George Johnson, a delivery man, 2443 Derby street, Berkeley, was also bitten this morning by a supposedly mad dog, the pet of Mrs. M. E. Harrison, 2427 Prospect avenue, Berkeley. Both dogs have been sent to the state hygienic laboratory for examination.

#### Oil Fire Causes Loss of \$1,000,000; Is Still Burning

#### Five Buildings and 25 Tanks Have Already Been Destroyed; Fight Hopeless

CASEY, Ill., Sept. 24.—The Illinois Oil company's properties here were still burning after two days' hopeless fighting against a fire that has already caused a loss of more than \$1,000,000. Five buildings and 25 tanks have been destroyed.

#### Rev. E. R. Dille Goes To Berkeley Church

Rev. E. R. Dille, pastor of the Central M. E. church of San Francisco, has been assigned to the pastorate of Trinity M. E. church of Berkeley. He will succeed Rev. Charles B. Dalton in Trinity church and Dalton will go to the First M. E. church of Sacramento. Doctor Dille's pulpit in San Francisco has not been filled.

#### C. P. Liner Ashore in St. Lawrence River

MONTREAL, Que., Sept. 24.—The Canadian Pacific liner Mount Temple went ashore in the St. Lawrence river near Hochelaga today. A hole was rammed in her hull and she began to fill with water.

### Sir Herbert Tree Declined "Peter Pan" And Missed Fortune

LONDON, Sept. 24.—Sir Herbert Tree has imparted the secret that "Peter Pan," about the most successful play ever produced, was originally offered to him and he declined it and thus missed a fortune.

Speaking at a luncheon in honor of Cyril Maude, who left today for his American tour, Sir Herbert Tree confessed that had he produced six of the plays which he refused he would now be a rich man, but that he had the satisfaction of knowing all of the plays had enriched brother managers.



### FIGHTS TO REGAIN HER KIDNAPED SON

#### Mrs. Power, Planning Divorce, Seeks Court Order for Child's Return

Seeking an order of court which will restore to her the 8 year old son who was dramatically kidnaped by her husband in Oakland yesterday afternoon, Mrs. Margaret Power this morning engaged Attorney Clarence Crowell to aid her. She said she would file suit for divorce late this afternoon or tomorrow charging her husband, Thomas A. Power, an Irvington attorney, with cruelty and intemperance.

Detectives have been engaged by Mrs. Power to find her child.

"I hope to regain my boy by this evening," said Mrs. Power, who, since the separation from her husband, September 15, has been living at the Hotel Crellin, Oakland.

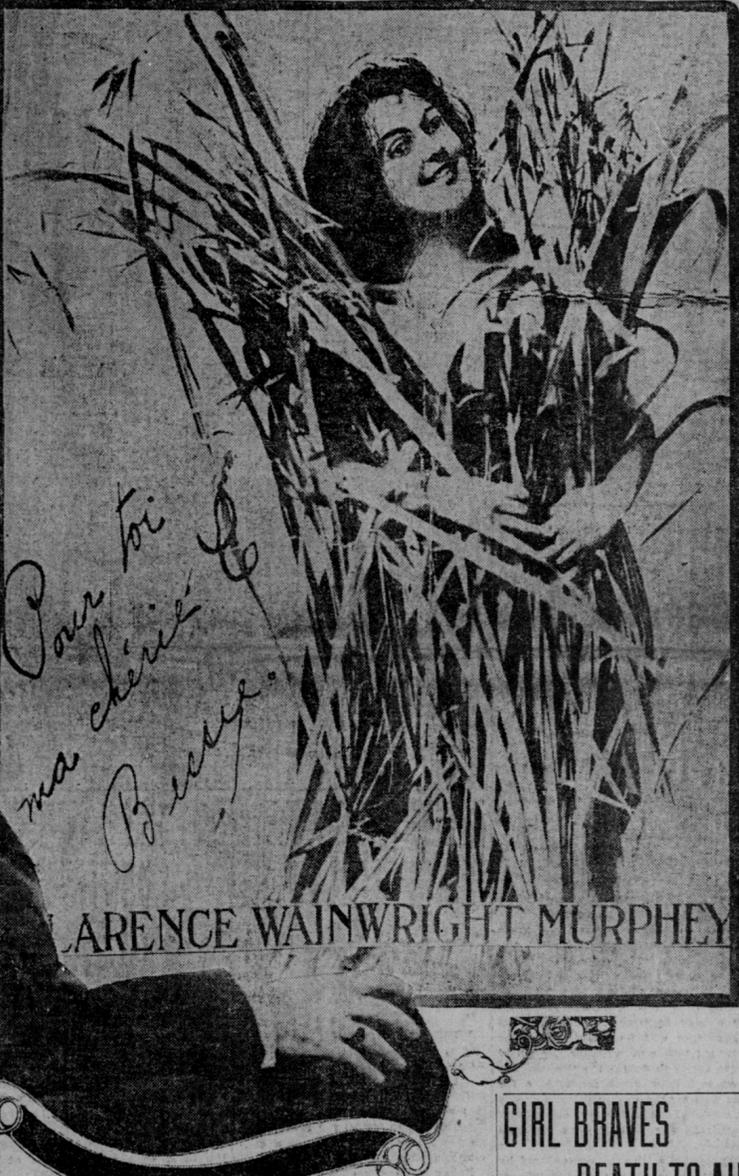
She said that her husband threatened to kill her unless she left their home in Irvington and that this will be one of the charges in the complaint for divorce. The couple have been married for 16 years. Mrs. Power is the daughter of Thomas Cushing, well to do rancher of Irvington. Power is prominent in county politics.

#### Alf. Ringling Sued By Wife for Divorce

BARABOO, Wis., Sept. 24.—After 20 years of wedded life Mrs. Alf F. Ringling, wife of the circus proprietor, has brought suit for divorce. She charged desertion.

### Song That Figures in Divorce Suit and Man Who Wrote It

Facsimile of title page of Colonel Murphy's song, "Grindin' of the Cane," showing the inscription in French which, liberally interpreted, means "For Thee, My Sweetheart, Bessie." Below is a photograph of Colonel Murphy in court, looking very serious as the lawyers read the cloying words of the witness' plantation paean.



### Chorus of Plantation Melody by Col. Murphey

An' 'twas drip, drip, drip. Oh! the juice was sweet to sip. But nothin' to the sweetness of a rosy leanin' lip. An' 'twas drip, drip, drip. Oh! the juice was sweet to sip. But nothin' to the sweetness of a rosy leanin' lip.

### MODISH WOMAN LEFT BAD CHECKS

#### Fashionable Dresser From Seattle Fleeces St. Francis Out of \$300

The police today are looking for a fashionably dressed woman who gave the name of Mrs. H. C. Peabody in registering four weeks ago at the St. Francis hotel from Seattle and has disappeared after passing a \$300 worthless check on the hotel management and a \$180 worthless check on the firm of Newman & Levinson company.

Two weeks ago in settling her bills for a suite of rooms the woman gave the \$300 check. The St. Francis management telegraphed to Seattle and found that the woman had not sufficient funds to cash the check, which was drawn on the First National bank. When Mrs. Peabody was told of the wire she replied:

"Oh, that's all right. I sent funds yesterday, and by the time the check reaches there by mail it will be O. K."

That night the woman hurriedly left the hotel and has not been seen since. She is 30 years of age.

### ACCUSED SLAYER'S WIFE SHOTS SELF

#### Disgrace Over Killing of Indianapolis Merchant Drives Woman to Suicide

INDIANAPOLIS, Sept. 24.—Declaring that W. R. Anderson, alias Roy Anderson, alleged murderer of Joseph Shalansky, the merchant whose body was found early Monday in a room at the Onida hotel, was her husband, and that rather than stand the disgrace she preferred to die, Audrey Arnold shot herself this morning. She had been living at the home of Frank Dellator, who is known in the prize ring as "Jack Dalton."

The woman, who says she is only 16 years old, but looks older, made a statement at the hospital, in which she told detectives that her home was in Danville and that Roy Anderson, the slayer of Shalansky, was her husband.

"I am Mrs. Roy Anderson," she said. "My name before I was married was Audrey Baker."

### GIRL BRAVES DEATH TO AID

#### Rushes Into Blazing House at Peril of Life and Carries Out Mother

Fighting smoke and fire to save her mother, Orphipp de Matel, 18 years old, proved herself the heroine of a disastrous fire at Geary and Wood streets which caused a property damage of \$15,000 at 8:30 o'clock today.

Attracted by the spreading flames, the young girl forgot to arouse her mother when she went to watch the fire. In a few minutes the frame dwelling of the De Mattel's had caught and the daughter was dumb with fear when she turned to find smoke and fire showing through the windows.

Without a minute of grace the girl plunged out of the burning house with her mother in her arms, and the flames closed the door at her heels.

#### WATER PRESSURE LOW

A saloon, stable and bowling alley were destroyed completely and several residences damaged more or less. The insurance on the different buildings covered a third of the loss.

The blaze was fought stubbornly for an hour and a half. On account of the low water pressure the fire gained considerable headway before it was checked.

#### STARTED IN SALOON

The fire started in the rear of the Geary saloon, southeast corner of Geary and Wood streets, in a long, low building used as a bowling alley. A quantity of oil and gasoline was stored in the building. It is believed that spontaneous combustion was responsible for the fire. The bowling alley was destroyed and the saloon is almost a total loss. The residences at 124 Wood street, 2765 Geary, 2759 Geary, 2762 Geary and 2741 Geary were damaged.

### ODE TO 'B' READ IN MERRIAM CASE

#### Crowd Laughs and Colonel Is Flustered by Poem Picturing Woman Clad in Canebrake Clothing

With the titters of a hundred amused spectators for an accompaniment, Colonel Clarence Wainwright Murphey, who traveled 10,000 miles to appear in court on behalf of Mrs. Bessie C. Merriam, wife of Captain Henry C. Merriam, fighting her husband's action for divorce, musically read the words of "At the Grindin' of the Cane," in Judge Graham's courtroom this morning.

As each honored word rippled rhythmically off the lips of the gallant colonel, the amusement of the crowd grew greater.

The colonel admitted that his best friends said he could not sing, but as a reader of love ballads laden with the sweet accents of the southland, he was immune.

#### COLONEL READS CHORUS

Gifted with a low musical voice, with just a hint of the delightful accent of the southerner, the colonel was at his best when he read the chorus:

An' 'twas drip, drip, drip. Oh! the juice was sweet to sip. But nothin' to the sweetness of a rosy leanin' lip.

An' 'twas drip, drip, drip. Oh! the juice was sweet to sip. But nothin' to the sweetness of a rosy leanin' lip.

"At the Grindin' of the Cane" was composed by Colonel Murphey and dedicated to Mrs. Bessie Merriam while he was showering attentions on the army woman at Jackson barracks near New Orleans, according to Attorney Walter H. Linforth.

#### DENIES SHE IS "BESSIE"

Colonel Murphey denied that Mrs. Merriam was the "Bessie" referred to in the dedication, but failed to name a substitute. Nor did the colonel explain away the French inscription on the face of the love song, which, translated, means "For thee, my sweetheart," and followed by the word "Bessie" and the colonel's initial "C."

In a subdudictory head is printed, "To B., who lives where the sugar cane grows."

The words of the song are couched in tenderness. The music is ravishing, dreamy and surcharged with the romance of the southland.

The attorneys for Captain Merriam expected to prove by linking Colonel Murphey and Mrs. Merriam together in this song that Murphey had a lasting affection for her.

#### MURPHY IS FLUSTERED

Flustered and red of face, Murphey admitted he composed music for his own pleasure. The song in question was written about the time the Merriams left Jackson barracks, he testified, but said the woman he mentioned with such love reeking adjectives in the different stanzas did not refer to Mrs. Merriam in particular.

"Have you any affection for Mrs. Merriam?" was the blunt question put to Colonel Murphey.

"I like her as a friend, but have no affection of the heart for her," the army man replied.

In reply to a question as to his rank in the army, Murphey replied that he is a colonel, but preferred being called plain "Mister Murphey."

#### Look at other people

who are having trouble with their eyeglasses constantly slipping off or making red marks on the nose—those people do not wear "Equipose" eyeglasses. "Equipose" do not slip or slide, but adjust themselves automatically to the nose.

Wear "Equipose" W. D. Fennimore, J. W. Davis, A. R. Fennimore

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