Tribune

# IMPEACHMENT OF SULZER UPHELD BY 51 TO 1 VOTE

That Assembly Had Right to Prefer Charges at Extra Session.

MUST NOW STAND TRIAL

President Cullen Leads Way in Long Opinion Sustaining Contention of Prosecution That Action Was Entirely Legal.

### WENDE VOTES BY HIMSELF

Buffalo Democrat Only One to Raise His Voice in Governor's Favor-Louis Marshall's Argument for Defence Answered by Parker and Brackett.

stern in trying to prove that the Asembly had exceeded its constitutiona! authority in adopting articles of inpeachment at an extraordinary session cuch action was recommended

Louis Marshall, of the Suizer staff, did not confine himself exclusively to irst time he put into the discussions of ing a package,

But neither the constitutional argu-Tammany weighed with the court. Be-Cullen announced that he had made up broken. his mind and was quite willing to anthe question, but would refer it to the know the name of one. court. Apparently his brother judges agreed with him even before his opinion was expressed, for in the executive session the rollcall showed each memher voting "no" on the motion to Jis miss the impeachment proceedings.

Judge Cullen was practically the only member of the court to discuss was reached on the rollcall he said that MacMillan, leader of the Croker Land the question at all. When his name the constitution had to be interpreted reasonable to hold, as did the Sulzer Peary. The letter received to-day was side, that the Assembly convened in dated Etah, the winter headquarters, extraordinary session was debarred from impeaching the Governor.

There will be probably one further argument of the same nature presented. It is on the schedule that D. Cady Herrick will ask the court to rule out all the articles of impeachment charging Sulzer with perjury and theft of campaign contributions on the ground that an official is not liable to impeachment for acts committed before

Continued on sixth page, fifth column.

# This Morning's News

# LOCAL.

Mayor's Journey to Grave in Sunshine 1 Barnes Won't Try to Boss Convention . . Fitzgerald Defeats P. H. Sullivan ... Would Disgorge in Land Swindle .... Row in Railroad Arbitration .... Jersey Bull Moose in Dilemma. Eliakum, Viddish Bard, Dead.....

# GENERAL.

Sulzer Impeachment Held Valid .. Thaw Family at Concord ...... Increased Income Tax Adopted ... Probing Colombian Grant. Rebels Dynamite Train; Kill Fifty .. 5 Crozier Assails Labor Unions Meat Shortage Laid to Small Farmer. 7

# FOREIGN.

Puccini Rescued from Drowning ..... Greeks Seize American School. .

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## 1.500 PUPILS ON STRIKE Syracuse Girls Climb Out Windows to Join Movement.

Syracuse, Sept. 22.-About fifteen hundred students of the three high chools here marched out during the account of the long hours, short lunch-Court Decides in Secret Session formerly ended at 1 p. m., but was changed to 2:30 p. m. by Superintendent Hughes.

The strikers paraded the main streets, with horns blowing, all morning. The leaders say they will not return to-morrow and are circulating a

The majority of students struck, but it the Technical High School more than half refused to join the strikers. Those that struck there had to break doors to get out, and many girls climbed out of the windows.

## MOURNS GAYNOR: SUICIDE Mayor's Friend Hangs Himself at Time of Funeral.

Grief over the death of Mayor Gayoor caused Morris Metzgar, of Rockaway Beach, to commit suicide yesterday afternoon. His body was found banging from a rafter in a barn in the rear of his home at No. 25 South Pleasant avenue. A halter was about his neck, which was broken by his leap

investigating committee, in Rockaway, and was busy with them was employed by the Sui- when the news arrived from the Baltic

santly and talked of nothing but th This vote was taken in executive ses- Mayor's death. At almost the moment wing a long, bitter argument the Gaynor funeral cortege arrived at Sulzer defence. The lawyers Greenwood Cemetery he entered the

# AUTO PLAY KILLS A CHILD Boys Start Truck While the

estitutional arguments. For the the seat while the driver was delivercourt an echo of the Gov- three-year-old Herbert Feinburg in efence before the people-that front of his home, at No. 1050 Lewell the victim of Tammany street, The Bronx, last night. The boys Arguing that delivery of the ar- leaped off and disappeared, and the eachment to the President runaway car ditched itself into a gully

be presented to the president on 14th the seat as soon as the driver left and street in New York or at the throne began to work the gasolene and sparkreom at Delmonico's and make that an ing levers. With a single puff of smoke from the exhaust the truck started and rapidly gained momentum as it ran toward a group of children a dozen yards away. The Feinburg boy was unable to run out of its path and the car knocked him down. He received fore the executive session President fracture of the skull and his neck was

A hook and ladder company rescued nounce his opinion if anybody wanted the machine from the gully. The poit, though he did not wish to rule on lice are looking for the two boys. They

## MACMILLAN WRITES PEARY Crocker Land Explorer Says FIGHT FOLLOWS THE VOTE Esquimaus Prosper.

Portland, Me., Sept. 22.-Prosperity among the Esquimaus thus far encountered was reported by Donald B. exploration party, in a letter to his former chief, Rear Admiral Robert E. August 25.

and apparently prosperous, having tions which are fighting for leadership MacMillan wrote. "It is getting late in the "Big Fellow's" district—the 3d dog teams in the spring."

# Assemblyman Escapes from aid after Timothy D. became mentally

home from Albany yesterday in an ef- ganization meeting of the Democratic Gaynor Funeral Halts City's Pulse.. 3 rived at the Lincoln Hospital a few for "Big Tim's" place in Congress. minutes after his father's death. He The candidate was not chosen last Weather Eureau history. received a telegram on Friday evening night, however, as the leaders, assistwhile in the Assembly chamber inform- ant leaders, deputy assistant leaders

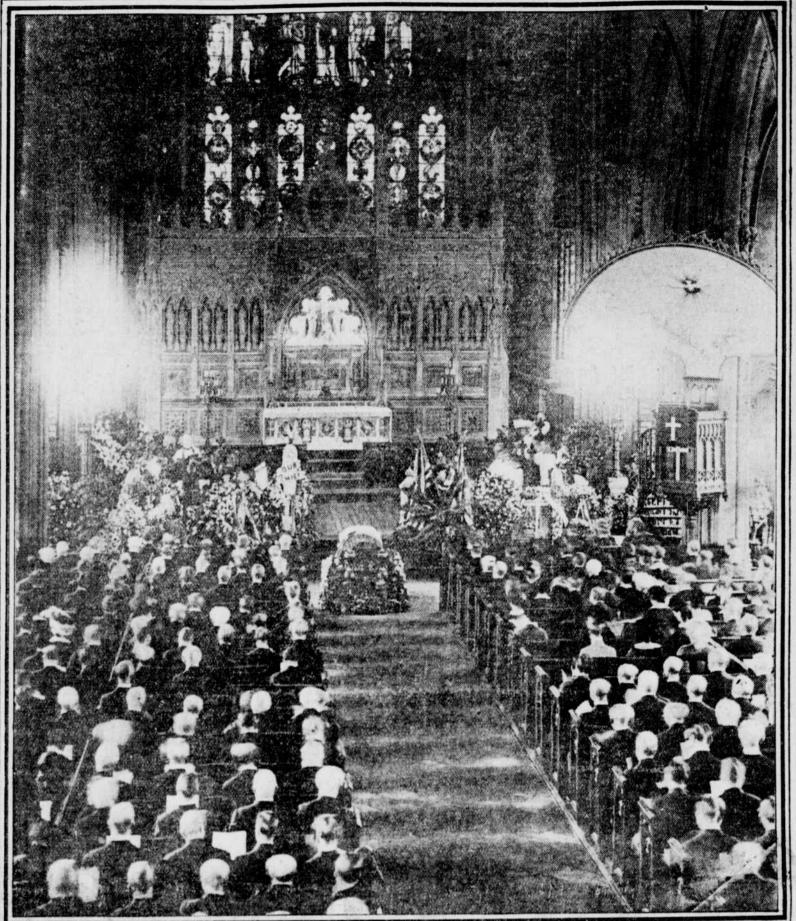
ernor Sulzer being before the Assemon Sunday, however, Assemblyman [31] "Big Tim's" place in the Democratic Prefers Place in Balcony to out of the neck at the base of the skuil. 3 bly. Fairchild Accuses Mulhall of Hold-Up 4 Lane managed to break away from committee of fifty-five members.

> street and Locust avenue. He was ry" Mulligan, "Big Tim's half-brother, struck on the head by an iron beam. Harry Appelbaum and others. The funeral will be held to-morrow at St. Roche's Church, at 150th street and

# RIVER STEAMER HITS A DEER.

struck a buck deer with spreading antiers in the Hudson River off Iona Island. The beast was not badly burt. It swam to the 

PHOTOGRAPH OF GAYNOR FUNERAL SERVICES IN TRINITY CHURCH.



# "PADDY" USES HIS FISTS

Senator Fitzgerald's Men Dofeat "Larry" Mulligan for One of "Big Tim's" Places.

Test Comes When "Unknown" Is Put Up for Committee Job-Fail to Pick Congress Candidate.

"The Esquimaus are all happy, well came last night between the two fac-

overlord of the "Sullivan" district. TOO LATE TO SEE FATHER The climax to the trouble that arose Assemblyman Thomas Lane, of the headquarters of the Tammany Hall 3d 33d District, in The Bronx, hurried Assembly District organization. An or-

ing him of the accident and he applied and their assistants could not agree frost of the year and the earliest in from his head. Three Killed in Long Island Wreck...16 to Speaker Smith for a leave of ab-Schmidt Real Priest, Friend Says...16 sence, but it was refused owing to bills But as a preliminary required by law Slight damage is reported. bearing on the impeachment of Gov. to the naming of the Congressional can-

With Alderman Max E. Levine snapthe chamber. He said that he ran bing the whip, the meeting was called through the streets to the station, pursued by several sergeants-at-arms, and to order, and a quorum was held to be dept, accompanied by his brother-inpresent. Levine called the roll of the law, Professor Stockton Axson, and Dr. caught a train for New York.

His father, John Lane, who was fifty-two years old, was foreman in the De La Vergne Iron Works, at 138th

Evident Leville and matter of form. In the roll were the names of many of the Sullivan clan—"Paddy" Sullivan, "Lar-from a 50-cent scat in the first balcony.

Before the meeting was called to order Levine and Alderman "Johnny" White, a Fitzgerald supporter, were in point in the orchestra or balcony. conference in a side room, and there Newburgh, N. Y., Sept. 22.—The steamer the slate was prepared. In the chairs it is to guard him, he insists upon buy-Newburgh, N. Y., Sept. 22.—The steamer outside were many adherents of the buck deer with spreading antiers the Hudson River off iona Island. The ceedings were to be cut and dried.

Continued on sixth page, second column

# SULLIVAN CLAN ROUTED: PUCCINI NARROWLY ESCAPES DROWNING WON'T BOSS CONVENTION

Composer Rescued from Motor Boat After It ls Badly Damaged in Collision on Lake Near His Villa.

Pisa, Italy, Sept. 22.-Glacomo Pue- studied music under his father, a well Pira, Italy, Sept. 22.—Giacomo rue, nii), the composer, had a narrow escape from drowning to-day on Lake in Milan in 1904. His latest opera, Massaciuccoll, on the shore of which dirl of the Golden West." the scene of which is laid in the United States, was he has a villa. While steering his sung for the first time at the Metropolitan motor boat he came into collision with Opera House on December 19, 1916. Enanother motor boat containing the Amate Finh Gilly and Adamo Didur were members of his family

Both boats were badly damaged and Arture Toscanini was the conductor Following close upon the tragic death began to fill rapidly. Other boats rather pathetic reflections on the reported of Timothy D. Sullivan, the final break rushed to their assistance and Puccini intention of Andreas Dippel to exclude Puccint's operas from Chicago, saying: and his family were taken aboard,

Giacomo Puccini, educated in Milan going to produce my operas. MacMinan wrote. "It is getting late the log renow's district—the 3d react the master tonement, was born when the composer visited this country in Lucca, Italy, in 1858. He is the in 1910 he stated that he "loved" our country and freezing nights," he added, Assembly District, Patrick H. Sulli-composer of the operas "Manon Lescaut". now and freezing nights," he added. Assembly District. Patrick H. Sulli-composer of the operas "Manon Lescaut," fry and intended to visit it whenever he "and we have walrus to kill. If the van, a brother of the former head of "La Bohème, "La Tosca," "Madama But-nad an opportunity. He declared that his sound (Smith) breaks out, I shall try the Sullivan clan, was decisively de- terfly" and "La Fanciulla del West." memory of America was one of "an endto run over supplies in the power boat feated in a "showdown" by Senator Puccini comes of a musical family, his less dream of banquets and kindness plan to feature Assemblyman Harold 5,000 policemen, including the escort, or to Cape Sabine. I expect to use fifteen John C. Fitzgerald, formerly "Big great-grandfather, Glacomo Puccini, who shown by Americans." He said he would J. Hinman, his Albany lieutenant, as half the strength of the whole force, Tim's protege and now the recognized church compositions. Giacomo Puccini try calmly and at his leisure.

WILSON IN 50-CENT SEAT

Washington, Sept. 22.—The Presi-

from a 50-cent seat in the first balcony.

President Wilson does not like the
Presidential box, which has always
been occupied by his predecessors, be-

cause he cannot get so good a view of the stage from it as from a central

Accordingly, somewhat to the dismay the Secret Service men whose duty

### THE SOUTH SHIVERS WOMAN LEAVES MAN DEAD Legislature as Parent Dies. incompetent was brought about in the Yesterday Was Florida's Cool. Police Think Slayer Was 'White peals, will be fought out in open con- along the curb within arms' reach of est September Day.

weather established a record for this passers by saw running through East ter, and Senator Edgar Truman annual police parade, was such a large nome from Albany yesterday in an er-fort to see his father, whose skull had committee for the 13th Congress Dis-section. The temperature dropped to 17th street, one of them with a "-- Brackett, of Saratoga. There seems to body of policemen assembled in public, been fractured in an accident, but ar-September day in Pensacola in the Post" policemen to the corner of Third jarge margin. avenue late last night. There, lying face downward in the muddy gutter, Huntaville, Ala., Sept. 22.—The first was the bor of a man, blood flowing of Brooklyn, will be the principal con-

rico Caruso, Emmy Destina. Pasquale

the interpreters of the leading parts and

While in England Signor Puccini had

man was dead from a large calibre bullet, which entered his mouth and came The police removed the body to the East 22d street station and set to work

on the clew of the fleeing women.

ANGOSTURA BITTERS prevents ill ef- way.

# BARNES YIELDS POINT;

Leader Persuaded to Give Up dark clothed mourners. Idea of Dominating State G. O. P. Session To-day.

# WERNER FOR CHIEF JUDGE

His Nomination Seems Sure-Platform Will Approve Fusion and May Call for National Republican Meeting.

Republican State Committee, will not I regret exceedingly Mr. Dippel is not to be held in Carnegie Hall to-day, the cemetery. under the master Ponchielli, was born When the composer visited this country After a conference at the Union League The Mayor's body was taken through Chib yesterday afternoon all differences the streets on a high catafalque drawn over the platform were smoothed out, by sixteen black horses, led by eight and Mr. Barnes decided to abandon his policemen and eight firemen. Almost tions or permanent chairman.

judgeship will be a contest between tention while the catafalque passed. Pensacola, Fla., Sept. 22.—To-day's The trail of several women whom Justice William E. Werner, of Roches- Never before, it was said, except in the

tenders for the associate justiceship, minutes after that hour when the coifour years, was seen here this morning. The policemen called an ambulance Francis Hendricks, the leader of Ononfrom Bellevue, and the surgeon made daga County, has been most active for and placed on the catafalque, a brief examination of the body. The Justice Hiscock, and it looked list The police escort arrived at the

# Want National Convention.

Apart from the platform, a resolution will be introduced asking the Re-Detectives believe that the case is of publican National Committee to meet the "white slave" variety and that the at an early date to make provision for man met his death at the hands of a an extraordinary national convention. victim or some woman whom he had The resolution will advocate that such made jealous. Every effort was being a national convention not only change made at an early hour this morning to the basis of representation in the the congregation standing. The service clear up the identity of the dead main. Southern states in national conven-The dead man was about 5 feet 5 tions, but also change the voting basis inches tall, with black hair and eyes, in the national committee. It will be procession started over the Brooklyn and was dressed in a black shirt and suggested that members of the nacheap black clothing. In his shirtfront tional committee have votes according was a stickpin with the initials "H. to the votes cast by their respective B.," and in a pocket was a cardense states for the last Republican candidate for President.

Chairman Barnes is strongly opposed

Continued on third page, fourth column.

# MAYOR'S JOURNEY TO GRAVE IS MADE IN THE SUNSHINE

Nature's Beneficent Mood Permits New York City to Bury Its Executive with Impressive Ceremonies.

## 15,000 IN LINE AT FUNERAL

Rufus Gaynor Supports Mother at Trinity Church, as He Did His Father in the Hours Before His Death-All of Family There.

# EX-PRESIDENT PALLBEARER

Mr. Taft and Many Other Distin guished Men of the Nation Hear Bishop Greer Read Service-Bared Heads Along the Route to Greenwood.

The public of New York City paid its last tribute to Mayor Gaynor yesterday. While fewer than a thousand persons could attend the funeral in Trinity Church, because of the limited space, hundreds of thousands bore silent testimony to the dead along the line of march of the funeral procession.

The early morning weather was threatening, but Nature, in beneficent mood, soon caused the skies to clear, and the march to the grave was under

The picture within the high arched vails of Trinity, where prominent men from all walks of life gathered with members of the Gaynor family to do onor to the Mayor, was impressive, The low intenation of the Episcopal ervice, selemnity the commitment; the deep music of the great organ, the chants and hymns of the choir and the sobs of the widow and children punctuated the stillness at intervals in the bour and a quarter that the ser-

The church was dimly lighted. Six tall candles burned on the altar, three on either side of the jewelled cross. That was the only light in the chancel, but the flickering rays touched and brightened the high banks of rich flowers in the many floral nieces which decorated the space around the coffin.

Draped in the Mayor's flag, without single bud or blossom, the heavy ronze coffin lay at the entrance of the hancel. The large wreath of orchids. the floral tribute of the Mayor's family, which has been with the body constantly, rested at the side. The American and British flags, crossed on a stand of green, and the broken columnof orchids and roses, bearing the incription "Our Chief," sent by the attachés of the Mayor's office, occupied the places of honor at the head of the coffin. Back in the shadows were the

# Fifteen Thousand in Line.

Fifteen thousand persons were in the line of marchers from the City Hall to the church. Ten thousand of them reformed after the service and accompanied the body back through the streets and over Brooklyn Bridge. A large number of the organizations in line disbanded at Borough Hall, but the 1,600 picked policemen in the escort of honor, the Citizens' Committee of 100, the heads of city departments, the honorary pallbearers and several William Barnes, jr., chairman of the hundred other mourners followed the body to the ; rave in Greenwood Cemetery. The slow moving cortege was try to domin to the state convention three I urs in going from the church to

from Chambers street to Bowling The question of candidates to suc- Green, and along Park Row, the route ceed Chief Judge Cullen and Associ- over which the procession passed in ate Judge Gray, of the Court of Ap- Manhattan. The uniformed men stood

be no doubt that Werner will win by a The schedule of the committee of arrangements provided for the transfer Justice Frank H. Hiscock, of Sygn- of the coffin from the City Hall, where cuse, and Justice Frederick E. Crane, the body lay in state until midnight on

> formation in Broadway for several blocks below the City Hall plaza before the start. The privileged mourners entered the church, and the rest of the marchers continued on down Broadway.

# March to the Grave.

The processional at the church started at 11:20 o'clock, and the body was carried down the centre aisle, with ended at 12:40 o'clock, but it was nearly an hour later when the head of the Bridge.

The police lines were thrown around City Hall Park at an early hour. A large crowd gathered in that vicinity before 8 o'clock. Shortly after 9 traffic was stopped in Broadway, between Chambers street and Trinity Church. The cars were permitted to run as far