



IMPEACHMENT OF SULZER UPHELD BY 51 TO 1 VOTE

Court Decides in Secret Session 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.

[From a Staff Correspondent of The Tribune.] Albany, Sept. 22.—By a vote of 51 to 1, the High Court of Impeachment held to-night that Governor Sulzer had been impeached legally. The only vote in his favor was cast by Senator Gottfried H. Wendt, of Buffalo.

This vote was taken in executive session following a long, bitter argument by the Sulzer defence. The lawyers raked the constitution from stem to stern in trying to prove that the Assembly had exceeded its constitutional authority in adopting articles of impeachment at an extraordinary session when no such action was recommended by the Executive.

Louis Marshall, of the Sulzer staff, did not confine himself exclusively to constitutional arguments. For the first time he put into the discussions of this high court an echo of the Governor's defence before the people—that he was simply the victim of Tammany Hall.

"Of course an impeachment could not be presented to the president on 14th street in New York or at the throne room at Delmonico's and make that an impeachment!"

Judge Cullen Leads the Way.

But neither the constitutional arguments for Sulzer nor this allusion to Tammany weighed with the court. Before the executive session President Cullen announced that he had made up his mind and was quite willing to pronounce his opinion if anybody wanted it, though he did not wish to rule on the question, but would refer it to the court.

Apparently his brother judges agreed with him even before his opinion was expressed, for in the executive session the rollcall showed each member voting "no" on the motion to dismiss the impeachment proceedings.

TOO LATE TO SEE FATHER

Assemblyman Escapes from Legislature as Parent Dies.

Assemblyman Thomas Lane, of the 33d District, in the Bronx, hurried home from Albany yesterday in an effort to see his father, whose skull had been fractured in an accident, but arrived at the Lincoln Hospital a few minutes after his father's death.

WILSON IN 50-CENT SEAT

Prefers Place in Balcony to Presidential Box.

Washington, Sept. 22.—The President, accompanied by his brother-in-law, Professor Stockton Axson, and Dr. Carey Grayson, U. S. N., witnessed a vaudeville performance this evening from a 50-cent seat in the first balcony.

RIVER STEAMER HITS A DEER.

N. Y. Sept. 22.—The steamer E. B. Odell on her up trip last evening struck a buck deer off Iona Island.

1,500 PUPILS ON STRIKE

Syracuse Girls Climb Out Windows to Join Movement.

[By Telegraph to The Tribune.] Syracuse, Sept. 22.—About fifteen hundred students of the three high schools here marched out during the session to-day and were indefinitely suspended. There were many girls among them, and all are striking on account of the long hours, short luncheon intermission and poor luncheon accommodations.

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

The majority of students struck, but at 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 Gaynor caused Morris Metzgar, of Rockaway Beach, to commit suicide yesterday afternoon. His body was found hanging from a rafter in a barn in the rear of his home at No. 25 South Pleasant avenue.

Metzgar was a staunch Gaynor man from the time the Mayor first ran for office. They were on friendly terms and occasionally found time for talks at City Hall or at the Gaynor country home.

Metzgar read the newspapers incessantly and talked of nothing but the Mayor's death. At almost the moment the Gaynor funeral cortege arrived at Greenwood Cemetery he entered the barn and took his life.

AUTO PLAY KILLS A CHILD

Boys Start Truck While the Chauffeur Is Away.

An automobile truck, started by two boys who were playing "chauffeur" on the seat while the driver was delivering a package, ran down and killed three-year-old Herbert Feinburg in front of his home, at No. 1050 Lowell street, the Bronx, last night.

The amateur chauffeurs climbed into the seat as soon as the driver left and began to work the gasoline and sparking 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.

A hook and ladder company rescued the machine from the gully. The police are looking for the two boys. They know the name of one.

MACMILLAN WRITES PEARY

Crocker Land Explorer Says Esquimaus Prosper.

Portland, Me., Sept. 22.—Prosperity among the Esquimaus thus far encountered was reported by Donald B. MacMillan, leader of the Crocker Land exploration party, in a letter to his former chief, Rear Admiral Robert E. Peary. The letter received to-day was dated Etah, the winter headquarters, August 25.

THE SOUTH SHIVERS

Yesterday Was Florida's Coolest September Day.

Pensacola, Fla., Sept. 22.—To-day's weather established a record for this section. The temperature dropped to 75 degrees during the day, the coolest September day in Pensacola in the Weather Bureau history.

Huntsville, Ala., Sept. 22.—The first frost of the year and the earliest in four years, was seen here this morning. Slight damage is reported.

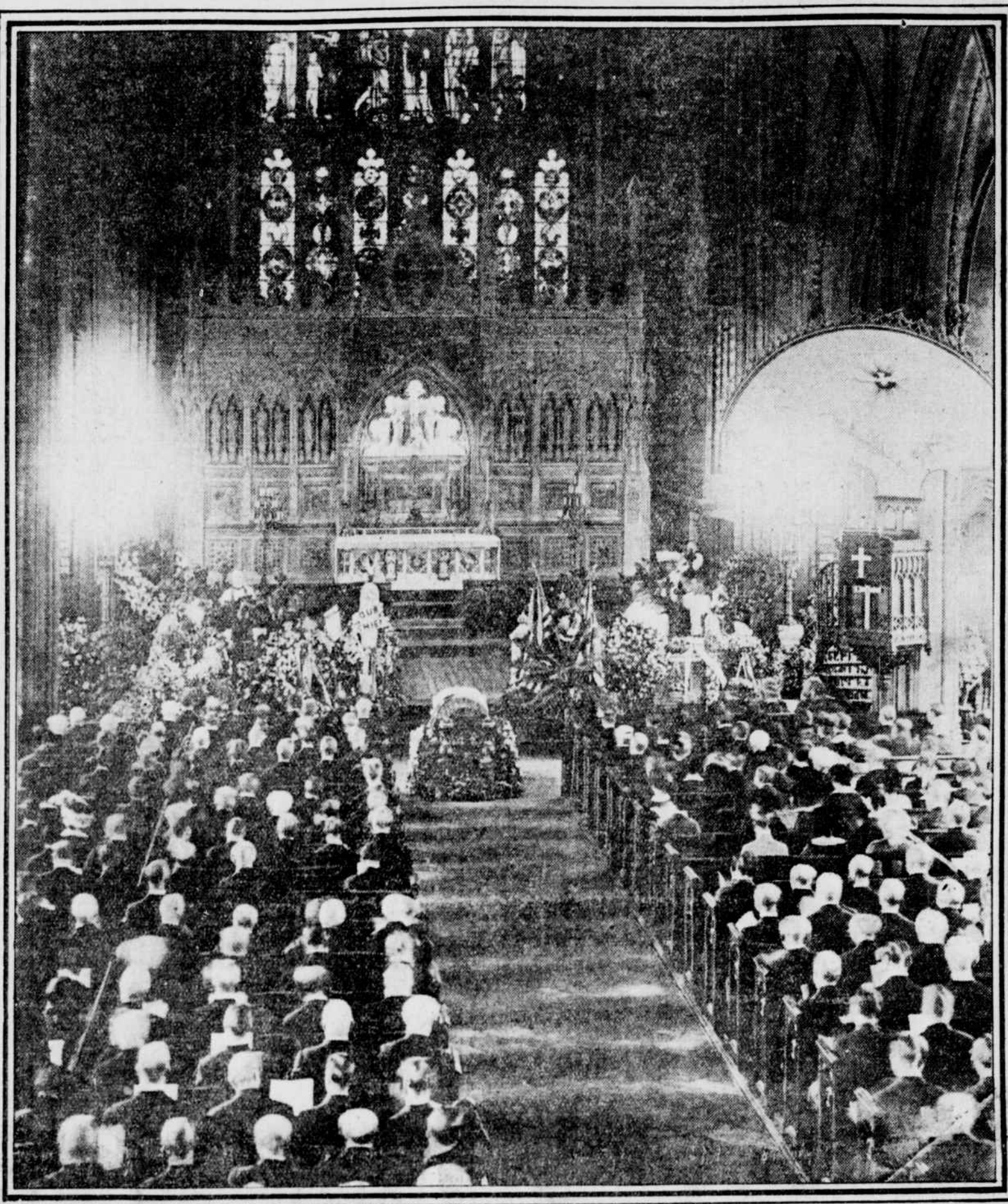
WOMAN LEAVES MAN DEAD

Police Think Slayer Was 'White Slave' Victim.

The trail of several women whom passersby saw running through East 17th street, one of them with a revolver in her hand, guided two "post" policemen to the corner of Third avenue late last night.

ANGOSTURA BITTERS prevents ill-effects from over-eating.—Advt.

PHOTOGRAPH OF GAYNOR FUNERAL SERVICES IN TRINITY CHURCH.



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SULLIVAN CLAN ROUTED; "PADDY" USES HIS FISTS

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

FIGHT FOLLOWS THE VOTE

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

Following close upon the tragic death of Timothy D. Sullivan, the final break came last night between the two factions which are fighting for leadership in the "Big Fellow's" district—the 3d Assembly District. Patrick H. Sullivan, a brother of the former head of the Sullivan clan, was decisively defeated in a "showdown" by Senator John C. Fitzgerald, formerly "Big Tim's" protégé and now the recognized overlord of the "Sullivan" district.

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PUCCINI NARROWLY ESCAPES DROWNING

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

Pisa, Italy, Sept. 22.—Giacomo Puccini, the composer, had a narrow escape from drowning to-day on Lake Massaciucoli, on the shore of which he has a villa. While steering his motor boat he came into collision with another motor boat containing the members of his family.

Both boats were badly damaged and began to fill rapidly. Other boats rushed to their assistance and Puccini and his family were taken aboard.

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BARNES YIELDS POINT; WON'T BOSS CONVENTION

Leader Persuaded to Give Up 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.

William Barnes, Jr., chairman of the Republican State Committee, will not try to dominate the state convention to be held in Carnegie Hall to-day.

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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 PALMBEARER

Mr. Taft and Many Other Distinguished 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 a bright sun.

The picture within the high arched walls of Trinity, where prominent men from all walks of life gathered with members of the Gaynor family to do honor to the Mayor, was impressive. The low intonation of the Episcopal service, solemnity 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 hour and a quarter that the service lasted.

The church was dimly lighted. Six tall candles burned on the altar, three on either side of the jeweled 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 pieces which decorated the space around the coffin.

Draped in the Mayor's flag, without a single bud or blossom, the heavy bronze coffin lay at the entrance of the chancel. The large wreath of orchids, the floral tribute of the Mayor's family, which has been with the body constantly, rested at the side.

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 1,000 picked policemen in the escort of honor, the Citizens' Committee of 190, the heads of city departments, the honorary palbearers and several hundred other mourners followed the body to the grave in Greenwood Cemetery.

The Mayor's body was taken through the streets on a high catafalque drawn by sixteen black horses, led by eight policemen and eight firemen. Almost 5,000 policemen, including the escort, or half the strength of the whole force, were concentrated along Broadway, from Chambers street to Bowling Green, and along Park Row, the route over which the procession passed in Manhattan.

The uniformed men stood along the curb within arms' reach of one another. They stood rigidly at attention while the catafalque passed. Never before, it was said, except in the annual police parade, was such a large body of policemen assembled in public.

The schedule of the committee of arrangements provided for the transfer of the coffin from the City Hall, where the body lay in state until midnight on Sunday, at 10:30 a. m. It was fifteen minutes after that hour when the coffin was borne down the City Hall steps and placed on the catafalque.

The police escort arrived at the church five minutes later. They were in 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 procession at the church started at 11:20 o'clock, and the body was carried down the centre aisle, with the congregation standing. The service ended at 12:40 o'clock, but it was nearly an hour later when the head of the procession started over the Brooklyn 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

This Morning's News

LOCAL. Mayor's Journey to Grave in Sunshine 1. Barnes Won't Try to Boss Convention... 1. Fitzgerald Defeats P. H. Sullivan... 1. Rush to Grave Marks Gaynor Burial... 2. Gaynor Funeral Halts City's Pulse... 3. Would Disgorge in Land Swindle... 3. Row in Railroad Arbitration... 3. Jersey Bull Moose in Dilemma... 6. Elakum, Yiddish Bard, Dead... 7. Left Annuity for His Shoemaker... 15. Three Killed in Long Island Wreck... 16. Schmidt Real Priest, Friend Says... 16. GENERAL. Sulzer Impeachment Held Valid... 1. Thaw Family at Concord... 2. President Not to Hear Bankers... 4. Fairchild Accuses Mulhall of Hold-Up... 4. Increased Income Tax Adopted... 4. U. S. Probing Colombian Grant... 5. Rebels Dynamite Train; Kill Fifty... 5. Crozier Assails Labor Unions... 6. Meat Shortage Laid to Small Farmer... 7. FOREIGN. Puccini Rescued from Drowning... 1. Greeks Seize American School... 5. MISCELLANEOUS. News for Women... 7. Editorial... 8. Society... 9. Obituary... 9. Theatrical... 9. Sports... 10 and 11. Shipping... 11. Weather... 11. Army and Navy... 11. Financial and Markets... 12, 13 and 14. Real Estate... 14.