

SULZER SCORES HIGH COURT

Erstwhile Executive Declares Trial "Political Lynching,"

DENIES ALL OF THE CHARGES

Assests Had He Served Boss with Half Seal He Did State He Would Never Have Been Impeached.

ALBANY, N. Y., Oct. 18.—William Sulzer ceased to be governor of the state of New York at noon yesterday. He was removed from office by the high court of impeachment by a vote of 43 to 12, two members not voting.

Martin H. Glynn, lieutenant governor, was sworn in as his successor. The verdict of the court was that Sulzer was guilty of falsification, perjury and an attempt to suppress evidence against him.

Of all other charges he was acquitted, the court today unanimously voting him not guilty of the four remaining articles of impeachment.

By a virtually unanimous vote also the impeachment tribunal decided that Sulzer should not be punished by disqualification to hold office of honor and trust in this state in the future. This would have been the extreme penalty under the law.

Sulzer Served with Copy. The ousted executive was served with a copy of the verdict of the court at the executive mansion—christened by himself "the people's house"—a few minutes before 5 o'clock tonight.

"Good, I thank you," he said to the sergeant-at-arms of the senate, who delivered the document.

Mr. Sulzer, private citizen, will leave the capital probably on Sunday—where he has not disclosed.

The outgoing executive issued a statement in which he denounced the tribunal which had removed him as "Murphy's high court of infamy."

"Murphy controlled the assembly and ordered the impeachment," he said. "It controlled most of the members of the court and dictated procedure and wrote the judgment. He was the judge and jury; the prosecutor and the bailiff."

Sulzer declared that his trial was a "political lynching as far as the Tammany part of the court was concerned."

Makes General Denial. He asserted he had not taken the stand in his own defense because he realized that his story attacking the Tammany leader would be ruled out.

He entered a general denial of all the charges in the impeachment articles, denied that he had ever asked Allan A. Ryan to obtain the influence of Murphy or Republican State Chairman Barnes to stop the trial, said the testimony of Henry Morgenthau could be explained; asserted that every dollar that had been given him during his campaign had been properly accounted for; that he was \$2,000 in debt; that he had been "faithful to his trust"; and that he "handed back to the people the commission they gave me unimpaired and unscathed."

"Had I but served the boss with half the seal I did the state, William Sulzer would never have been impeached," he said.

The Sulzer Statement.

The Sulzer statement follows: "In response to requests from friends throughout the state for some expression from me, I can only say, at this time, that I am glad that my trial is over."

"By virtue of power, beyond the present control of our electorate, I now hand back to the people the commission they gave me and I hand it back to them—unimpaired and unscathed."

"My lips have been sealed for weeks, while I patiently have submitted in silence to abuse and vilification. However, after stating my case to my counsel and by their advice, on August 11 I made the following statement:—

Governor Sulzer then quoted a statement in which he had denied that he had used campaign contributions for his personal ends, that he speculated in Wall Street or that he had an account with Fuller and Gray or Boyer and Griswold. He said he knew nothing about the transactions with these firms, testified to before the Frawley committee, until his attention was brought to them by the Frawley committee. The statement asserted that the Harris and Fuller account was not a speculation, but a loan account made on stocks paid for years before his nomination.

Deposited to Personal Account. The statement said certain checks given him in the campaign had been deposited to his personal account and

WINNER OF PRIZE FOR BEST TEMPERANCE ESSAY.



MISS NELL RYAN.

thereafter he had paid the amount of those checks to the campaign committee. The statement said that in filing his statement of campaign receipts and expenditures he relied on information furnished by those in immediate charge of his campaign and believed the statements furnished by them to be true and accurate. He then continued: "No legal evidence was adduced at the trial which disproved that statement."

"Subsequently, on September 14, I gave out another statement as follows:—"The stories that I am going to resign are false and malicious. The purpose in circulating them must be evident to anyone. I am going to stand trial."

"I have said some hard things about some of the senators, and they have said some hard things about me; but this is a trial, not a political fight.

Both Judges and Jurors. "They are both judges and jurors, and I believe most of them are large enough and honest enough to do me justice."

"These are the only statements or interviews I have made or given out since the assembly, by the orders of 'the boss' adopted in the resolution of impeachment."

"Of course, when I issued the last statement, I did not think Senators Wagner, Travis, Hamberger, Banner, Brown, Blaisdell and Thompson would act as my judges, as they either were interested personally in the outcome of my trial, or had acted as my prosecutors and condemned me before trial, or on account of personal grievances had expressed an opinion as to my guilt."

"The casting of votes by these senators vitiated the judgment, because had they refused to vote as a sense of decency should have induced them to do—I would not have been convicted on any one of the articles of impeachment."

"My trial, from beginning to end—so far as the Tammany part of the court was concerned, was a farce—a political lynching—the consummation of a deep-laid political conspiracy to oust me from office."

"The court ruled against me in everything. The well settled rules of evidence were thrown to the winds. A horse thief in frontier days would have received a squarer deal."

Murphy Wrote Judgment. "Mr. Murphy controlled the assembly and ordered the impeachment. He controlled most of the members of the court, and dictated its procedure and wrote the judgment. He was the judge and the jury, the prosecutor and the bailiff."

"The meetings of the court were behind closed doors. It was a star chamber proceeding where the enemies of the state could work for my conviction undisturbed."

"They called it the high court of impeachment, but history will call it 'Murphy's high court of infamy.' The trial a flagrant abuse of constitutional rights; a disgrace to our civilization, and the verdict overturned the safeguards of liberty and the precedents of three centuries. The future historian will do me justice and posterity will reverse the findings of the court."

"There is a higher court than Murphy's—the court of public opinion. I appeal from Murphy's court of political passion to the calmness, judgment of the future and the sober reflection of public opinion."

When Murphy Threatened. "When I declined to obey the orders of 'the boss' about patronage; when I refused to call off Hennessey and prevent further investigations of graft, and finally, when I set in motion the machinery of the courts to bring the criminals to justice and to stop the looting of the state, then and not until then, did Mr. Murphy threaten me with degradation and removal from office. From that day all that money, power and influence could do to destroy me has been done."

Murphy and the special interests, which I antagonized, have won a temporary victory; but the fight for reform and for honest government will go on. The farce of my trial will have a good effect in the end. It has opened the eyes of the people to the graft of millions of dollars annually and it will hasten the adoption of the initiative and referendum; bring about the recall of public officials, including judges and judicial decisions, and write upon the statute books other reforms, especially a direct primary law, so that the voters, instead of the bosses, will nominate as well as elect all of the public officials."

"The people now know that the power to nominate public officials is the power to control those offices and that we cannot have honesty in the state of New York until the voters nominate and control all public officials."

Controlled Only by Conscience. "As the governor, I have been honest and faithful to my trust. No influence but my conscience could control me in the performance of my duty. I have lost my office, but I have kept my self respect."

"Let us indulge the hope that my loss of the governorship will be the people's gain. If my undoing shall be the humble means of destroying 'bossism' in New York, I shall be content."

closure and prosecutions, I became satisfied that it was useless to present myself as a witness because I would not be permitted to tell the facts which I considered my best and most efficient means of clearing my name in the end.

"I wanted to take the witness stand in my own behalf—especially to tell the story of my troubles with the 'boss' and to deny the Peck fabrication; the absurd story of Allan Ryan and to explain the Morgenthau testimony. But I was persuaded not to do so by those who had in view the real welfare of the state; and because of the ruling of the court regarding testimony of Hennessey and other witnesses in my behalf, it was apparent that my story of the reasons Murphy ordered my impeachment would be ruled out as incompetent and inadmissible. I was further advised that as no evidence against me had been adduced of 'wilful and corrupt misconduct in office' that therefore I had committed no impeachable offense as the governor of the state, and hence could not, on the evidence before the court, legally or justly be removed from office."

Can Testify Peck Lied. "Those familiar with facts can testify that Peck lied about me to save his job; that Morgenthau was fooled by the clever ruse of an unscrupulous enemy, and that Allan Ryan was in Albany several days under the tutelage of astute counsel to aid the prosecution at the psychological moment in any way desired."

"Suffice it to say that Allan Ryan came to see me; I did not go to see him and I never asked him or any other man, to request Senator Root or DeLancy Nicoll to see Mr. Barnes, or Mr. Murphy or anyone else, for that matter, to do what for me regarding the trial. These matters were afterthoughts of the prosecution to injure my cause."

"Every dollar given me, which I deposited to my personal account, subsequently was turned over by me to the committee in my office, or to an agent of Mr. Murphy, or to the state committee."

"It is now apparent that stories put in circulation regarding moneys given me when I was a candidate for governor were grossly exaggerated, industriously circulated and prominently printed to prejudice my case before the people."

"I want to tell the public the truth about my financial condition."

What Sulzer Owes. "Before I was a candidate for the governorship I was in debt about \$70,000 and had more assets than I have at present."

"I owe now as follows: "L. M. Josephals, \$77,000. "Hugh J. Reilly, \$38,500. "E. F. Mearns, \$25,000. "A. B. Springs, \$5,000. "Ogilvie and company, \$5,000. "Smaller creditors about \$2,000. "Making a total of \$160,000, besides the cost of my trial."

"I owe no other assets save an equity in stock in two small mining camps. This stock has no market value."

"I had on deposit before my nomination over \$1,000; I have on deposit now not much more; and that is all the money I possess. I am poorer today than I was before the fight for the governorship began last fall."

"Had I wanted to make money out of my campaign I certainly would not have rejected, as I did, offers of donations from several citizens of upwards of \$50,000—and borrowed the money I did from Riley and Mearns and others. The court ruled out all testimony concerning these large sums of money offered to me by Judge Bardsley and others, and which I declined for good and sufficient reasons."

Dared to Defy Boss. "I have fought a good fight against tremendous odds, for honest government; I have kept the faith I have been true to my official oath; I have stood by the people; I have dared to defy Boss Murphy, and I did it in the face of threats of exposure and personal destruction."

"I am frank to say that I now realize I should have been more careful in some matters last fall, but I was so busy in the campaign that I gave no heed to details and trusted others, some of whom have proved treacherous. But so far as my administration of the governorship is concerned, I have no regrets, as my conscience tells me truly that I have done no wrong, but my whole duty fearlessly and honestly—to all the people of the state—as God gave me the light to see the right."

"At some future and more opportune time I promise to make a further statement and I am inclined to the conclusion that I would rather express my views from the platform, where I can look into the eyes of the people and they can look into mine and judge for themselves whether I am telling the truth."

Offered Renomination. A telegram was sent to William Sulzer tonight asking him to accept the nomination of the progressive party for congress in the Twentieth district to take the place of Oscar S. Straus, who recently declined the nomination, according to announcement by Max M. Huerstein, a member of the progressive party committee on vacancies in the district. The committee will meet tomorrow night, tomorrow being the last day given it under the law to fix the vacancy.

Francis W. Bird, progressive county chairman, when asked if he heard of the action tonight admitted that he knew some of the progressive committeemen of the Twentieth congressional district wanted Mr. Sulzer as their candidate, but he said he "did not take the matter very seriously," as he did not believe the majority of the committee on vacancies were in favor of such action.

CULLEN ADMINISTRATORS OATH. Glynn Has no Aspirations to Be Party Leader. ALBANY, N. Y., Oct. 18.—Two features unique in the history of New York state marked Lieutenant Governor Martin H. Glynn's assumption of the office of governor today. It is the first occupant of the executive chair since the resignation by reason of impeachment of predecessor and he was sworn into office by the chief judge of the court of appeals. It was at the suggestion of Governor Sulzer that the legislature recently passed a law conferring upon the chief judge of the court of appeals authority to administer oaths to public officials.

Judge Cullen, who had voted against the conviction of Governor Sulzer on every one of the articles of impeachment and who but a few hours before had excused himself from voting on the question of his removal from office, administered the constitutional governor's oath to the new chief executive.

No Aspirations to Be Leader. Governor Glynn said to the newspaper men he had no aspirations to become the "leader" of the democratic party of the state.

"I shall be content to be governor," he said, "I intend to move slowly and carefully. I propose to be governor of all the people first and to serve the public.

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Blankets at About Half That's the way they are offered in the big sale at Orkin Brothers Monday.

STATE CONFERENCE OPENS

Nebraska Congregational Churches Start Sessions at St. Mary's. SOCIAL LEADERSHIP NEEDED Such is the Theme of the Conference Sermon by Rev. W. A. Tyler of Hastings—Seamless to Continue Until Monday.

After that, of course, I am a democrat." Governor Glynn is an Albany newspaper publisher, 41 years old. He has been active in politics for fifteen years. He served one term in congress—from 1887 to 1890—and one term as state comptroller, from 1887 to 1888. In 1901 President McKinley appointed a member of the national commission on the Louisiana Purchase exposition and he was elected his vice president. He is married. He is a democrat, but has been indorsed in his campaigns both by that party and the independent league.

CALEB POWERS WILL LEAVE CONGRESS WHEN TERM ENDS

WASHINGTON, Oct. 18.—Representative Caleb Powers, who came to congress almost directly from the Kentucky prison where for years he had conducted a sensational fight for his life, growing out of the killing of Governor Goebel, will retire at the end of his term. "I am not now able financially to stay in the game of politics and play it as the times demand," said the congressman in a statement today. "Any statement that I am retiring because of ostracism by members of congress is false."

SEVEN MINERS CAUGHT BY CAVE-IN STILL ARE ALIVE

ROCKDALE, Tex., Oct. 18.—Seven of the eight miners, caught late yesterday in the Vogel and Lawrence mine near here, when the roof of the mine caved in and the mine was flooded, still are alive. They are imprisoned by a water barrier ninety feet below the surface, but are believed to be safe as long as their supply of air holds out. One miner was drowned outright, instead of seven as reported last night. The men are Mexicans. Persistent Advertising is the Road to Big Returns.

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