

DOOMED TO PEN FOR ALLEGED CONTEMPT OF TAMMANY SOLONS

Sulzer Man Who Charged Money Used in Bringing about Impeachment Ordered to Prison.

WILL NOT ANSWER QUESTIONS

J. C. Garrison is Taken to Albany County Penitentiary.

MAY BE THERE REST OF YEAR

Plan of Friends is to Secure Writ of Habeas Corpus.

HIS ARREST GREAT SURPRISE

Threats Made Weeks Ago to Apprehend Him, but Nothing Done, and He Made No Attempt to Evade Service.

ALBANY, Sept. 19.—Governor Sulzer's personal friend and special agent investigator, James C. Garrison, slept last night in a cell of the Albany county penitentiary. He was removed to that institution by the sergeant-at-arms of the state assembly for refusing to answer questions put to him by the speaker following arrest on a charge of contempt. The charge grew out of his alleged statement several weeks ago that four legislators sold their votes on the resolution impeaching Governor Sulzer.

Plans by the Sulzer faction today were to obtain a writ of habeas corpus from the supreme court for the release of Garrison. Majority Leader Levin said today, however, that such action would be impossible, as the assembly had plenary power to punish for contempt.

The appellate court so held in a similar case several years ago. If the courts should hold this view, Garrison might be kept in prison until next January, when a new legislature convenes. The alleged offense is punishable, it is said, by a term of imprisonment for not more than one year.

The arrest of Garrison came as a climax to a weary evening spent by the assembly in an attempt to round up the seventy-six votes necessary to pass articles of impeachment against Governor Sulzer. The body finally adjourned at 11 o'clock, this morning, after an impassioned plea by Majority Leader Levy for a better attendance when the assembly convened at noon today. Telegrams were rushed to anti-Sulzer assemblymen, who are out of the city, urging them to return here immediately. Tammany lieutenants were ordered not to permit a single man already in Albany to leave. The assemblymen are therefore virtually prisoners in the city.

ARREST IS SURPRISE

Garrison's arrest was almost as great a surprise to many members of the legislature as it was to him. Threats were made several weeks ago to arrest him, but nothing ever was done and he made no attempt to evade service. He has been around Albany continuously since the impeachment proceedings began and a few minutes before his detention last night was strolling about the halls of the capitol.

SULZER LOSES THE FIRST ROUND

Court Refuses to Entertain Challenges Against Four Members.

ALBANY, Sept. 19.—Governor Sulzer's lawyers lost their first fight in the high court of impeachment today when the four senators who challenged his defense were permitted to retain their seats.

The vote, which was on the question of whether the court should entertain the challenges, was unanimous against such procedure. The four senators directly concerned—Frawley, Wagner, Ramsberger and Sanner—did not vote.

Immediately following the vote of the court the reading of the long articles of impeachment was begun.

Although Presiding Judge Cullen had the right to decide the question of the qualifications of the senators for holding their seats, he did not take advantage of this prerogative. He first expressed his opinion that the objections were not well grounded and then permitted the entire court to vote on the issue.

In addressing the court Judge Cullen said that no court has the right to sit in judgment on any one of its members. In this, he said, a court differed from a jury, the qualifications of members of which might be decided by the courts.

The vote came after a morning of legal argument between Judges Herrick and Parker, representing the defense and the prosecution, respectively. Judge Herrick's chief argument was that no man might sit both as prosecutor and judge.

In reply Judge Parker said the members of the court were here as representatives of the whole people, that the people established the court of impeachment in the beginning and that none other than the people had a right to remove their representatives.

The scene within the court room this morning was vastly different from that presented yesterday. Less than half the seats in the gallery were occupied at the opening of the arguments. Throughout the morning spectators moved in and out, but at 10 o'clock were all the seats filled. Prospects of a witness being sworn soon after the articles of impeachment were read brought a crowd this afternoon.

Then out of curiosity to see what the assembly was doing he strolled into the chamber. The doors swung inward easily for him, but when he attempted to de-

The Weather

Forecast till 7 p. m. Saturday: For Omaha, Council Bluffs and vicinity—Fair and continued cool.

Table with 2 columns: Temperature at Omaha Yesterday, Hours, and Degree.

MOORHEAD VIEWS REJECTED

Attorney General Martin Rules on Who May Vote.

SECOND PAPERS NOT NECESSARY

Man Who Declares Intent to Become Citizen and After Seven Years Does Not Take Second Papers, Not Barred.

(From a Staff Correspondent.) LINCOLN, Sept. 19.—(Special.)—The election commissioner of Douglas county must permit a man to register and vote who has made his declaration of intention to become a citizen of the United States, even though seven years elapse without his taking out his naturalization papers.

Such is the opinion of Attorney General Martin, after having the proposition put up to him by County Attorney George A. Magney of Douglas county. Election Commissioner Moorhead having refused to register voters who had not completed their naturalization papers after seven years.

In his opinion Mr. Martin says: "The right of suffrage comes from the state and not from the federal government. The United States government is given no authority whatever to prescribe the qualifications of voters in the states. By the fifteenth amendment the states were prohibited from discriminating against any citizen of the United States in the matter of voting, but the nation did not prevent, and has never prevented, to say who should be the voters in the respective states."

Cites Constitution

"In Nebraska, the constitution grants suffrage to male residents of the following classes: First, citizens of the United States. Second, persons of foreign birth who shall have declared their intention to become citizens conformably to the laws of the United States on the subject of naturalization at least thirty days prior to an election.

"This grant does not appear in the least ambiguous. It purports to grant to the man of foreign birth, who conformably to the laws of the United States on the subject of naturalization, has declared his intention to become a citizen, the right to vote. The legislature cannot impair this right of this class of voters. As soon as they have, in a proper court, taken the proper oath, they are voters, under our constitution. Whether or not they complete their naturalization is a matter to which the constitution of the state of Nebraska apparently is indifferent. The state has delegated to these men the right of suffrage upon their taking out their first papers."

Right to Vote Stays

"I take it that no other power but the state could deprive them of that right of suffrage. That their papers become obsolete, so far as naturalization is concerned, may be true, but they do not lose their force for the purpose of securing the right of suffrage."

"In the case of Huber against Kelly, 22 Pa. St. 311, the federal law which forfeited the citizenship of a deserter was brought in question. One who was charged to be a deserter from the United States army, tendered his ballot on election day, and the judges of election refused to receive it on the ground that he was a deserter and was disfranchised. The Pennsylvania court held that Congress may deprive a citizen of the opportunity to enjoy a right belonging to him as a citizen of a state, even the right of voting, but it cannot deprive him of the right itself. The court further held:

"The power to determine who shall or shall not be a voter in a state belongs to the state. The United States congress has no power to prescribe the qualifications of electors in the states."

No Distinction in Classes

"Citizenship in the nation and suffrage in the state are ordinarily held by the same person, but it is not necessarily so. The right to vote in the state of Nebraska is granted to either a citizen of the United States or an alien who has taken out his first papers to become a citizen. There is no distinction between these two classes of voters in the constitution of the state of Nebraska. The alien who has taken out his first papers, and who under the present law lets seven years expire without completing his naturalization, is not a citizen of the United States, but if he has resided in the state of Nebraska the time required under the constitution he is a voter in Nebraska, and the federal law, putting a limitation upon his declaration of intention, does not disfranchise him as a voter in the state of Nebraska."

"In my opinion, the election commissioner of Douglas county should permit a man to register and vote who has made his declaration of intention to become a citizen of the United States, even though seven years elapse without his taking out his second papers."

Disastrous Prairie Fire Near Iroquois

IROQUOIS, S. D., Sept. 18.—(Special.)—A disastrous prairie fire, which was set by sparks from a railroad locomotive, swept over a wide extent of territory some miles west of Iroquois. A strong wind was blowing from the south and the fire made great headway through the dry grass and undergrowth, which burned like tinder. Hundreds of farmers turned out to fight the fire, and delegations of fire fighters also went to the scene from Huron, Iroquois, Casper and other towns. By a hard fight the flames were extinguished. Had it not been for the assistance received from outside sources the losses from the fire would have been much greater. Among those who were losers by the fire were John Farrell and Joseph Murphy. The former had nine stacks of grain destroyed by the flames, while the latter lost a number of hay stacks and a large quantity of barley which was in the stack. The fire was one of the worst to sweep over this region in many years and created much excitement and alarm.

SECRETARY DAUGHTERY WANTS JOB ON BOARD

PIERRE, S. D., Sept. 19.—(Special Telegram.)—F. W. Daugherty, the attorney for the State Railway commission for several years, today announced his candidacy for the position of railway commissioner for the second district to succeed F. C. Robinson.

MASON BLOWS HOME

Under Bed with DYNAMITE

Explosive Under Bed and Out Own Body, Killing Himself and One Daughter.

TWO OTHER CHILDREN HURT

Wife Separated from Him Six Weeks Won't Take Him Back.

HIS MISTAKE SAVES HER LIFE

Crawls Into Bed He Supposed Was Her's, but Was Not.

ENTIRE CITY IS AROUSED

Four Sticks, Unexploded, Found in Ruins—Only One, that Attached to the Man's Body, Explodes.

BLOOMINGTON, Ind., Sept. 19.—Carefully selecting the places where he believed the most damage would be done, Mack Hurst, 50 years old, a stone mason, early today blew up his home here with dynamite, killing himself and his 17-year-old daughter, Maude, and injuring two other children and stunning his wife.

The injured: Fannie Hurst, 13 years old, one leg broken and severely lacerated; Elizabeth Hurst, 8 years old, severely cut and bruised; Mrs. Rena Hurst, 49 years old, stunned by explosion.

Hurst had been separated from his wife for six weeks and yesterday she refused to take him back. It is believed that he then insanely determined to kill himself, his wife and his children.

The mother and daughter had charged beds for the night and the daughter her life. Hurst, after putting a stick of dynamite under each of the three beds in the house, tied two sticks to his own body and crawled into the bed he supposed was his wife's, but in which the three daughters, Maude, Fannie and Elizabeth, were sleeping.

Fannie spoke to her father. "Lay still," Hurst replied, "we will all die together."

Before the girl could move the explosion rent the house and aroused the entire city. The two injured girls were sent to a hospital. Four sticks of dynamite, unexploded, were found in the ruins and the fact that only one, and that one attached to Hurst's body, had exploded, accounted for the escape of the other members of the family.

Littlefield Admits He Sided with the Manufacturers

WASHINGTON, Sept. 19.—The house lobby committee today heard former Representative Charles B. Littlefield of Maine, who Martin Mulhall, former lobbyist for the National Association of Manufacturers testified was one of the chief allies of that organization in the house.

Mr. Littlefield testified that beginning with his entrance to congress in 1890 he had sided with the manufacturers. He testified that he had sided with the manufacturers in the passage of the National Association of Manufacturers' bill, and that he had sided with the manufacturers in the passage of the National Association of Manufacturers' bill.

"But," he explained, "when Gompers and the labor people became active the fall timber, I was thickly populated and there was plenty of space in the open." Mr. Littlefield frankly told the committee that his views on labor legislation coincided with those of the manufacturers, and that early in his congressional career he gladly accepted the aid of the National Association of Manufacturers through Marshall Cushing, then its Washington representative.

"Cushing was doing what he could to counteract the influence of Gompers and the Federation of Labor," said Mr. Littlefield.

Littlefield said Mulhall went to his district in 1906 to help in his campaign. "The more I saw of Mulhall," said Littlefield, "the less I liked him. I told the National Association of Manufacturers not to send him to my district again."

Littlefield added that in his campaign he faced the opposition of Samuel Gompers and the American Federation of Labor.

Motor 'Bus Men in London on Strike

LONDON, Sept. 19.—Not a single motor-man or conductor employed by the Tilling Omnibus company, whose action in refusing to recognize the union is likely to bring about a general strike of transport workers in London, went to work this morning. Many motor bus lines from the south to the north of London were entirely suspended, causing great inconvenience. A few of the old horse omnibuses were put on the streets for the first time in several years.

There was no disturbance in the vicinity of the motor bus sheds, although the strikers gathered there in groups, waiting for their comrades employed by other companies to join them at midnight.

Several conferences were held in the course of the morning between the omnibus men and the representatives of the employees of the Amalgamated Tube system. The action of the latter in case of a strike was discussed. Practically the entire press of London supports the men in their demands. Many of the newspapers declare that the point in regard to the wearing of union badges should never have been raised.

The National Capital

Friday, September 19, 1913.

The Senate: Not in session; meets Monday. Banking committee continued hearings on administration currency bill.

The House: Not in session; meets Monday.

His Crown of Thorns



From the New York World.

DOCTORS SIT ON DR. MERRIAM

Missouri Valley Society Votes to Return Him His Manuscript.

CALLED APPENDICITIS A FAD

Dr. Flavel Tiffing is Elected President and Lincoln is Decided Upon as the Next Place of Meeting.

It was not the steam roller that was brought into operation by the Missouri Valley Medical society at the close of its medical year, but it was just a plain trip hammer that squashed Dr. L. A. Merriam of Omaha for his pointed remarks on mercenary surgery made Thursday. It is customary to publish the proceedings of the society's meetings in the Medical Herald each year, with a full report of the papers read, just before adjournment this afternoon, secretary bobbed up and made the motion that Dr. Merriam's paper be not published in the Medical Herald, and that it be returned to the doctor. The vote was unanimous for the motion.

In the course of his remarks Thursday Dr. Merriam had dwelt a great deal on the commercializing of surgery and the practice of medicine, saying that 90 per cent of the surgical operations were needlessly performed to extort money from the unfortunate. He spoke of appendicitis and floating kidney as fashionable fads that would have their day.

Dr. Flavel Tiffany of Kansas City was elected president for the coming year. Dr. Granville Ryan of Des Moines was elected first vice president and Dr. Augustin McMichael of Rochester, Mo., second vice president. Dr. Charles Wood, Paesett of St. Joseph was elected secretary and Dr. Oliver C. Gephart of St. Joseph treasurer.

The society decided to go to Lincoln for the meeting the fourth Thursday and Friday of next March.

Next Encampment of the Grand Army to Be Held at Detroit

CHATTANOOGA, Tenn., Sept. 18.—Detroit, Mich., today was selected as the meeting place of the 1914 national encampment of the Grand Army of the Republic and allied organizations.

Military Maneuvers Held Above Clouds

GENEVA, Switzerland, Sept. 19.—A remarkable program of military maneuvers above the clouds was brought to an end today by 80 mountaineers forming part of the Alpine section of the Swiss army, who have been engaged for some days in a series of maneuvers among the highest peaks of the Alps. The final maneuver was an attack on an imaginary enemy in occupation of the Egglishorn, a mountain 18,000 feet high.

The battalion of 600 hardy Alpinists descended this morning from the Jungfrau peak, 11,100 feet high, where they had bivouacked in the snow throughout the night. They executed a forced march across the perilous Aletsch glacier during a snowstorm without the loss of a man from fatigue and concluded the feat by storming the Egglishorn heights.

Nebraska Coal Rates Ground for Damages

(From a Staff Correspondent.) WASHINGTON, Sept. 19.—(Special Telegram.)—The A. B. Currie company of Omaha has filed a complaint with the Interstate Commerce commission against the Chicago & Northwestern railway that the rates upon coal shipped by them to various points in Nebraska and Iowa were unjust and asks \$980 damages.

Mae Evans Given 25 Years for Killing Brookings Professor

SIoux FALLS, S. D., Sept. 19.—Judge J. W. Jones, in circuit court, this afternoon sentenced Mrs. Mae Evans to twenty-five years' imprisonment in the state penitentiary for the killing here May 28 of Dr. E. L. Moore, a professor in the State Agricultural college at Brookings, and formerly state veterinarian. The tragedy drew out of an illicit love affair. Mrs. Evans pleaded guilty to manslaughter. When the sentence was pronounced she became hysterical.

DR. LOWE GIVES ADDRESS

Iowa Orator Speaks at Session of Methodist Conference.

MEMBERS VISIT WESLEYAN

Widow of Late Chancellor Huntington Gives Each Conference Member Book from Library of Divine.

(From a Staff Correspondent.) LINCOLN, Sept. 19.—(Special.)—Rev. Titus Lowe, D. D., of Cedar Falls, Ia., gave an address to the Nebraska Methodist conference today in the interest of the Woman's Foreign Missionary society. The subject of his address was, "The Emancipation of Women in Heathen Lands." Mrs. Frank M. Bristol, wife of Bishop Bristol, presided.

The whole conference afterward went to Wesleyan place to visit Wesleyan university. At 5 o'clock there was a banquet, given free of cost to the members of the conference, in the church at University place. At the close of the banquet Rev. Thomas Nicholson, D. D., of New York City, secretary of the Board of Education, gave an address.

Bishop Bristol is holding long sessions every afternoon and evening with the superintendents. Rev. E. A. Worthley, a member of this conference, is slated as pastor to the state university students.

This morning the standing of the undergraduates—the young men in the conference course of study—was reported.

Revs. Thomas C. Priestly, Harry W. Wagner, Earl E. Bowen, Vincent R. Beebe, Joel J. Burke, Charles F. Inla, Grover C. Albin, Ralph M. Pagan and Charles F. Lusher were all passed and graduated from the course of study and will be ordained elders on Sunday afternoon by Bishop Bristol.

Senate Agrees to Put Duty on Goats' Hair and Silk Products

WASHINGTON, Sept. 19.—Two important steps toward completing the tariff treaty made today when the democratic conferees decided to retain a moderate duty on angora goat hair and mohair and to free list ferro manganese ore. The house had put in a duty of 15 per cent ad valorem, on ferro manganese ore, of which there are large imports for steel manufacturing purposes. The decision to free list it followed a decision of the conferees to free list pig iron and other cheap grades of iron and cut down the house rates on many forms of manufactured iron.

The senate yielded in its demand for free angora wool and the conferees compromised on angora wool, mohair and clothing made from angora goat wool. The figures adopted were not made public, but are understood to be about midway between the house and senate rates.

The senate gave way today in its demand for specific rates in the schedule, levying a definite duty on each pound of imported silk products. The ad valorem plan, proposed by the house, was adopted with slight reductions on certain articles.

Soldier Shot While on Picket Duty

CALUMET, Mich., Sept. 19.—While on picket duty at the Isle Royale mine, the copper miners strike zone today, Randolph Harvey, a militiaman, was shot from ambush and wounded in the arm. A general alarm was sounded, but soldiers and deputies found no trace of the would-be assassin.

A big demonstration is planned by the Western Federation of Miners at Calumet Sunday noon. The strikers will be addressed by John H. Walker, president of the Illinois Mine Workers.

SLAYERS OF MADERO ARE EXONERATED BY MILITARY TRIBUNAL

Special Court Appointed to Investigate His Death Reports After Six Months' Work.

RELATIVES CALL IT FARCE

Agent Says Major Cardenas Boasted that He Killed Madero.

DISSENSIONS AMONG REBELS

Number of Leaders in Sonora Want Supreme Command.

RECALL OF DIAZ INTERESTING

United States Not Sure that His Election Would Mean the Establishment of a Stable Government.

MEXICO CITY, Sept. 19.—The death of the late Francisco I. Madero and Vice President Jose Maria Pino Suarez, were not brought about by a punishable crime, according to a decision pronounced by the military court here today.

The investigation lasted six months. It was started by the military commandant of the federal district, immediately on the conclusion of the ten days' battle in the streets of Mexico City last February, which resulted in Provisional President Huerta's coming into power. The result of the commandant's inquiry was forwarded to the permanent military tribunal, which continued the examination of witnesses.

Among those called by the court to give evidence was Major Francisco Cardenas, who commanded the escort which conveyed President Madero and Vice President Pino Suarez from the national palace to the penitentiary. Two subordinate officers of rural guards and a number of residents in the vicinity of the jail, also were examined.

Disensions Among Rebels

Disension among the leaders of the rebels in the state of Sonora are growing. All are seeking to obtain sole command of the rebel forces, according to a report sent here today by Adolfo Olivares, paymaster general of the federal troops. Olivares was captured by adherents of Carranza, the constitutional leader, at the battle of Santa Rosa, but succeeded in escaping recently from Hermosillo.

Olivares says conditions in Hermosillo are very bad. The rebel troops there, he declares, have not been paid for some time and are refusing to continue fighting. Many have deserted.

General Alvarez Obregon is the only rebel chief who controls his men in the state of Sonora, according to the paymaster. The other rebel leaders are not recognized by the revolutionaries and have great difficulty in enforcing their authority.

Calls Court a Farce

WASHINGTON, Sept. 19.—Senator Perez-Romero, brother-in-law of the late President Madero and confidential agent here of the Mexican constitutionalists, characterized the report of the investigating committee as a "farce."

"From independent channels and from all evidence that we have gathered," he said, "we have learned that Major Francisco Cardenas frequently has boasted in many public places that he had killed Madero himself, yet he has never even taken into custody."

"I personally made an investigation after Senor Madero was killed, visiting every house for many blocks along the route that the automobile was supposed to have passed, but I could find no one who heard any shots fired. All our evidence shows that both President Madero and Vice President Suarez were assassinated in the national palace before being taken to the penitentiary."

Recall of Diaz Interesting

News that General Felix Diaz, nephew of Porfirio Diaz had been recalled to Mexico to become the candidate of the Huerta faction in the coming presidential election, aroused much interest here in official circles.

The general feeling was that the return of Diaz meant a compliance with President Wilson's principal demand, that General Huerta should not be a candidate. So far as assuring an era of peace, however the outlook was described as discouraging. While the American government is on record with a promise to extend recognition to the government set up by a legal and free election, it is said to be practically certain.

Tranquil Shopping

Worry and scurry, haste and waste go hand in hand. They are a troublesome quartette and should be avoided by all thoughtful people.

You find you have a great many things to attend to this fall. Your wardrobe needs refreshing, the children need new clothes, and hats and shoes, your own wardrobe needs overhauling and certain additions must be made to it to meet the demands of the coming season.

True enough, but why worry about it? Plan intelligently your fall campaign of purchasing and your work will become pleasure. Before you buy anything, read the advertisements in The Bee and you will find many valuable hints and suggestions as to what the most reliable shops have to offer you.

Then make up your mind peacefully and go about your buying with all the worry eliminated.

Advertisement for 'Tomorrow the Best Colored Comics' with 'The Sunday Bee' logo.

Advertisement for 'SHOWER' featuring an illustration of a shower head.