

# NEWBERRY AND 16 OTHERS ARE FOUND GUILTY

## Senator Who Won From Ford In Michigan Sentenced To Prison and 69 Defendants Freed.

(Continued From First Page.)  
Lunch and then the senator and his 16 associates were brought into court again. News of the conviction had spread around the city and the room was jammed.

Ordered to stand before the bar, the men ranged themselves in a crescent, the senator on the left and his 16 associates on the right.  
The stir of ranging the men before the bar had died away to absolute stillness. In quiet tones Judge Sessions asked if any of the men wished to say anything before sentence was pronounced. They stood mute. Then the court, in even voice, read the time honored formula of sentence.

"Truman H. Newberry, in your case it is the judgment of the court that you be confined in the penitentiary at Leavenworth for the full time and period of two years and be fined \$10,000," said the judge.  
Silence At Verdict.

No one stirred as the audience caught the words as the judge had addressed against the principal defendant the heaviest sentence allowed by the law.

There was a deep breath or two audible as the same measure of justice was meted out to King and Cody. One or two of the defendants stirred a bit when Floyd was given a slightly less severe penalty, but each succeeding sentence by the judge was meted out with a stolid silence.

Immediately after the sentences had been passed Frank C. Dailey of Indianapolis, special assistant attorney general and chief prosecutor of the already famous case, wiped the slate clean by moving the dismissal of ten of the 135 respondents to the indictment who had pleaded "no contest." He also moved the discharge of Elmer E. White of Traverse City, who was given a severance because of illness and of James Dailey, a Muskegon contractor, who went to South America on business before government officials served him with a warrant.

Ninety days were granted the attorneys for the convicted men in which to perfect an appeal. Then court adjourned.

Blame Defense Testimony.  
While the jurors said they had agreed not to discuss their deliberations, the rule did not hold good after they had been released from service. Several said that the defense testimony itself was largely responsible for the adverse verdict, particularly King's statement on the stand that he had warned Newberry in New York that the campaign would cost at least \$50,000.

It was also learned that in view of this testimony and the numerous letters between King and Newberry introduced by the defense to show patriotic motive and innocent intent in the campaign, the jurors had no difficulty in agreeing yesterday that a conspiracy had existed. With this as a basis they started to ballot on whether all the 85 defendants were guilty and stood at 9 to 3 all day Friday on this proposition. Early today this vote was changed to 10 to 2, but when a deadlock loomed as a possibility, the majority agreed not to attempt to convict the minor defendants. One vote only was taken on Newberry. It was 12 to 0 for guilt.

Indicted Last November.  
The grand jury returned the indictments November 29, naming Senator Newberry and 134 others, including virtually every man connected with the campaign. The list, however, was narrowed down to 85 after the trial got under way, more than eight weeks ago. Some were dismissed on motion of Prosecutor Dailey and some voluntarily by the court.

Testimony was concluded one week ago, the prosecution having occupied five weeks in presenting its proofs, while the defense used less than two. Arguments occupied much of the last week.

The chief burden for the defense was borne by Attorneys James O. Murfin of Detroit, Martin W. Littleton of New York and George Nichols of Iowa. In addition personal counsel for individual defendants numbered more than 35. The government's case was conducted by Frank C. Dailey and William H. Eichhorn of Indiana and H. Dale Souter of Grand Rapids.

Court stenographers reported when the case went to the jury that the record contained 5,312 pages, averaging 250 words a page.

Newberry Statement.  
Senator Newberry announced he would "continue to represent in the United States senate the people who elected me."

The senator said:  
"I am proud of the fact that the record in this case contains nothing of which I need be ashamed."

"No proof of fraud, bribery, or other despicable crime was produced and I was convicted under a law that is not thoroughly understood and whose interpretation by the court is open to further adjudication. Under the charge I was made a conspirator if I had knowledge that my campaign was going to cost others more than myself more than \$3,750. That to my mind, is the nut of the whole thing."

"Being conscious of no criminal conduct, unless after conference with my senatorial associates they deem it inadvisable, I will continue to represent in the United States senate the people who elected me. I have no personal wish to crowd myself into the senate but I will continue to hold my membership until the senate itself or the highest court in the land decides otherwise. Whether I shall continue to exercise my functions as a senator, pending these determinations, depends upon the advice of other senators as I have stated."

History of Case.  
Truman H. Newberry was elected United States senator from Michigan by a majority of 7,567 votes over Henry Ford, according to the official report of the state canvassing board. The figures announced were:

Newberry, 220,054; Ford, 212,487, one of the closest races ever recorded in a Michigan senatorial election. First formal charges of irregularities in the 1918 campaign came January 6, 1919, when Henry Ford filed with the senate an appeal for a recount. He alleged improper use of mails by the Newberry campaign committee, intimidation of voters, improper rejection of ballots and charged that at least 10,000 ballots were unlawfully counted for Newberry. He charged many election boards included intense partisans of Newberry. Charges of "fraud and corruption" also were made by Lieutenant Governor L. D. Dickinson, and it was on these charges, according to the federal Department of Justice, that the grand jury inquiry was ordered.

Ford Declines Comment.  
Detroit, March 20.—Henry Ford, democratic opponent of Truman H. Newberry in 1918 senatorial campaign, declined to discuss the conviction of Senator Newberry and his associates tonight. Asked for a statement, Mr. Ford said he had nothing to say at this time, either as to the Newberry case or the forthcoming recount of ballots cast in election.

Conviction of Newberry Does Not Invalidate Seat.  
Washington, March 20.—Conviction of Senator Newberry by the Grand Rapids jury does not invalidate his seat in the senate, republican leaders said today. He will be entitled to retain office, they declared, until the senate itself acts on the charges filed by his opponent, Henry Ford.

A subcommittee of the elections committee, headed by Senator Watson, republican, Indiana, now is awaiting a conference with counsel for Newberry and Ford, regarding procedure in the senate investigation of the charges.

Whether Senator Newberry, in view of his conviction will continue his duties in the senate pending a final decision of his case by the courts is a matter for his own discretion, senators said.

Senate leaders had been advised by Mr. Newberry that in event of conviction he would carry an appeal to the United States supreme court if necessary.

Conviction a Shock.  
Conviction of Senator Newberry was a shock to his colleagues in the senate, who had expected that the jury would acquit or disagree, at least so far as Mr. Newberry, the principal defendant, was concerned.

Soon after news of the verdict had been received, Senator Watson of Indiana, republican chairman of the subcommittee of the senate elections committee, which has been investigating the Ford-Newberry election, announced that the subcommittee would meet Tuesday to begin a recount of the ballots.

The subcommittee will appoint deputies to make the recount, and representatives of Mr. Ford and Mr. Newberry will be present throughout. The recount has been delayed because Mr. Newberry's counsel was engaged in the trial at Lansing.

The recount is to be made under the senate's authority to determine whether Mr. Ford or Mr. Newberry was elected.

Long life is claimed by its French inventor for a dry battery that is sealed with a zinc cap connected with the zinc shell instead of the usual wax covering.

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# ARMY MEASURE FIXES STATUS OF GEN. PERSHING

## Present Office Will Cease to Exist Upon Death of Commander, Says Representative Kahn.

Washington, March 20.—(Special Telegram.)—Discussion of the army reorganization bill, now that it has passed the house, has brought a revival of interest in the status of General Pershing as pertains to his rank, pay and allowances. Representative Julius Kahn, of California, chairman of the military affairs committee which drafted the new legislation, said that General Pershing's status was fixed in the legislation.

"There seems to be an impression that his office is abolished. That however, is erroneous," said Mr. Kahn. "Upon the death of General Pershing the office ceases to exist, so that no general will be appointed. This follows the precedent that has been established in the case of Generals Grant, Sherman, and Sheridan, the only three generals of the army who had held that exalted position up to the time we entered the recent conflict."

Would Make Changes.  
Speaking of the general features of the bill, Mr. Kahn said: "If I could have written the bill, I would have changed quite a number of its details. In the first place I would have had a section on universal military training. I believe this country, in order to defend its right and interest in the future, ought to depend upon trained citizens who could come to the colors in any emergency."

"However, the bill contains many features that are the outcome of experiences in the war. The flexibility which the measure allows will prove invaluable, not only in times of peace, but also in case of war."

"The strengthening of the general staff is a splendid feature. The establishment of a staff school is a

distinct advance in the military program. The consolidation of a number of the supply departments will probably result in the saving of considerable sums on account of the reduction in the overhead expenses and decreasing the officer personnel.

Tells of Disadvantages.  
"The establishment of a chemical warfare department and the divorce of the air service from the signal corps are distinct advantages. The building up of a proper flying corps is essential to any army organization which this country might create. We were woefully behind the rest of the world in this particular. Even before we got into war, when our war department officials learned what an important part aviation was playing in modern warfare, they failed to take advantage of the situation, and build up a proper air service. The bill will allow the expansion of the heavier and lighter than air machines and balloons, so that if ever again we have to unfurl our battle-flags, we will not be so helpless in the air as we were at the beginning of the great World war."

Osborne Enters Prison to Try Out His Welfare System.  
Portsmouth, N. H., March 20.—Lieutenant Commander Thomas Mott Osborne, who has resigned as commandant of the naval prison here, will spend his last days at Portsmouth as a voluntary prisoner. He registered as "Tom Brown" and announced that he would remain in confinement until he relinquishes command next Tuesday, as a final test of his welfare system.

Before he assumed command of the prison three years ago, he served a voluntary sentence, cutting ice and coaling ships with prisoners. He also submitted to the prison haircut.

Wood Praised Pershing In a Letter in 1898.  
(Continued From First Page.)  
position to which he may be advanced will be filled with ability. "Very respectfully,  
"Your obedient servant,  
"LEONARD WOOD,  
"Brig. Gen. U. S. Vol. Comdg, Santiago de Cuba."  
Time plays strange pranks upon the fortunes of men. This letter from General Wood recommending Pershing to the adjutant general of the army was written 22 years ago. Since that time General Wood has been advanced one grade, while the young officer about whom he wrote has been advanced from a lieutenant's rank to that of a full general.

Pershing's greatest promotion was given him by Theodore Roosevelt, who advanced him from the rank of captain to that of brigadier general.

McClure's Magazine in an attempt to get at Roosevelt's attitude as to certain of the men who may be nominated by the Chicago convention says:

"One thing which annoyed Roosevelt was the people's persistency in believing that it was due to him that General Wood owed his big jump in the army, and to the people's confounding the case with that of Pershing."

"The man they are thinking of, Roosevelt used to say, is Pershing. It was he I jumped over the heads of several hundred other army officers. I would do it again, by thunder, if the same occasion arose. Wood got his big jump from McKinley, and all he ever gave him were promotions due him in the usual course of seniority. I have tried a hundred times to straighten this out in the public mind, but I don't suppose I will ever succeed. The public seems to want to believe this myth."

Washington Sees Big Fight Coming Between Bryan and Hitchcock.  
By E. C. SNYDER,  
Washington Correspondent Omaha Bee.  
Washington, March 20.—(Special Telegram.)—Petitions filing the name of Gilbert M. Hitchcock as a candidate for the democratic nomination for the presidency, with a full list of delegates accompanying it, and the filing of the name of Arthur Mullen as a candidate for national committeeman, has caused considerable comment in Washington.

The Evening Star discussing editorially Senator Hitchcock's position, says: "This delivrance of the Nebraska senator will greatly increase interest in the contest in that state for delegates to the democratic convention. The friends of the senator want the delegation pledged to his campaign for the presidential nomination, while Mr. Bryan, who aspires to a place on the delegation, frankly declares that if instructed to vote for the senator he will not obey instructions."

"Wet influences all over the country were already mustering against Mr. Bryan, but they will muster with the greater energy now, if they think they can defeat his aspirations and bar the doors of the convention against him except as a visitor. They will consider that they have gained a point if they succeed in banishing him to the gallery of the convention hall, or in chaining him to a reporters' table."

"But likewise the dries will muster for him, and so the Nebraska contest between these two democrats becomes of more interest and importance than any other contest for delegates to San Francisco now in progress in the country."

Lake Michigan Gives Up Body of Dead Woman.  
Chicago, March 20.—Old Lake Michigan is beginning to give up some of the secrets held in its ice-locked bosom all winter. The body of an unidentified girl, about 20 years old, was discovered in the frozen sand at the Oak street bathing beach. At first there was a belief it might be the body of Miss Jeanne De Kay, the heiress, who disappeared from Hull house Christmas week and of whom not the slightest trace has been found, but examination proved this belief wrong.

It is recalled that an unknown girl walked out over the ice hummocks last winter until she came to an open space, when she plunged in, her body disappearing under the ice.

A few weeks ago another woman walked rapidly out over the ice until she came to an airhole when she plunged in. Her body was never recovered.

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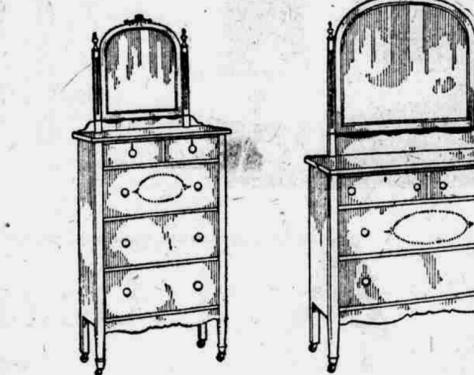
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Dresser with 23x48-inch case and 28x36-inch mirror ..... \$148.00  
Chiffonette, extra large and roomy, for..... \$105.00  
Dressing Table ..... \$98.00  
Twin Beds, each ..... \$80.00  
Rocker ..... \$22.00  
Chair ..... \$21.00  
Night Stand ..... \$20.00  
The construction and finish of this suite will commend itself to the most critical. It is one of the most commendable of the new suites now being received. The prices quoted below reflect an early purchase and are considerably under the present market. It is advisable to act early.  
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Chiffonier, as illustrated ..... \$56.00  
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One of several new bedroom sets that are not expensive.  
Ask to see the Or-Wi-Co. Mattress Made up in our own factory. Up to the quality standards that 25 years of "knowing how" justify. \$25.00  
Rugs and Floor Coverings—that will justify their purchase  
SEAMLESS VELVET RUGS  
These rugs are wool faced and have excellent wearing qualities. The Oriental patterns and colorings are especially attractive. A choice of five patterns in the 9x12 size are offered at, each..... \$43.00  
AXMINSTER RUGS  
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