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BAY STATE PUBLIC HAS GREAT POWER OVER LEGISLATION

Any Person Can Petition for Passage of Measure Which He Can Offer Himself.

MANY BILLS FOR HOPPER

Decision of Court Used to Prevent Progress on Proposals Which Are Invalid.

ASSEMBLY MEMBERS KEPT BUSY

WHERE 'WE WILL' THERE'S A WAY
—Chicago's New Motto.

BY H. W. POOR.

The movement for the initiative and referendum is on in Massachusetts and may succeed. But its proponents there are barred from one argument which in other states may be one of their best; they cannot truthfully say that in Massachusetts at the present time the public at large is unable to get consideration for and discussion of its proposals for legislation, whatever they may be.

In no other state does the public have freer access to the legislature and a clearer view of the way the legislative wheels go round than in Massachusetts. And in no other state, by the same token, does the legislature work harder for its money.

THE legislature meets every year early in January, and the session lasts until the middle of June or later. In 1911, July 27 was the final day, and not since 1905 has the session ended before June. The state primaries come in September, so August sees the political pot boiling hotly, and then follows the election campaign and after that the quiet campaign of the candidates for president of the senate or speaker of the house. Thus the life of a Massachusetts legislator is just one thing after another.

This giddy round of activity, to be sure, is not wholly caused by the freedom of introduction for petitions for legislation and the full consideration which such petitions are accorded, but that certainly has much to do with the length of the session. The right of petition, of course, is a constitutional right, but it does not carry with it any further obligation on the legislature than to receive the petition. Yet by its self-imposed rules and customs the legislature does do a great deal more than this.

THE present system of procedure was adopted in 1893 and has not since been materially changed. Before that time, as now, petitions were introduced freely, but they were not, as now, necessarily accompanied by a draft of the bill sought. The prevailing custom then was to refer the petition with an "order of inquiry," to a committee, calling on that committee to look into the merits of the question and, if it favored legislation, to draft a bill or resolve.

It was evidently possible for a committee to misunderstand the purport of a petition, often carelessly drawn, and to draft legislation different from that sought. It took time, too, for the committees to do all this, and in the nature of things it was not until the bill was drafted and came up before the house or senate that any one knew what legislation was proposed. So the public complained of being left in the dark.

Now it is required that a copy of the proposed bill accompany each petition.

It is not literally true, as sometimes said, that any citizen can introduce petitions for legislation. Petitions can be presented only by members of the legislature, but that means only that the signature of some member is required on the petition which accompanies the proposed bill, and such a signature is the easiest thing in the world to obtain.

In the ordinary course of events, one's own member is glad to put his name to any petition, whatever it may be, simply as a matter of courtesy, for he is not identified with a petition so presented and is under no obligation to support it. Indeed, in signing a petition, a member may make it clear that he intends to oppose the measure in committee, and, if need be, on the floor. But he signs it just the same, or somebody else would.

The speaker has the bills read to the house—such reading taking up the greater

AN IMPORTANT STEP THAT HAS LED MILLIONS IN THE RIGHT DIRECTION AND NONE IN THE WRONG.

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HOYNE'S OFFICE AND POLICE SPLIT

Assistant State's Attorney Sullivan Says Jones' Place Was Shielded

HUNT IN LEVEE DISTRICT.

An open breach between the police department and the state's attorney's office developed yesterday as a result of the Isaac Henagow murder in Roy Jones' café dive at 2037 Wabash avenue. Charges were made by Assistant State's Attorney Michael Sullivan that the police had failed to produce the facts in the murder and had attempted to show it took place on the outside instead of the inside of the levee dive.

Detectives from the state's attorney's office were sent through the district in an effort to find Kitty Fitzgibbon and her associate, James Franche, known to levee habitués as "Duffy, the Goat."

The search of the old levee by the state's attorney's detectives followed the stories of waiters and other witnesses who were seized in a raid on Jones' place late Friday night. Victim Threatened to Squeal.

Inquiry developed that Henagow was shot as he started to rise from a table in Jones' café. Duffy shot him because he threatened to violate the unwritten law of gunmen—to squeal.

Henagow knew Duffy and other gunmen of the district. He was familiar with their operations and in the quarrel in the café he had accused another member of the gunmen gang, a friend of Duffy, of "snitching." Duffy resented the charge.

"I'll snitch 'on the whole gang," Henagow said.

"I'll fix you so you never will 'snitch' on any one," Duffy retorted. Henagow started to rise. There was a shot and Henagow dropped to the floor. Duffy and the woman ran out through a side door. Waiters carried the wounded man upstairs to a room which is used after closing hours.

Another Woman Sought.

Detectives from the state's attorney's office also searched for another woman said to have been a member of the party in Jones' place. The police of the Twenty-second street district have failed to produce her. She is wanted as a witness.

Alden Brown and Percy Heller, waiters in the café dive at the time of the murder, are held in custody as witnesses. They are at the Bradley hotel. William Cairo, another waiter, is held, according to Sullivan, "because he refused to tell the truth."

The café waiters, porters, and negro employees, as well as Roy Jones and Ollie Davis, were released by the state's attorney's office.

Duffy, who was to give himself up, has left the city, it is said. Attorney Charles E. Erbstein, who was retained by telephone to defend him, said he had not heard from his client.

Mr. Sullivan told reporters an effort would be made to indict an attorney for attempting to suborn perjury in connection with the witnesses in the Henagow murder.

The assistant state's attorney said the witness had been told to say the killing took place outside the café. The attorney to whom he referred is said to have visited them the day after the murder.

A reporter for THE TRIBUNE talked to the

waiters who were witnesses to the murder and to Ollie Davis and Roy Jones on Wednesday night, within forty-five minutes after the shooting. All said the murder had taken place outside the café and the murdered man had been carried through a side door into the café upper room.

Mr. Sullivan declared the witnesses had changed their stories and said the murder took place on the inside.

Charges Police Were Supine.

"The raid by the state's attorney's office was necessary because the police have done nothing," said Mr. Sullivan. "There was only one way to get at the bottom of this murder and that was to go down there and take the whole bunch into custody. They were anxious enough to talk when they saw it was a case of going to jail or telling what they knew."

"We are going to clean out the gunmen in the city. The police did nothing when Thomas Faith, Jimmy Kelley, and Pat Canary were slain. This gunman killing has got to stop."

Chief Gleason resented the attacks of the state's attorney's office on the police department.

"The state's attorney's office is not running the police department," he said. "If Mr. Sullivan has any charges to make against any officer of the Twenty-second street district I would be glad to have him make them to me. Capt. Ryan is going about the clearing up of the case in a businesslike way and he will make a full report to me in a few days."

WEATHER FORECAST.

Chicago and vicinity: Generally fair Sunday, somewhat warmer Sunday, moderate northwest breeze becoming variable.

Illinois: Generally fair Sunday, colder in east and south portions, warmer in north portion Sunday.

One Report Already Made.

Barrow, Wade, Guthrie & Co. already have made one investigation of the receipts and expenditures and reported:

"We examined the recorded receipts and satisfied ourselves that all income has been properly accounted for, except the interest on deposits which has been retained by the company, there being substituted therefor interest calculated on a basis of 2 per cent per annum on the daily net earnings, in accordance with the ruling of the board of supervising engineers."

"We examined vouchers for expenditures and found all such expenditures to be proper payments in behalf of the partnership account, except a payment of \$7,455.19 income tax on the company's bond interest coupons, which should have been paid by the company instead of being paid from partnership funds, and \$2,558 for expense in connection with defense of certain alleged violations of city ordinances, which, according to a ruling of the corporation counsel, should be made from the company funds."

Order Follows Comment.

In addition the accountants attached certain statements upon the correctness of which they gave no opinion, upon the advice of the city law department, regarding their duties. Controller Traeger said the mayor's order was the result of the above comment by the accountants. It is understood they will decide what they will investigate.

HUNT FOR MISSING MAN VAIN.

Search of Illinois Mine for L. R. Patmont, Milwaukee, Wis., Editor Develops No Clue.

Danville, Ill., April 11.—No trace of the whereabouts of Louis R. Patmont, newspaper editor and "dry" worker of Milwaukee, Wis., who disappeared from Westville, near here, March 31, has as yet been discovered. Two miners volunteered to enter the shaft of an abandoned mine this morning, but found nothing. J. W. Starks, state mine inspector of the Fifth district, has volunteered to enter the shaft and the attempt will probably be made Sunday.

ORDERS TRACTION INQUIRY BY CITY

Mayor Writes Traeger to Investigate All Books of City Railway.

AUDIT FIRM GETS BUSY.

Mayor Harrison has ordered an investigation of "all books, vouchers, and records" of the south side traction lines to determine the accuracy of their annual reports for the year ended Jan. 31. The mayor gave his order in a letter received yesterday by Controller Traeger, who at once engaged the audit firm of Barrow, Wade, Guthrie & Co.

Just how extensive the inquiry is to be has not been given out. If it is to delve into the charges made three years ago by Ald. Cullerton and last year by Ald. Kuntz, it is probable that the investigation will extend back to 1906. If the inquiry is to relate to only one year, it will probably be nothing more than a renewal of the dispute over certain minor charges on the books.

Places Blame on Subordinate.

"Gen. Huerta also stated that in accord with the line of conduct which the government of Mexico has always followed in the fulfillment of its duties of an international character regarding all nations, it deplores what has occurred in this case, which has grown out of nothing more than the misunderstanding of a subordinate official."

His superior officer at once proceeded to point out that the occurrence was unintentional and he imposed upon Col. Hinojosa disciplinary punishment within the authority of Gen. Zaragoza.

CARRANZA LEAVES JUAREZ.

Juarez, Mexico, April 11.—Gen. Venustiano Carranza, his military staff, members of his cabinet, and a large number of clerks left today for Chihuahua, the new provisional capital.

A pilot train with a guard of 400 soldiers left last night to clear the way for the chief of the revolution and official residence and executive offices are awaiting him at Chihuahua, and with his office force on the scene there will be scarcely an interruption of the workings of the provisional government.

ASKS AID FOR SPANIARDS.

MADRID, Spain, April 11.—The Spanish foreign minister today asked Col. Joseph E. Willard, United States ambassador to Spain, to request the government at Washington to intervene in favor of the 1,000 Spanish subjects expelled from Torreon.

According to official news received by the Spanish cabinet from Mexico the expelled Spaniards are in a critical situation and the government decided to approach the United States government in their behalf independently of the measures Spain is taking to bring her subjects back to their own country.

GIRL'S ASSAILANT MUST HANG.

Vic Gueringer, Who with Five Other Men Attacked Kansas City Nurse, Is Denied New Trial.

Kansas City, Mo., April 11.—Vic Gueringer, convicted a week ago of participating with five other men in an attack upon Mrs. Gertrude Shiller, a nurse, was denied a new trial today and sentenced to be hanged May 28, next.

APOLOGY IS MADE BY HUERTA'S MEN TO U. S. MARINES

Daniels Believes Mexican Federals Have Met All Demands Issued by Mayo.

FLAG SALUTED BY TROOPS?

Dictator Issues Formal Statement in Which He Expresses Regret Over Arrests.

SPAIN ASKS FOR AID OF AMERICA

Washington, D. C., April 11.—Secretary Daniels today expressed the belief that the Mexican Federals at Tampico had complied with all the demands of Rear Admiral Mayo for reparation for the arrest of American marines.

Rear Admiral Mayo reported that after the marines were released upon his demand, he gave the Huerta commander twenty-four hours to salute the American colors as an apology. The time expired at 6 o'clock last night.

The official report received today did not say whether the demand had been complied with, but Secretary Daniels interpreted press dispatches saying the Mexican commander had apologized as meaning he had complied with Rear Admiral Mayo's demand.

Sends Statement of Huerta.

Chargé O'Shaughnessy officially reported Gen. Huerta's apology for the arrest and detention of the marines and forwarded a copy of a statement issued by Huerta.

Mr. Bryan would not comment on the statement but will await a full report of all the circumstances before announcing whether Huerta's explanation will satisfy this government.

Despite the state department's renewed protest against who state expulsion of Spaniards from Mexico, Consul Hamm reported today that Gen. Villa had reiterated his order that all Spaniards must leave the section under his control. He also reports confiscation of some Spanish properties.

Latest official advices were summarized in this statement:

Chaotic conditions at Torreon are reported to the state department, but the commander in chief of the forces occupying the district has promised that all foreign property shall be protected.

It is insisted, however, that all Spaniards must leave the section under his control and confiscations of the abandoned property have occurred.

Statement by State Department.

The state department summarized Chargé O'Shaughnessy's representations and Huerta's statement in this statement:

"Acting upon instructions from the state department, the American chargé in Mexico city represented to the Mexican foreign office the extreme seriousness of the situation growing out of the detention of United States marines by Mexican Federals at Tampico. A personal explanation of the gravity of the occurrence was made by Mr. O'Shaughnessy to Gen. Huerta himself, who stated:

"That in view of the fact that the chargé d'affaires of the United States had heard that the wholeboat in which the American sailors were flying the American flag, an investigation will be made to establish the responsibility of Col. Hinojosa, and that, if the investigation should develop a great responsibility on the part of Col. Hinojosa, the penalty applicable to the case would be imposed by the competent legal authorities."

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DOOMED GUNMEN MAKE LAST PLEA

New York Jurist Hears the Evidence on Which Condemned Men Ask a New Trial.

WHITMAN FIGHTS PLAN.

Eye Witnesses for Both Sides Give Conflicting Versions of Rosenthal Murder.

New York, April 11.—Counsel for the four gunmen doomed to die at Sing Sing prison on Monday for the murder of Herman Rosenthal today made a final plea for their clients before Supreme Court Justice John W. Goff.

The justices, who had presided at the trial, agreed last night to this eleventh hour procedure on the representation of counsel that new evidence had been discovered tending to show that the prisoners were not the real murderers.

District Attorney Whitman, hurrying back from Chicago, appeared to oppose the motion for a new trial.

Carl Dresner, a bartender and signer of an affidavit, stating that he had seen the now notorious informers, "Bridgie" Webber, Harry Vallon, and others speeding away in the automobile from the scene of the Rosenthal murder, was called to the stand.

Dresner Tells of Murder.

Dresner said that on the morning of July 13, 1912, he was standing on the corner of Fifth street and Seventh avenue from 1 o'clock until shortly before 2 o'clock a. m. This was three days before the murder any names. He saw Jack Rose, Webber, and Vallon in front of a café and heard Rose urge Webber and Vallon to "put it over on" Rosenthal when the latter should emerge from the place with his wife.

Coming down to the time of the murder, Dresner swore that he was standing on the steps of the Elks' club, which is diagonally across the street from the Hotel Metropole, when he heard shots and then a gray car raced by him in Forty-third street. Sam Schepps was on the running board and in the car he saw Webber, Vallon, and Shapiro.

Two other men were in the car, said the witness, but they were not any of the gunmen now in Sing Sing.

Fearful Gunmen; Kept Silent.

Dresner said he told Policeman James Kelly what he knew during the week Becker was convicted. He insisted that at first he had kept silent about the matter because he had been in fear of his life. He had lost that fear now, he added.

District Attorney Whitman tried to get the witness to tell just who he was afraid would kill him. Dresner said there were "plenty of people" in New York to be afraid of. He was unable, however, to give any names.

"I was taking no chance with New York gunmen and stray bullets," he explained. "Why didn't you come to me and tell me the story?" asked the district attorney.

"Why," Dresner said, "if I had gone to you and told that I'd never even had a chance to get out of the Criminal court building without being shot, I doubt whether I would have been alive fifteen minutes after I started to tell you the story. Jack Rose's friends would have put it over on me quick."

Witness Testifies for Gunmen.

The next witness was William E. Burwell, a professional billiard player of Waterbury, Conn. Like Dresner, Burwell stuck to the text of his affidavit, made public yesterday, which described how he had seen Rosenthal shot down. The witness was shown pictures of the four gunmen, and he swore that the man he saw fire at Rosenthal was not among the four.

Before beginning his cross examination District Attorney Whitman instructed five men in the courtroom to stand up. "Do you know these men?" he asked.

"I do," said Burwell. "They are Connecticut policemen. I have known them all six years or more."

Mr. Whitman then plunged into the witness' police record. Under questioning Burwell admitted he had been arrested many times. He said he realized he would be asked about his police record, but that he knew he had important evidence and that it was his duty to come forward and present it.

Describes Rosenthal's Slayer.

Justice Goff asked Burwell for a minute description of the man he saw shoot at Rosenthal. Burwell said the man was about 3 feet 8 inches tall, of medium build, had a dark, soft hat on, and was "sharp faced."

He didn't know whether the man had a high, sharp nose, such as Harry Vallon has.

Samuel Kaimanoff, formerly a clerk in an east side store, next was called. He testified that he and a friend were walking in Forty-third street near the scene of the murder when they heard shots. A man with a smoking revolver bumped into him, he said. He was shown a photograph of Harry Vallon and identified it as the man who had held the revolver. Mr. Whitman's cross examination failed to shake this testimony.

WHO HAD SECOND POSITION ON LAST TICKET WITH TAFT?

Speaker Puts Memory Test and Then Cannot Give Name When Called On Himself.

Oakland, Cal., April 11.—V. O. Lawrence, an Oakland business man, was talking to the Rotary club of this city about advertising. "If you want to get results," he said, "you must advertise continuously. The public forgets. To prove this to you, I will give a prize to any man here who can tell me off-hand who was President Taft's running mate at the last election. I'll venture there isn't a man here who can remember the name, although it was a household word with all of us at the time."

The speaker paused while the 100 men in the room pondered. Finally someone asked: "Do you know yourself who it was?"

Lawrence laughed. "I do not," he admitted. "I intended to call up one of the newspapers to find out, but I forgot."

The question remained unanswered.

Burns Kill Night Watchman.

Andrew Bloom, who was 68 years old and lived at 2317 West Twenty-third street, died at the county hospital yesterday of burns received on April 4, while he was a night watchman at 2331 West Eighteenth street. He threw benzine into a stove.

POLITICAL FIGHTS WILL BE CENTERED ON EMPIRE STATE

Three Parties to Attempt Winning of New York Before Climax in 1916 Comes.

DEMOCRATS LOSE POWER

Weakness of Dix and Sulzer Scandal Place Them in Almost Hopeless Condition.

WHITMAN FAVORITE OF PEOPLE

(BY A STAFF CORRESPONDENT.)

New York, April 11.—[Special.]—The Empire state will be the center of political activity in all three parties from now until the 1916 presidential election.

A few years ago it was confidently asserted that the center of political activity had moved to the Mississippi valley. However, recent developments point to the fact that Bryan has lost his lifelong hold on the affections of the Democrats. The Progressive Republicans—Hadley, Borah, Cummings, LaFollette—who were so strong before the last presidential election, seem to have steadily lost in influence and in reputation since they have been in the minority in the senate.

The Progressive party has produced no figures of national caliber, excepting Theodore Roosevelt of New York.

Democrats Have Lost Favor.

All the more show evidence of developing sufficient strength for presidential timber are in New York and in New Jersey. It is almost inevitable that the Republican party will come back to power in New York state next fall. Four years of Democratic misrule has disgusted the electorate of New York state. The first Democratic governor, Dix, was an utterly colorless man who asserted himself only when he lost his temper.

Succeeding him came Sulzer. In his breach with Tammany he was hopelessly bemired, and with him the cause of radical democracy. At the same time Tammany Hall was still further discredited.

A prominent Democratic politician has estimated the Democratic party and the 40 per cent Republican, 30 per cent Democratic, 20 per cent Progressive, and 10 per cent independent. In recent years the Republicans have not been able to register even party vote, which accounts for the Democratic victories. The coming year, however, it is expected that the Republicans will poll their whole vote and the vote of the Independents as well.

Whitman, a Strong Figure.

This prophecy is based upon the unpopularity of the Democratic party and the availability of District Attorney Whitman as a gubernatorial candidate.

Mr. Whitman is, beyond question, the strongest political figure in the state of New York, excepting possibly Roosevelt, who is less popular in New York than elsewhere.

To an extraordinary record of achievement as a graft and a reformer, Mr. Whitman adds the sentiment which comes from having been unjustly deprived of the nomination for fusion mayor of New York. Whitman was the logical candidate to be put up against Tammany, but jealousy of Progressive politicians, combined with astute manipulation by the Wilson Democrats, obtained the nomination for Mitchell. This victory turned out badly for both Progressives and Wilson Democrats in that it made Whitman more popular, and in that Mitchell seems to have had or to have made an entente with Mr. Hearst.

Hearst May Seek Senate.

Mr. Hearst is likely to be the Democratic candidate for senator. He can only obtain this nomination, of course, by winning the primary vote from the Wilson Democrats of his state, but his persistence in opposing President Wilson's administration at every turn has made him the natural leader of all elements hostile to the executive.

Wilson leaders charge a rapprochement between Mr. Hearst and Tammany Hall, basing their allegation on the fact that the Hearst papers have not attacked Tammany Hall since the mayoralty election.

If the administration Democrats are correct in their diagnosis, they show great acuteness, because to an outsider there appears no particular reason why Mr. Hearst or any one else should be attacking Tammany Hall between elections. However, Tammany Hall is definitely committed against Wilson and will be found with whatever candidate is the anti-Wilson candidate.

Wilson Men Want Root Seat.

The Wilson supporters are anxious to put a Wilson Democrat in Senator Root's seat next March, to do which they have to win both the primaries and the election. With this in mind they are talking of a coalition with the Progressives, whereby the Democrats will endorse a Progressive for governor and the Progressives will endorse a Wilson Democrat for senator.

This, they believe, would be the cleverest kind of politics, because a Progressive candidate for governor would not have to bear the onus of the Democrats' misgovernment in New York state, and would be of no political danger to the administration. A combination whereby a Democrat would run for governor, and a Progressive for senator, might result in the defeat of the Democratic candidate for governor, and the certainty of the election of a Progressive or a Republican to the senate, either of whom, of course, would be opposed to the Wilson administration.

It is not considered easy, however, to get a high class Progressive to run against Whitman, as the latter is bound to be the "reform" candidate.

Why Tammany Indorsed Whitman.

An attempt will be made to attack Whitman on the grounds that he accepted the Tammany indorsement for district attorney last

(Continued on page 4, column 1.)