Sentence of MacKissic, Found Guilty of Malfeasance, Deferred

JUROR IS REMOVED

Cape May Court House, N. J., Sept. 20.-Contrary to expectations Joseph MacKissic, a Freeholder from Lower Township, who was found guilty on a charge of malfeasance in office, was not brought before the court this morning and sentenced. There was no mention made of the case which had been decided just night, and the hearing of indictment forty-one upset the rumor that the Mechanic street case would again be

ladictment No. 41 charged that Indictment No. 41 charged that Joseph Camp, John O. Fox, Hope W. Gandy, Joseph P. MacKissic, Floyd Hesitt and John W. Young, all Free-holders or former Freeholders, with malfeasance in office for awarding a contract for work in excess of \$500 without first advertising for bids, as the law of 1918 requires. e of 1918 requires.

This contract was made as a sup-jemental contract for the filling in of fartle Gut Inlet road. The State connds that this was not a supplemental mtract, but a regular contract and awarded for the purpose of favoring Heman and Cassidy, the contractors. The State further contends that this ntract was given for the purpose locality and that the filling in of the

The defense contends that this county law of 1918 became effective after the this Turtle Gut road conect and therefore is no legal ground

It further alleges that the road was built to give access to Two Mile Beach and Cold Spring Harbor adjoining.

There was considerable confusion this morning before a jury was selected and before the charges on the indictment were brought it was agreed, because of the death of Floyd Hewitt, that his ame be stricken from the indictment. Before Attorney General Newcorn had gone far in setting forth the charge note was given to Judge Eldredge that

The Court then called the prosecu-The Court then called the process which was opened by the defendant tor and counsel for the defense to the which was opened by the defendant and asked if they would be willing and these two ladies entered the room.

"They found Miss Rappe lying on a content of the country for the country for the country in the country i

John H. Harris, counsel for the defense, made a complaint about the irregularity of the procedure. The Court hen explained that other counsel for the defense had agreed to it, and the ling of a new juryman began. Due to the fact that the rest of the jurymen had been discharged for the day it was necessary to send out con-stables to round up those who had not

to their homes After a delay of another half hour the jury was sworn. It is as follows: Carl Baker, foreman; Learning F. Corson, Leon Bezault, Percy Douglass, Charles R. Holmes, Frank Hebenthal, Oscar Lehman, Harry McPherson, Edwin Z. Mills, Howard Sommers, Howard Stites and Cyrus Tudor.

Arbuckle Release Stirs Prosecutor

cetinged from Page One

committed by the defendant "I feel also bound by the Grand Jury, whose indictment for manslaughter was voted after having more vidence than I was permitted to hear. "There is just enough evidence here, I may say barely enough, to justify me in holding the defendant, without further acts and circumstances which the District Attorney said would more strongly stablish the fact that Roscoe Arbuckle guilty of the crime of murder.

"Trying Present-Day Morals" "This is an important case. We are ot trying Roscoe Arbuckle alone, Acsally, in a large sense, we are trying ourselves. We are trying our present-day morals, our present-day social con-

litions, our present-day looseness of bought and lack of social balance. "The issue here is really and truly arger than the guilt or innocence of e is universal, and grows from conad apprehension to every true lover ad protector of our American institu-

"The thing which occurred on the fith of September this year, happened in the heart of San Francisco, the most beloved city in the world, in one of the largest and most pretentious hostelries sown to the management—no, I won't may the management—but it was known

"We need not speak of bacchanalian ism, or saturnalianism, or sybaritism, or any of the terms of the ancient days. are supposed to live and breathe and have our being in a better and more advanced age. Nevertheless, this more advanced age. Nevertheless, this thing, this orgy that continued many hours and resulted in the death of Miss Virginia Rappe, a moving-picture actress, was not repressed by the hotel hanagement. It is of such common octurrence that it was given no attention until something happened, until the climax made It notorious.

"In this thing is a public lesson larger than the District Attorney would have us understand. I had really hoped and expected that all the evidence possible on both sides would be presented have bere, so that this humble Police Court would be the avenue through which a full and complete revelation would

Dubs Witnesses Worthless

"The testimony shows that during the The restimony shows that during the whole afternoon in these rooms, 1219, 1220 and 1221 in the St. Francis lietel, a condition, tet us charitably say, of festivity prevailed. Men and wamen came and went, their movements to irregular the witnesses found it difficult to say who compiled certain rooms ficult to say who occupied certain room at certain times.

liquor was drunk in this Prominent hotel, despite the recent unpopular addition to the Constitution of the United States. The complaining witness, who was not put on the stand, has been described as being in a par-ticularly inebriate condition."

Some of the witnesses were absolutely worthless, especially Semnacher occupied two days' time. The only witness in the entire case who gave any direct testimony bearing on the guilt or innocence of Roscoe Arbuckle was the nervous chambermaid, Josephine

Passing along the corridor, she Passing along the corridor, she heard the sound of revelry, the raucous loices of joy gatherers, and then, coming through the door of Room 1219, the heard a weman's voice crying, 'No, as, oh, my God!' and a man's voice saying, 'Shut up.' This is the only testing, 'Shut

"WHADDYA MEAN, KL-EAGLE?"



sibility shows a connection between the G. O. P. Senators Your Honor is not overlooking the stimony of the witness who heard Miss Rappe saying, 'I'm dying, he hurt said Assistant District Attorney Continued from Page One U'Ren.

"No, but I am taking into considera-

Went Voluntarily

"Miss Rappe, according to the picture I have tried to draw of the event, went into Room 1219 of this hotel, felwithout previous conversation, by the defendant.

"They remained in there about three-Paul Hand, juryman No. 6, was a relative of oen of the defendants by marinage.

Quarters of an hour, according to Miss Zeh Prevost's testimony. No sounds were heard by the rest of the party.

"Then the complaining witness and

Miss Prevost made clamor at the door, which was opened by the defendant, bed, fully clothed, and apparently in egony. She was clutching at her clothing, and with the assistance of her women companions, she was completely I thought some of the torn garments might bear on the point at ssue, but from the prosecution's own witnesses it appears they must have been torn in being removed."

"Evidence has been given regarding alleged ribald conduct of the defendant regarding the use of ice, but it had no connection with any possible injuries received by the deceased, although it was a regrettable incident.

"Now remember, gentlemen," Judge Lazarus went on, "murder in its cate-Lazarus went on, "murder in its cate-gory and in its panishment is the most that all charges against Senator Newserious crime that can be placed against cide from this merest outline of evi-dence, this skeletonized description of eval election Senator Newberry had rewhat occurred in those apartments on Labor Day, is whether I am justified in holding the defendant for murder, and undue influence and intimidation of ing him to trial on this grievous charge on the circumstances. Therefore I hold

"Hit 'em with a pie,

Fatty, atabox While the formalities of bail were being arranged, Arbuckle went back to the city prison. Coming out of his cell with an overflowing armful of clothing, his face took on a more cheerful pictures of him and a smile began to

reep over his countenance.
"Roll a cigarette with one hand when we take the next snap, suggested a photographer. "I can't." he replied, "it's the other

Arbuckle that does that. As court adjourned a dozen women rushed forward to shake Arbuckle's As he went into the Judge's chambers his wife, Mrs. Minta Durfee Arbuckle, collapsed. He held her up and quieted her in an affectionate manner. Her mother, Mrs. Flora Durfee, meanwhile smoothed the hair back from the comedian's forehead.

Clear Newberry

Ford did not receive a plurality of the tion the fact that she was in great votes cast at the general election. We therefore find that the petitioner, Henry Ford, was not elected and is not entitled to a seat in the Senate of the United States.

"Second. We find that under the facts and circumstances of this case corrupt and illegal methods and practices were employed at the primary elec-tion and that Truman H. Newberry violated the Corrupt Practices Act and the Primary Act of the State of Michigan, and that by reason therefor he ought not to have or hold a seat in the Senate of the United States, and that he is not the duly elected Senator from

ught not to have or hold a seat in the confictive many of the letters to President Harding and Attorney General Daugherty, for the state of Michigan for the term of the years commencing on the fourth lay of March, 1919, and we recommend, therefore, that his seat be declared vacant."

"Stained by Fraud," Says Ashurst

A separate minority report also was submitted by Senator Ashurst, who declared Senator Newberry's credentials were "stained by fraud and tainted by illegal expenditures of money." The testimony showed, he said, that the 1918 Michigan campaign "partook more of the character of an auction than an election."

Claims of Ford to the Michigan seat were denied by both majority and not the general election, and that it was established conclusively that in the general election, and that it was established conclusively that in the general election senator Newberry's lind precisive forms the general election were declared by the majority to the votes. Mr. Ford's charges of bribery, illegal voting, undue influence and intimidation of voters in the general election were declared by the majority to the works. Min respectfully ask that an investigation, and can appeal was the point at issue in the conflictway as the point at issue in the conflict was the primary and not the kind of the pri any one. The question for me to de- the general election, and that it was

street, the cement walk and the by the majority at approximately asphalt, and the walk on the othre sides, \$195,000 and at least \$188,568 by the were jammed with women shouting minority. There was virtually total "Hurrah for Fatty," and "Good for disagreement, along partisan lines, as you, Fatty," and "We're with you, to Senator Newberry's responsibility for and management of the expendi-

JERSEY HIGHWAY REOPENED triotism. It seeks only to bring to-

Photographers started to take Burlington-Bordentown Route Will Relieve Auto Traffic to Trenton Fair people.

The Klan is not a political organibeing closed for more than two years while under construction as a part of State Highway Route 2, the Burling-ton-Bordentown road was unofficially opened to passenger automobile traffic yesterday to relieve congestion on other South Jersey roads to and from the Trenton Fair.

Commissioner A. L. S. Doughty, of

Morris Loisky, a tailor, 334 Sayder sity of making a huge fill to avoid see the occurrence, it was the culmination of an orgy which, according to the testimony of the last witness, a chambermaid in the hotel, was well known to the management, was well when the management are larger than the management, was well when the management are larger than the mana

Chester Shipyards Invaded by Klan

\$6.50 more for the order and consequently more profits for the "emperor" the "imperial kleagle" and other in-

The membership kluxters plying their trade in Chester are operating a short distance from the home of Governor Sproul, who has denounced Ku Kluxism

with unmistakable emphasis.

With a fine disregard for William Penn's memory the Kluxers, among themselves, have changed Pennsylvania from a Commonwealth to a "realm" and are trying to annex it to the "Invisible Empire."

SEE PRESS AGENTRY IN KU KLUX MOVE

Atlanta, Sept. 20.—What was generally recognized in Atlanta as a typical E. Y. Clarke publicity stunt was staged. it the Imperial Palace of the Knights of the Ku Klux Klan yesterday, when copies of messages sent by Imperial copies of messages sent by Imperial Wizard Simmons to President Harding and Attorney General Daugherty, ask-ing for a Federal investigation of the

Klan and extolling its 100 per cent Klan and extolling its 100 per cent Americanism, were handed to reporters. It is definitely known that for two weeks the Imperial officers have ex-pected a Federal investigation, and it Messages of this character have reached the White House, Attorney General Daugherty and Postmaster General Hays. They are receiving rous definitely known that reports from ome of their most trusted associates and agents have during the last ten days convinced them a quiet but de-termined investigation by Federal oftine attention, and White House offi-cials said today President Harding had not replied to Simmons' Chief Inspector Simmons, of the Post-

cers has actually been in progress.

They have also been looking forard, and several of them with considerable nervousness, to subpoenas to appear in public before a congressional committee empowered to inquire into the mysteries of the "Invisible Em-

Wizard Simmons' letters, therefore, were regarded as a clever capitalization of an unfortunate but unavoidable situation, in that they make the Klan heads appear to be sincerely anxious for the most searching kind of an inquiry by the Government, which in reality they are not.

Reply to Clarke Delayed

Close observers of the situation comnented upon the sudden appearance of Wizard Simmons' letters yesterday as contrasted with the statement that he was unable to reply to Imperial Kleagle Clarke's demand to be relieved of his job, because he is sick in the Imperial astle Klankrest. It is not that those familiar with the inner circle of the Inisible Empire believe the Emperor was

put to much trouble in the preparation of the letters to President Harding and Attorney General Daugherty, for it has long been known to investigators

aughter."

Was the point at issue in the conflictwas the point at issue in the conflictwhen Arbuckle came out on Kearney ing recommendations. This was placed to you, the Chief Magistrate of the greatest Republic the world has ever seen, with clean hands, a clear con-science and with a knowledge that after such an investigation is completed the Knights of the Ku Klux Klan will stand out in the white light of vindication from the charges made against it. "The Klan was founded on the bed-

rock principles of democracy and pagether in a confraternity men actuated by love of justice and a deep faith in the glorious future of the American

zation to foster religious or racial intolerance. We affirm with millions of Americans that all men should have the right to vote and worship as they please, so long as they please not to attack or undermine the great principles upon which the United States were

"Our creed is simply an affirmation Commissioner A. L. S. Dougnty, of the State Highway Commission, an-nounced that car owners would be per-mitted to use the new road but must do so at their own risk, as it has not the comedian's forehead.

been accepted by the State.

The opening of the new road has been delayed several months by the neces-citizenship.

Claims Right of "Minority" "We have the same right that small ninorities in our body politic have so long exercised. The Knights of Columbus, certain Jewish alliances and

foreign associations have organized and Cloture Plan Faces functioned for the purpose of inoculating in their members peculiar re-Many Difficulties ligious or racial loyalties. "We have the right to organize for

ivilization in American institutions.
"As founder and officer of the

youth of eighteen, to enter the ranks

the First Regiment, Alabama Volun-teers, Company B, and to continue in

the ranks for the duration of the war, receiving at its end an honorable dis-

charge. Respectfully, (Signed) "WILLIAM J. SIMMONS."

KU KLUX KLAN HEADS

By a Staff Correspondent

Washington, Sept. 29.—''Colonel'

Imperial Wizard of the Ku Klux Klan,

has begun bombarding Government offi-cials, from President Harding down,

fully asking that an investigation of the

order for the District of Columbia, and also one of its attorneys, to various Government departments and offices concerned with investigations already

While apparently courting investiga-

tion, officials of the Klan also seem

extremely anxious to learn exactly what

the Government is doing on its own

Hillam C. Deckler, 339 Wyoming ave., and Elsle J. Glaser, 3938 N. Darien st. seny Marinuk, 823 N. 7th st., and Pauline Palikan, 6729 N. Broad st.

account. They are received courteously but leave with little information.

inder way.

with telegrams and letters

the purpose of fostering in our memo-ries the principles where America will stand or fall, the love of race and coun-

to remain so-he must make speeches that pleased his leader as to length and try, and a belief in the broad Prot-estantism upon which our Nation was founded, the absolute separation of

point. There was not so much need Church and State, these things being the cloture when party discipline held maancient landmarks of our Anglo-Saxon jorities and minorities together. Today hort of majority cloture there is noth-Knights of the Ku Klux Klan, I have ing to restrict the powers of brilliant been inspired by the same devotion to country that at the outbreak of the Spanish-American War caused me, a individual skirmishers like Borah, Reed and La Follette, and the actual control of the Senate passes sometimes out of the hands of the parties and into the hands of organized block.

But how to obtain majority cloture? Mr. Lodge, an old hand, does not seem se much impressed with the prospects as is President Harding and his enthusinstic friends, the "young Senators." Lenroot, Frelinghuysen and Kellogg. PLEAD FOR INQUIRY Suppose they should try to have ma-

jority cloture adopted so as to put through the treaty, the tax bill, the railroad bill and the funding bill. Really they would find that they had started something. Cloture is a fine thing to talk about, and there is no way to stop the talking.

The Senate might debate majority cloture for months. Brought up at the right moment, it would lie in front of some of the measures Mr. Harding would like to have passed.

Would Borah Aid Move

Does any one suppose Mr. Borah would vote away from himself the power hat has made him more effective in nodifying the majority program than is the entire Democratic minority under the uncertain leadership of Senator Un-derwood, interrupted as it is by the sky-rockety efforts of Senator Pat Haroffice Department, in charge of the postal investigation of the Klan, held a final conference today with the inspector, who will probe Simmon's activitor, who will probe Simmon's activi-ties in and around Atlanta.

These developments, and "Colonel"
Simmon's requests for investigation of the Klan by Federal officials, are being supplemented by almost daily visits of Harry B. Terrell, Grand Goblin of the order for the District of Colombia and rison? And if this really would di-minish the power of the agricultural bloc, who thinks the farmer Senators

would vote for it? Some say that in practice majority cloture would aid the bloc who, whenthe Democrats or the individual raiders that would constitute a majority of the Senators, could snap a cloture upon the anointed elder statesmen of the recognized majority party and over-ride them. Probably cloture would work two ways, but always for getting things done. If cloture comes, it will come by mu-tual consent, in the smooth way which

s Mr. Harding's own, by persuasion

It was emphasized today that Chief Inspector Simmons, of the Postoffice Department, and "Wizard" Simmons. of Atlanta, are not related in any way Science Can Now End Corns

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DEMOCRATS ASK TIME crats said, was to leave the minority about equally divided on ratification, probably insuring sufficient strength to the Republicans to ratify the treatien. DEMOCRATS ASK TIME crats said.

Washington, Sept. 29 .- (By A. P.) -Democratic Senators today agreed to

Democratic leader, said this meant op-position to the Republican proposal that night sessions be continued with a over entirely to the treaties.

of best minds and from a belief on the part of farmer minorities and the brilliant individualists that under it they reasonable consideration, we have the could form a combination to unhorse power and are prepared to use it for parties. There is no sign yet that this the treaty," said Senator Underwood. The effect of the minority conferences seld today and Tuesday, some Demo-

Opponents of the treaties, however, said a hard fight would be made.

Senator Underwood said that probably not a single Democrat actually favored the treaties, but those for ratification desired to end the technical status of the control of the treaties. demand "reasonable consucration of the peace cation desired to end the technical treatics with Germany, Austria and The Democratic Senators were said.

The Democratic Senators were said.

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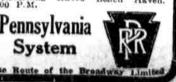
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