

WARNS CHINA TO REMAIN NEUTRAL

HAY SELKS TO AVERT A CRISIS IN FAR EAST

WILL PROBE RUSSIAN CHARGE

America Government Invites Chinese Attention to Necessity of Holding Also in War—Text of Moscow Note

By Associated Press. WASHINGTON, Jan. 16.—China's attention has again been directly invited by the American government to the necessity for a faithful maintenance of her neutrality...

It is specifically declared that this action cannot in any way be construed as indicating that this government assumes responsibility for the charges made by Russia. Indeed, this government has received no news through its legation at Peking nor through the various consulates in China...

Text of Russian Note The long heralded Russian note reached Secretary Hay from the Russian embassy direct. It was in French and its substance was given to the secretary several days ago by Count Cassini during a call at the state department.

The Russian ambassadors to the several powers are invited by Count Lamsdorff in the circular note to call to the attention of the ministers for foreign affairs of the governments to which they are respectively accredited the fact that at the beginning of the war the imperial government, for humanitarian reasons, agreed to the proposal of the Washington cabinet regarding the localization of military operations...

Chinese Aid Mikado's Troops That the experience of the last eleven months has made it evident that China is either unable or does not wish to adhere to her given pledges; that, without going further back than the Ryehitei incident at Chefoo, it would be easy to state many cases in which the rules of neutrality have been violated by China to the advantage and profit of Japan...

That it has been ascertained after careful inquiry that since the outbreak of the war the Japanese have used the islands of Mia as a base of their naval operations. That many importations have been made by the Japanese into Dalny without interference of contraband of war shipped from Chefoo and other ports on the Chinese coast...

That to all the representations and protestations of the imperial government to the Peking government regarding these incidents, the Chinese minister for foreign affairs gave vague promises and evasive answers; that reports recently received indicate that the Chinese government, not content with the violations of neutrality of this kind, flagrant as they are, are now seriously preparing to take an active part in the military operations...

J. P. MORGAN, WHO IS AFTER UNION PACIFIC CONTROL



MORGAN AND HILL AFTER THE U. P.

REPORT THAT DEAL IS NOW UNDER WAY

Theory Advanced That Move Is Made for Revenge on Harriman and Rockefeller by Snatching Northern Pacific

Special to The Herald. NEW YORK, Jan. 16.—The theory that J. P. Morgan and J. J. Hill are secretly buying the control of the Union Pacific railroad system to retaliate on E. H. Harriman and John D. Rockefeller for snatching the Northern Pacific away from them and forcing them to club it out of the latter's hands, was advanced today.

There has been a mysterious buying of Union Pacific stock and certain persons claim to have evidence that the deal is actually under way for the control of the Union Pacific. The control is said to lie in the open market. That is, neither party owns an actual majority of stock. Harriman and his friends have never held more than 30 per cent.

Many facts in connection with this rumor look suggestive, the most important of which is the steady rise in the price of Union Pacific from 71 to 120 in the face of determined efforts of Harriman's party to depress it.

It is now believed, even in the Union Pacific offices, that the mysterious strong parties who have taken all of this stock were working for Morgan and Hill. There is much nervousness about Harriman's office. His friends believe Hill and Morgan will at least get enough stock to demand a retirement of Harriman from his present czarlike control of the property.

EXPRESS MESSENGER LEAPS TO DEATH

One Killed and Two Seriously Injured When Santa Fe Train Leaves the Rails

By Associated Press. WICHITA, Kas., Jan. 16.—One man killed, two seriously and eleven more or less injured is the result of a wreck of the Santa Fe train northbound near Derby at 2:30 p. m. today.

The dead: L. L. WEST, express messenger, Newton, Kas. Seriously injured: Charles Schafer, express messenger, Oklahoma City; chest crushed. Jack Stevens, Neosho, Kas.; head badly hurt. West and Schafer were in the express car. West jumped and was killed. Schafer tried to jump, but a boxed corpse in the express car fell upon him, crushing his breast. Schafer and Stevens are not expected to live. The train was running thirty miles an hour at a curve when the tender left the track and the entire train of four cars fell down the embankment.

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JAP HARVARD GRADUATE MARRIES CHICAGO GIRL

Hydesaburo Ohashi Becomes the Husband of Miss Mabel D. McGerry

Special to The Herald. BALTIMORE, Md., Jan. 16.—Hydesaburo Ohashi, a Japanese, now resident of New York, was married this evening at the Grace Protestant Episcopal church to Miss Mabel D. McGerry of Chicago. Rev. Arthur Chilton Powell, rector of the church, officiated. Miss McGerry was accompanied by her stepfather, Dr. R. O. Speer, who has been temporarily residing here on Franklin street. The groom gave his age as 26 years and the bride's age was given as 17. Ohashi appeared at the rectory immaculately attired in a frock coat and silk hat, looking more happy than bridegrooms usually do.

Ohashi is a graduate of Harvard university, where he specialized in English and literature. He also has degrees from four colleges in his native land. He has been a frequent contributor to McClure's magazine.

MOVE TO IMPEACH JUDGE TORRANCE

COMPLAINT OF LOS ANGELES BAR ASSOCIATION

M'CARTNEY FILES CHARGES

Among Other Things, He Is Accused of Drunkenness and Improper Conduct in the Gay Divorce Suit

By Associated Press. SACRAMENTO, Jan. 16.—Articles of impeachment against Superior Judge E. S. Torrance of San Diego were presented in the assembly this morning by McCartney of Los Angeles, at the request of the Bar association of Los Angeles. In presenting the articles he asked that they be referred to a special committee of five.

Although the impeachment proceedings originated in the assembly, Judge Torrance will be tried in the senate, if the committee reports that there is sufficient grounds for a trial.

Speaker Prescott appointed the following committee to investigate the charges against Judge Torrance. Assemblymen Weyand, Devlin, Barnes, McGowan and O'Brien.

Among other things the complaint against Judge Torrance charges:

That on or about the 20th day of January, 1903, the said Judge E. S. Torrance in the county of San Bernardino, state of California, at the request of one of the judges of the superior court of said county, presided at the trial of action No. 3507, wherein Charles A. Beck was plaintiff and W. E. Thompson et al. were defendants, and after the said trial had proceeded for two days the said judge became so intoxicated that he was unable to proceed with said trial; and on the 22nd day of January, 1903, on account of the drunkenness of said Judge Torrance the trial proceeded without the presence of the said Judge E. S. Torrance, or any other judge, by stipulation of counsel; the said Judge E. S. Torrance thereafter decided said case without having heard any of the testimony of the witnesses on the said 22nd day of January, 1903, but read the transcript of said evidence after it had been written by the court reporter.

Accused of Gambling

That during his stay in the city of San Bernardino on the aforesaid dates the said Judge E. S. Torrance passed a great deal of his time in saloons, engaged in gambling and consorting with persons of bad reputation, and was seen in public places in said drunken condition and associating with professional gamblers and disreputable persons to the great scandal and detriment of the administration of justice.

That after the trial of Beck vs. Thompson, Judge E. S. Torrance was expected to preside at the trial of the People vs. Chittenden, being action No. 827 then pending in said county of San Bernardino, but on account of the said drunken condition of the said Judge E. S. Torrance he was unable to preside at the trial of said criminal action and another judge was called to try the same. That while in the city of San Bernardino upon the occasion herein specified the said Judge E. S. Torrance also engaged in gambling, in violation of the laws of the state of California in such cases made and provided.

That the said E. S. Torrance, in entire disregard of his duty as such judge as aforesaid and in violation of public decency, order and good morals, has during two years now last past, and while holding said office, been in the frequent and common habit in the city of San Diego, county of San Diego, state of California, of becoming grossly intoxicated and exhibiting himself to the public as well by day as by night in a state of gross drunkenness, which said drunkenness disqualified the said E. S. Torrance from discharging the duties of his office, and which state of intoxication caused the said E. S. Torrance to neglect the duties of his said office, and during said period of time the said Judge Torrance has frequently drunk intoxicating liquors and consorted with litigants and lawyers representing litigants having actions and proceedings pending in his court.

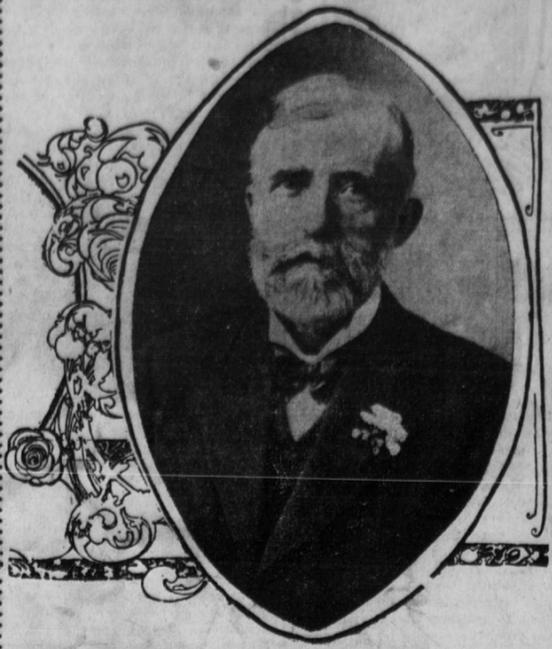
Accused of Disorderly Conduct

That the said E. S. Torrance while in said state of intoxication was very profane, and would curse and abuse upon the public streets of the city of San Diego and in other public places reputable attorneys and other citizens of the state of California, and would associate with disorderly and disreputable persons, and by such conduct has brought the administration of justice in his court into contempt and disrepute.

That on or about the 20th day of November, 1902, action No. 12,949 was commenced in the superior court of San Diego county, wherein Lucille D. Gay was plaintiff and John H. Gay was defendant, which was an action for divorce. That thereafter, on or about the 17th day of September, 1903, the trial of said action was commenced in said superior court, Judge E. S. Torrance presiding.

That the trial of said action was concluded on the 7th day of October, (Continued on Page Two.)

JUDGE E. S. TORRANCE, WHOSE IMPEACHMENT IS SOUGHT



NEW YORK HAS NO GAMBLING PLACE

DIVE KEEPERS LAWYERS SAY LAST IS CLOSED

Attorneys Claim That Dowling Law Has Made It Possible for Jerome to Accomplish This End

By Associated Press.

NEW YORK, Jan. 16.—Following the surrender to District Attorney Jerome today of the gambling outfit belonging to Frank Farrell, Dave Johnson and Frank McDougal, it was declared by counsel for the gamblers that Jerome had closed every gambling house in New York city and that they would remain closed. The instrument which made such effectual action possible was disclosed by Lawyer Daniel O'Reilly, representing the gamblers, to the Dowling law, enacted at the request of Jerome when he was trying to induce Jesse Lewisohn to testify against Richard Canfield. That law automatically releases from punishment any gambler who gives evidence himself to the district attorney but compels him to give such evidence. Lawyer O'Reilly said: "There will be no gambling houses in this city. The Dowling act has given the district attorney a weapon which he has used to close effectually every place in the city. That they will remain closed is shown by the surrender of all gambling paraphernalia. They cannot afford to buy outfits every time the district attorney takes a notion to make a raid."

LEGISLATURE OF ARIZONA MEETS

By Associated Press. PHOENIX, Jan. 16.—The twenty-third legislature of Arizona convened at noon today. George W. P. Hunt of Globe was made president, R. S. MacLay of Bisbee chief clerk, and P. J. Farley of Prescott assistant chief clerk of the legislative council. W. T. Webb of Pima, in Graham county, was chosen speaker of the house. J. P. Dillon of Prescott was made chief clerk of the house, and Mulford Winsor of Phoenix assistant chief clerk. The assembly passed a house memorial to the senate of the United States protesting against the joint statehood bill.

At 2:30 o'clock there was a joint session to listen to the reading of the governor's message. The council has six Democrats, five Republicans and one contested seat, that of joint councilman from Pima and Santa Cruz counties. R. M. Dickerman, Republican, and N. W. Bernard, Democrat, are the contestants.

FELLOW SERVANT BILL A LAW

Montana Makes Railroads Responsible for Injuries From Neglect

By Associated Press. HELENA, Mont., Jan. 16.—The fellow servant bill, which was passed last week by both house and senate, became a law today. The bill provides that every person or combination operating a railway or railroad in this state shall be liable for all damages sustained by any employee of such person or corporation in consequence of the neglect of any other employee or employees therefor by the management of any other employee or employees.

MYSTERY SHROUDS FATHER AND SON

STRANGE COINCIDENCE MARKS THEIR DISAPPEARANCE

Resident of Sacramento County Drops From Sight in December, 1901, and His Son Did Likewise Last Month

By Associated Press.

SAN FRANCISCO, Jan. 16.—A strange coincidence between the disappearance of father and son has come to light. Alexander Hall of Manlove station, Sacramento county, disappeared December 1, 1901. He was adjudged by the courts last December to have been drowned in the wreck of the ferry steamer San Rafael on that date, although there was nothing but circumstantial evidence that he was on the steamer at that time. Today Patrick Cassidy of San Rafael reported to the police and the coroner that on December 16 of last year Hall's eldest son Robert disappeared under precisely the same circumstances and every effort to locate him had failed.

The mystery of this second disappearance is increased by the fact that the North Shore Railroad company has appealed from Judge de Haven's decision awarding \$5000 to Mrs. Hall and her children on the ground that Hall's death had never been proved. This decision was rendered on the day on which Robert Hall vanished. Both father and son were on their way to visit Cassidy when last seen.

MRS. DUKE MAKES SUDDEN MOVE

By Associated Press. NEW YORK, Jan. 16.—After Mrs. Brodie L. Duke had suddenly disappeared from the Union Square hotel in this city today a woman who said she was Mrs. Duke called up the hotel by telephone and notified the management that she had left New York city.

She refused to say where she was staying, but declared that she would send for her baggage which had been left at the hotel. When asked why she had left the hotel so suddenly, she said that she "had been hounded to death and wanted to get away."

Mrs. Duke has been indicted in Texas on a charge of obtaining money by false pretenses, and a warrant for her arrest is reported to be in the mails and on the way to New York.

Injured by Gas Explosion

SAN JOSE, Jan. 16.—Two employees of the gas company entered the basement of the Petrol block today to repair a gas pipe, and when they lighted a candle a tremendous explosion occurred. E. Erskine had one hand severely burned and all the hair burned off his head, and his companion, R. Christy, was also badly burned. The flames were extinguished by the fire department.

\$150,000 Fire in Utica By Associated Press. UTICA, N. Y., Jan. 16.—The Crouse building was totally destroyed by fire today, entailing a loss of more than \$150,000. The heaviest loser was G. W. Head & Co., wholesale grocers, \$70,000.

TARIFF HIGH TO SOUTHERN POINTS

SOUTHEASTERN ROADS BAR COAST ORANGES

COMMODITY RATES RESTORED

Action Is Said to Be a Retaliatory Measure Against the Transcontinental Freight Bureau Lines

Commodity rates on Pacific coast oranges which reach the southeastern states through the Memphis gateway have been abolished by the southeastern lines and the regular class rates have been put into effect. These are nearly double those of the commodity rates. This means that any hope of reaching the southeastern trade by citrus fruit growers has been effectually blasted by the southeastern railroads.

This move on their part comes as a retaliatory measure for the action of the Transcontinental Freight bureau lines, when on December 15 eastern and western shippers were notified that all rates then in connection with the southeastern roads for traffic to, from or passing through Pacific coast terminals on the one hand, and to, from or passing through points east of the Mississippi river on the other hand, had been canceled.

Hard on Fruit Shippers Although this forced measure taken by the transcontinental lines practically destroyed the citrus fruit business in the states of the southeast, the commodity rates which some of the roads had in effect in that territory made it possible to ship in some fruit where a market seemed assured. This move on the part of the southeastern roads practically wipes out what little trade that California, up until January 1, had with that portion of the southland.

The struggle between the Transcontinental Freight bureau lines and those of the southeastern states is a long drawn out affair of several years' standing, as to how the freight receipts should be divided. The former system, in effect, charged that the southeastern roads were playing at highway robbery, and by the ruling of December 15 practically took the bill by the horns in refusing to have any freight relations with them.

The curtailment of the commodity rates comes as a consequence, and at a time when the southern market, with the Florida product out of the way, is open to California citrus fruits.

By the action of the Transcontinental Freight bureau lines, it is said, the market for California products, not to mention the ruination of the citrus fruit market, has had a deleterious bearing on the shipment of California canned goods, dried fruits, beans and other staples into states east of the Mississippi and south of the Ohio river. Los Angeles railroad officials have little hope for an understanding between the principals in the struggle before the expiration of the citrus fruit season, and perhaps not then.

THE DAY'S NEWS

FORECAST Southern California: Clearing Tuesday; cooler; light north winds. Maximum temperature in Los Angeles yesterday, 60 degrees; minimum, 51.

- 1—Warns China. 2—Tried to wreck Umbria. 3—Blanche Bates welcomed home. 4—Griscom makes report on Japan. 5—Charity work is discussed. 6—Editorial. 7—City news. 8—Classified advertisements. 9—10—Sports. 11—Markets. 12—Assault charge against Warren.

EASTERN

Secretary Hay receives Russian circular and second warning to China regarding neutrality. Two bills introduced in house embodying administrative views on railroad rates legislation. Judge McCarty of Utah testifies in Snoot inquiry regarding political matters in state. Missouri senate committee investigating charges against Niedringhaus finds he did not contribute \$21,000 as credited to him.

FOREIGN

Movement on foot in London to sell banking business to San Francisco concern.

Great strike ties up government works at St. Petersburg.

German coal miners inaugurate strike which threatens to cause American anthracite trouble.

COAST

Mystery surrounds disappearance of resident of Sacramento county and his son.

Articles of impeachment against Judge Torrance are filed in the assembly.

San Francisco firm buys steamships and starts new line to Portland.

LOCAL

Los Angeles gets little more than half an inch of rain.

Merchants and Manufacturers' association elects new directors.

Motorman on Brooklyn avenue car averts collision by presence of mind.

Horatio Warren, charged with assault, is arrested at San Pedro with his children.

Decision of Judge Bledsoe on the appeal in the \$20,000 fee suit against Col. Griffith J. Griffith will be announced today.

Echoes of the McVicker will case will be heard in Los Angeles today, when Public Administrator McJarvin files petition for letters of administration.