

COCKRAN FLAYS SWAYNE DEFENSE

SCORES ATTITUDE ASSUMED BY GROSVENOR

JUDGE STIRS PROCEEDINGS

Letter From New Orleans Jurist Charging Politics is at Bottom of Case Causes Lively Debate in Congress

By Associated Press. WASHINGTON, Jan. 17.—With an agreement to vote on the Swayne impeachment articles tomorrow at 3:30 o'clock the debate today was carried on at high pressure for more than five hours. Mr. Grosvenor furnished the text for a very vigorous speech by Bourke Cockran by the reading of a letter from Judge Pardee of New Orleans, declaring that politics was at the bottom of the impeachment proceedings.

Mr. Grosvenor asserted that there was no ground presented for impeachment in the report of the committee. The other defenders of the Florida judge during the day were Messrs. Lacey of Iowa, Nevin of Ohio, Moon of Pennsylvania and Crumpacker of Indiana.

Mr. Lamar of Florida closed the debate for the day, reviewing the sentiment of his state and the record of Judge Swayne. He declared there was ample ground for impeachment.

Grosvenor Scores Debaters

Mr. Grosvenor of Ohio began a speech in behalf of Judge Swayne with the statement that he had never been so shocked as he had been at some of the expressions of bad temper and bad feeling that had been made in the debate. "Gentlemen who have argued for the prosecution have given out in advance that there was nothing to consider that was not contained in the report of the case. Yet I submit that nine-tenths of the argument has not been on lines contained in the report."

Mr. Grosvenor had read a letter from Judge Pardee, dated at New Orleans, March 7, 1904, addressed to Mr. Grosvenor and marked "personal and confidential."

In it Judge Pardee expressed surprise that the house committee on the judiciary had voted for "six Democrats and two Republicans to present impeachment against Judge Swayne." He reviewed the circumstances of Judge Swayne's appointment in the early part of the Harrison administration and following the election in Florida, and it was generally believed that gross frauds had been perpetrated against the Republican party. Judge Swayne had told him that it was the desire of the administration that those guilty of these frauds should be proceeded against. This litigation had engendered an intense feeling against Judge Swayne.

Charges Political Jobbery

It was then regarded as hazardous for Judge Swayne to travel about the district, and from that time on Judge Swayne was persona non grata to the Democrats of Florida.

"Following this unpopularity," the letter continued, "Judge Swayne's district was changed, largely for the purpose of punishing him. The change of the district resulted in his being, as it were, ousted out of his district."

He says that Judge Swayne immediately set about obtaining a new residence within his district, which took four or five years.

Judge Pardee thinks it is "an extraordinary hardship on Judge Swayne to hold him to a very rigid compliance with the alleged spirit of section 155 by removing his residence, when congress saw fit, as a matter of punishment, to change the limits of the district for which he was appointed. Being satisfied, as I am, that the original motive of the prosecution is based on political ground and that district limits were changed to his prejudice, I do not think that a Republican house should vote against him."

He next refers to an act of "a partisan legislature" in Florida passing a resolution calling for the impeachment of Judge Swayne on the ground of his absence from his district or incompetence. Judge Pardee says that from his acquaintance with Judge Swayne he considers the charge of "incompetency" an outrage. He then refers to the O'Neal case with the comment that it, too, was a case of increasing the unpopularity of Judge Swayne.

Mr. Grosvenor read telegrams giving him permission to make the letter public. A clash between Mr. Grosvenor and Mr. Palmer resulted from Mr. Grosvenor's justification for taking \$10 a day expense money.

Mr. Cockran of New York lamented that the proceedings might not have proceeded along non-partisan lines.

There was, he said, a vast difference between an impeachment and an indictment; a fact which the house seemingly had forgotten. No law of evidence binds an impeachment proceedings as is the case with an indictment. Mr. Cockran took issue with the majority report of the committee on the expense account charge. That was a matter

(Continued on Page Three.)

MITCHELL BRANDS ACCUSERS LIARS

MAKES STATEMENT IN SENATE DENYING CHARGES

CALLS WITNESSES PERJURERS

Speech Received With the Closest Attention, and Many of His Colleagues Shake His Hand Warmly

By Associated Press. WASHINGTON, Jan. 17.—The unusual spectacle of a United States senator explaining on the floor of the chamber charges made against himself by a court of law in his own state was witnessed in the senate today when Mr. Mitchell of Oregon spoke of the indictment recently returned against him by an Oregon grand jury. The senator had not previously appeared in the senate, since the indictment was returned, and he was received by his fellow senators with many evidences of good will. He was much affected, his emotion at times being such that he read his statement with great difficulty.

While the routine business of the morning hour was in progress Senator Mitchell entered the chamber. It was his first appearance in the chamber since the indictment against him by a grand jury in his own state, and his entrance created evident interest. The announcement that Mr. Mitchell would address the senate in explanation of the charges against him had the effect of filling the galleries, and there was also a liberal attendance of senators.

Mr. Mitchell took his customary seat in the rear of the chamber and was immediately surrounded by other senators, who shook his hand warmly and gave him assurances of confidence in his innocence.

Mr. Mitchell read his statement from manuscript. He had the undivided attention of senators and visitors throughout his recital. The senators all to a man faced about when Mr. Mitchell began to speak, and few of them changed positions until his close. The scene was impressive.

At the outset the senator declared that the charges made against him, if true, unfitted him to occupy his seat in the senate. He then detailed the charges and said:

Denies Every Charge

"I assert in the most positive and unqualified manner that each and every one of these charges, insofar as they relate to or involve me, is absolutely, unqualifiedly and atrociously false, and I here and now indignantly and defiantly denounce their authors and each and every one of them, and brand them publicly as malicious and atrocious liars."

Following this general denial with one more specific, the senator spoke substantially as follows:

"But I desire to be more specific, and therefore I further deny, in terms the most absolute and unqualified which I am capable of using, that I ever, either in the month of January, 1902, in the state of Oregon, or at any other time or place, unlawfully or feloniously, or otherwise, conspired with Binger Hermann, then commissioner of the land office, and S. A. D. Puter, Horace G. McKinley, D. W. Tarpley, Emma L. Watson, Salmon B. Ormsby, Clark E. Loomis and Wm. H. Davis, or with either or any of them, or with any other person or persons, to defraud the United States out of any part of its public lands located either in township 11 south, range 7 east, in the state of Oregon, or any other public lands either in the state of Oregon or elsewhere."

Denies Charge of Conspiracy

"I assert furthermore, in the most absolute and unqualified manner, that any and all statements by any person or persons to the effect that I ever, at any time or place, entered into a conspiracy with all or any of said persons, or they, or any of them, with me, to defraud the United States out of any part of its public lands in the state of Oregon or elsewhere, either by false or forged homestead applications, affidavits, or proofs, are absolutely, unqualifiedly and atrociously false, and I defy my defamers and challenge them to produce any evidence other than that of condemned thieves, forgers and perjurers, to sustain any such charges."

"I further deny in the most absolute and unqualified terms that S. A. D. Puter did, either in the city of Washington in March, 1902, or at any other time or place, offer me, or pay to give me—or did I on March 9, 1902, in Washington, D. C., or at any other time or place, accept or receive from said S. A. D. Puter the sum of \$2000 or any other amount whatever, either in two \$1000 bills or any other denomination or amount whatever, as an inducement to use my influence with Binger Hermann, then commissioner of the general land office, to induce him, as such commissioner, to pass to patent 12 certain homestead entries, or any homestead entries whatever or for any other purpose."

"And I here indignantly, with all the force I can command, denounce the public statement of S. A. D. Puter that he, on March 9, 1902, at Washington, D. C., paid me \$2000 in two \$1000 bills, as

(Continued on Page Two.)

SENATOR JOHN H. MITCHELL



BRYAN WILL BE COLLEGE TRUSTEE

PRESIDENT OF BOARD OF AN ILLINOIS INSTITUTION

Salary is \$2500 Per Year—Declares He Will Endeavor to Make the School Among Foremost in the West

Special to The Herald.

JACKSONVILLE, Ill., Jan. 17.—William Jennings Bryan is to be president of the board of trustees of the Illinois State college, at a salary of \$2500 a year. He was first tendered the presidency of the college, but declined that honor. In his speech of acceptance he stated that he would devote all of his available time to assisting in making this school one of the most flourishing in the central west. He addressed the students and reviewed the institution's early history and outlined its future policy.

Mr. Bryan and the other trustees inspected the school buildings in the afternoon. This evening they passed a resolution for the affiliation with the University of Chicago.

Mr. Bryan expects to return about February 1, when a plan of work will be outlined.

GOVERNOR MAKES RULES TO CONTROL LOBBYISTS

Missouri's New Executive Takes Draconic Measures Regarding Efforts to Influence Legislation

By Associated Press.

ST. LOUIS, Jan. 17.—A special from Jefferson City says:

"The stay of professional lobbyists in Jefferson City will be limited during the session of the legislature. Governor Folk today enunciated rules that all reputed lobbyists must follow."

"The rules are simple enough and are promulgated along the lines of the governor's inaugural message. The governor today advised certain railroad corporation attorneys who are admittedly lobbyists that they must adhere to the following rules:

"First—On arrival in Jefferson City, or as soon as possible thereafter, any professional lobbyist must report his presence in the city by presenting himself at the governor's office."

"Second—Such lobbyist must state to the governor the object of his visit."

"Third—A report must be made to newspaper representatives, the same as that made to the governor."

"Fourth—A thirty-hour limit is placed on the lobbyist's stay in the city."

FOUND FATALLY HURT

James E. Frick Picked Up Unconscious on the Street

A man supposed to be James E. Frick, a contractor, of 1646 Tarleton street, was picked up on Third street, early this morning. At the receiving hospital the surgeons said that the man had sustained a fatal concussion by falling. He was unconscious when turned over to the police. It was ascertained that he had been in the Del Monte saloon and had been refused a drink. He was then drunk. He left a short time thereafter and was found in the street. He was seen to stagger and fall heavily. The back of his head struck first and a severe fracture resulted.

Numerous estimates of the cost of laying sidewalks were found among his papers. He had a gold watch but little money.

GOV. STOKES' ADDRESS

New Jersey Executive Urges Revision of Corporation Laws

TRENTON, N. J., Jan. 17.—In his inaugural address delivered today Edward C. Stokes counsels the legislature to take cognizance of the existing corporate situation and to review and modernize the corporation laws, and urges the appointment of a commission to that end. Governor Stokes reviews the financial condition of the state, showing that the surplus at the close of the fiscal year amounted to \$2,940,918, and that the income of the state for the year was \$4,302,370, of which \$3,354,548, or nearly 78 per cent, came from corporations domiciled in New Jersey.

STRONGER BENCH FOR THIS COUNTY

THREE NEW SUPERIOR JUDGES AND A JUSTICE

BILL TO BE REPORTED TODAY

Legislative Judiciary Committee Determines Upon the Increase. Junketing Trips Subject of Much Argument

Special to The Herald.

SACRAMENTO, Jan. 17.—Los Angeles county will have three new superior judges and an additional justice of the peace. This is now the program, it having been definitely determined by the legislative judiciary committee this afternoon. A report will be made to the assembly tomorrow morning, and within sixty days, unless something unforeseen happens to prevent, the bill providing for the positions will have become effective. It is not expected that Governor Pardee will announce the appointees to the newly created judgeships for thirty or forty days.

Investigation of the charges against Judge Torrance of San Diego will begin tomorrow afternoon before the special assembly committee. The committee members are as yet undetermined whether it will be necessary for them to go to San Diego or bring witnesses here. Immediately after organizing the place of trial will be settled upon and Judge Torrance notified.

While it has not been given out as to whether the proceedings will be held behind closed doors, it is rumored that they will be held openly.

The various committees of both houses of the legislature are busily engaged in considering the bills which have been referred to them for reports. After a long conference this afternoon the agricultural committee decided to bring in a favorable report on the bill carrying an appropriation of \$250,000 for a farm to be conducted under the auspices of the University of California.

Particular interest is now centered in the senate of the state legislature on the effort that has thus far been supported by a minority of the members, to put through resolutions providing for the usual junketing trips. Today propositions to send junketing committees to both the northern and southern portions of the state met with defeat by narrow margins, failing to secure the necessary two-thirds vote.

When the junketing program was first presented in the upper house it came as a surprise and a majority of the members who had not been asked as to whether they would care to take a visit about the state or not promptly voted down the resolution.

Today also the program had not been well enough planned to carry the resolutions.

It is highly probable that further attempts will be made to get the junketing committees started before the present legislative week is concluded. When the plan is again tried it is more than likely that instead of sending out large committees, the investigating bodies will be broken into smaller numbers of committee members, who will be given the opportunity of meeting at designated points.

There seems to have been less rivalry among the members of the assembly as to the junketing sinecures, and the committee appointed today will start in a few days to investigate the prisons and reformatories of the state.

TO INVESTIGATE PRISONS

Assembly Adopts Reports of Special Committee

By Associated Press. SACRAMENTO, Jan. 17.—In the assembly this morning the report of the special committee appointed by the last legislature to investigate the state prisons was adopted. The report was presented several days ago and was made a special order for this morning.

Assemblyman Waste introduced an act to establish and maintain a state hygienic laboratory for bacteriological and chemical research and analysis, which shall be under the management of the state board of health, but carried on and maintained in the existing laboratories of the University of California at Berkeley.

The measure provides that the regents of the university shall appoint a director of said laboratory from the existing instructing staff of the university, who shall be a skilled bacteriologist and chemist, and that they shall also appoint one or more assistants whose time shall be exclusively devoted to the work designated by the state board of health.

The act carries an appropriation of \$4000 for the next two fiscal years. The bill was prepared by Dr. George F. Reinhardt, health officer of Berkeley, and Prof. A. R. Ward of the state university, after consultation with Dr. N. K. Foster, secretary of the state board of health, and is suggested as a substitute for several bills already before the legislature, all bearing on the same subject.

TRIES TO END HIS LIFE; SAYS LAWSON IS TO BLAME

Would-Be Suicide Says Attacks on Wall Street Cost Him Eighty Thousand Dollars

By Associated Press. NEW YORK, Jan. 17.—Claiming to have lost his fortune of \$80,000 as a result of Thomas W. Lawson's attacks upon Wall street interests, a man who said he was Frank D. Austin, 40 years old, twice today attempted to throw himself from the Brooklyn bridge. He was prevented by Captain Devaney of the bridge police, who grappled with him and after a long struggle, in which he was helped by two detectives, placed him under arrest.

PUNISHMENT FOR RUSSIAN SAILOR

By Associated Press. SHANGHAI, Jan. 17.—The sailor belonging to the Russian cruiser Askold who on December 15 murdered a Chinese as the result of a dispute over the hire of a jiriksha, and who on January 13 was sentenced to four years' imprisonment at hard labor by a naval court at the Russian consulate, was today degraded in public at the consulate before his judges and then taken to the French prison here, where he will serve his sentence.

ANDREW CARNEGIE, WHO WILL REPAY LOSSES TO STUDENTS



NEW YORK POLICE TO BE SHAKEN UP

BIGGEST UPHEAVAL KNOWN IN YEARS EXPECTED

Inspector and Fifteen Captains to Be Placed on Trial and Several Precinct Commanders to Be Retired

Special to The Herald. NEW YORK, Jan. 17.—All signs at police headquarters in Mulberry street point to the biggest police upheaval the city has seen in a long while. Indeed, it is predicted by many that when the big shakeup comes it will surpass in extent anything of its kind in the history of the force as at present constituted.

It will include the placing on trial of perhaps one inspector and fifteen captains, force the retirement of several precinct commanders, a general sweeping out of old men and old methods, and the installation of a newer order of things.

If the reports are true Commissioner McAdoo has been brought face to face with the fact that only a small number of precinct commanders are worthy of his confidence and he intends to get rid, if he can, of those that are unworthy. McAdoo also took steps today toward forming a new detective force to keep tabs on the police exclusively. There have been rumormongers to watch the patrolmen and sergeants to look after the roundsmen, and each inspector has had a small staff to give him lines on the captains in his district, but with all this McAdoo has received much misinformation.

At Words, "Cannot Be Saved From Death Unless He Becomes a Christian," Atheist Becomes a Corpse

Special to The Herald. WINIMAC, Ind., Jan. 17.—Worshippers at the chapel at Wilder's Station, near this city, are in a state of great excitement over an incident which occurred last night during a revival service. Rev. James McCarey was conducting a protracted meeting, and just before the congregation was dismissed began a fervent exhortation to sinners to repent. While he was talking Richard Bossy, a confessed unbeliever in religion, stepped into the church. As Mr. McCarey's eyes rested on the infidel he exclaimed: "There is one unbeliever in this congregation, a sinner who cannot be saved from death unless he becomes a Christian."

As the words were uttered there was an exclamation of pain from Mr. Bossy, and he fell to the floor, uttering a single word, "Oh!" Members of the congregation ran to him, but he was dead when they reached his side. The greatest consternation fell upon the people in the church, and as the news spread over the town every woman and child came rushing to the building. Bossy never went to church, and how he came to step in last night is a mystery.

WOMAN SPENDS ENTIRE DAY IN AN AMBULANCE

Sick With Measles, Is Evicted From Lodgings, but Refuses to Enter a Hospital

A woman with measles applied for admission to the county hospital several days ago, but there was not an available bed and the request had to be denied. A friend put in another application for her yesterday and was told that she might be cared for in a tent. The woman lived at the opposite side of the city to the hospital and the ambulance was sent out for her. When she arrived at the hospital and saw that she must be cared for in a tent she refused to enter it and was taken back to her room.

The owners of the house in which she was staying said that the room rent was overdue and refused entrance to her. Late in the afternoon the ambulance driver again reached the hospital with his charge, after having driven about the city nearly all day. The woman was put in the tent after another storm of protest and was still protesting at a late hour last night.

Every room in the hospital with the exception of the typhoid ward is crowded to the limit.

PUNISHMENT FOR RUSSIAN SAILOR

By Associated Press. SHANGHAI, Jan. 17.—The sailor belonging to the Russian cruiser Askold who on December 15 murdered a Chinese as the result of a dispute over the hire of a jiriksha, and who on January 13 was sentenced to four years' imprisonment at hard labor by a naval court at the Russian consulate, was today degraded in public at the consulate before his judges and then taken to the French prison here, where he will serve his sentence.

CARNEGIE PAYS CHADWICK LOSS

MAKES GOOD STUDENTS' FUND IN WRECKED BANK

BAIL FOR MRS. CHADWICK

Attorney for Accused Woman Says the Amount Set for Her Release, \$20,000, Will Be Furnished

Special to The Herald.

OBERLIN, Ohio, Jan. 17.—Gratifying news was received by the students of Oberlin college today, when President King announced at chapel that all moneys which had been lost by students through the failure of the Citizens' National bank, which closed its doors at the time of the alleged Chadwick forgeries, would be paid on presentation of their pass books.

President King announced further that Andrew Carnegie was the man who was doing this.

BAIL FOR MRS. CHADWICK

Attorney Expects Woman's Release From Jail Thursday

By Associated Press. CLEVELAND, Jan. 17.—Attorney J. P. Dawley appeared before United States Circuit Judge Wing today and asked that the amount of bail for the release of Mrs. Cassie L. Chadwick be fixed. There are five indictments against Mrs. Chadwick in the federal court, and United States District Attorney Sullivan asked that bail be fixed at \$25,000.

Mr. Dawley suggested \$15,000. Judge Wing compromised the matter by placing the amount of bail at \$20,000, and Attorney Dawley said this amount would be furnished. This would release Mrs. Chadwick on the federal charges. There are, however, three other indictments against her in the Cuyahoga county courts.

Mr. Dawley said that he would at once ask the state courts to fix the amount of bail and that bail would be furnished as soon as the sum is fixed. He expects her release from jail about Thursday.

FIFTY-NINE PERISH IN IMMENSE WAVE

Avalanche of Rock Causes Water in Norwegian Lake to Sweep Away Scores

By Associated Press. CHRISTIANIA, Norway, Jan. 17.—Fifty-nine persons perished as the result of an avalanche of rock at Naesdal, north of Bergen, Sunday.

A mass of rock was accidentally precipitated into Lovendal lake from the neighboring hills, causing an immense wave twenty feet high, which swept the neighboring shores. Houses, people and cattle were swept away by the rush of water and it is known that fifty-nine persons perished.

Thus far only four bodies have been recovered. A great storm today stopped the relief work, as the surrounding district is unable to send help.

THE DAY'S NEWS

Southern California: Cloudy on Wednesday; light north wind. Maximum temperature in Los Angeles yesterday, 65 degrees; minimum, 47 degrees.

1—Cockran flays Swayne defense.

2—Peabody files papers.

3—Hammel reapportioned.

4—Southern California news.

5—Holds unique police record.

6—Editorial.

7—Wife seeks divorce.

8—Classified advertisements.

10—Sports.

11—Markets.

12—Special celery trains are run.

EASTERN

W. J. Bryan to be president of board of trustees of Illinois college.

Mormon bishop denounces as traitors those witnesses in Smoot inquiry who revealed certain oaths of the church.

Big shake-up coming in New York police department.

FOREIGN

Fifty-nine persons perish as result of avalanche in Norway.

Sharp attack made on Mischchenko's cavalry by a Japanese force.

Russia threatens to invade North China if discriminated against further.

Legislative judiciary committee reports in favor of additional judges for Los Angeles county.

Legislature takes first step to improve state's tax system.

Oakland electrician fatally injured by fall through skylight.

LOCAL

Sick woman spends day in ambulance, Evangelistic seafarers busy with details.

Civil service commission sets date for hearing charges against deputies.

Judge Dinsdale in San Bernardino county grants a new trial in the famous \$50,000 fee case against Col. Griffith J. Griffith.

Policeman serves almost twenty years on police force with perfect record.

Tourist travel to Los Angeles reaches highest mark of season.

Special celery trains being run on fast schedule from Los Angeles to eastern markets.

Five-thousand-dollar wife seeks divorce.

Prof. Warren declares his children are in a place of safety.

Police commissioner reappoints Chief W. A. Hammel.

Desk of license clerk in office of city clerk changes hands.