

PERKINS AGAIN SENT TO SENATE BY REPUBLICANS

CUT AND DRIED ELECTION IS HELD AS FORECASTED

G. O. P. MACHINE RESEATS OAKLAND'S STATESMAN

One Democrat Votes for Him Because So Pledged—Many Bills Are Introduced in Both Houses

[By Associated Press.] SACRAMENTO, Jan. 12.—The election of United States Senator George C. Perkins of Oakland, to succeed himself; the introduction of several important bills, the strict enforcement of the rule against lobbyists in the assembly and the report of the senate committee on rules were the features of today's session of the legislature.

The election of Perkins was the occasion of the first oratory of the present session, the nominating speech for the incumbent being delivered by residents of his own city, Senator John W. Steadman of Oakland, in the upper branch, and Assemblyman Harry Pulcifer, in the lower house, both of Oakland.

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CALIFORNIAN WHOM REPUBLICANS AGAIN SEND TO THE SENATE



SENATOR GEORGE C. PERKINS

AUTOISTS LOST IN MOUNTAINS

Four Searching Parties at Work and Are Abate with Signal Fires

Great anxiety is felt for the safety of an automobile party that left Los Angeles January 4 in a new Franklin car for the White mine, adjoining the Yellow Aster at Randsburg. It was composed of Mr. A. Williams, owner of the mine; S. F. Hammond, who was to assist in the management, and a chauffeur named Dasher.

Mr. Williams, exhausted from having tramped miles through brush, reached Garden Station, Inyo county, and gave information that led two hours later to the discovery of the car the party had occupied. It was found abandoned in the Panamint mountains, bearing the placard, "Gone after water."

The party left Daggett last Wednesday morning, and no further news had been heard of it until Hammond reached Garden station last night.

Searching parties were organized at Daggett and Randsburg, that from the latter place starting at daybreak yesterday under the charge of Mr. McComber of Johannesburg. It picked up tracks at Granite Wells and near Ballarat found a notice stating that the party had gone for water and would return shortly.

A fourth party started last night from Johannesburg, and signal fires are blazing from the mountain tops throughout the Panamint range.

Additional anxiety is added by the fact that rain is falling and a windstorm is springing up.

Hammond stated that he had left Williams and his chauffeur three days ago and that they were then well and in good spirits.

Mrs. Williams, wife of the missing man, arrived here by train and arrived there Monday evening.

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POLICE ARREST 3 ACCUSED OF FIFTY CRIMES

BELIEVED TRIO PLANNED TO BLOW UP THEATER

LONG AND SHORT HIGHWAYMEN IN TOOLS, SAY OFFICERS

Suspects Now in Jail Declared to Have Been Responsible for Twelve Robberies and Twoscore Holdups

CHARGED with the commission of twelve safe robberies and more than two score of holdup crimes, Charles Gavin, alias Britt; T. F. Garwood, five times a convict, and Jimmie Fifer, ex-convict and expert safe cracker, are prisoners in the city jail.

The men were arrested Monday afternoon and night by Detectives Ingram, Carroll, Jones, Boyd, Zeigler, Hosick, McNamara and McCann, working under the personal direction of Chief of Police Thomas H. Broadhead.

The prisoners are alleged by the police to be responsible for the so-called wave of crime which has swept over Los Angeles during the last six months, and evidence has so far been collected which goes to prove them guilty of the majority of the crimes with which they are charged.

Police say the proposed crime which led to the undoing of the supposed crackmen and bandits was one which they had planned for Sunday night last, and it was no less than the blowing open of the safe of the Majestic theater with the intention, if interrupted in their work, of blowing up the building, themselves and the officers of the law who would attempt to arrest them.

The Majestic theater crime had been carefully and skillfully planned, the police say, and only an incautious remark dropped by one of the men gave the clue to the police which finally resulted in their capture.

Watched by Chief From information in his possession Chief Broadhead was convinced that Gavin, Garwood and Fifer were the men who had been engaged in all of the holdup work in the city. Detectives were assigned to the case to prove that this information was right, and to one of the men so detailed Fifer said Sunday morning last, while eating breakfast in a restaurant with the detective, that "soup was soup all right, but tonight I'll help pour soup into the Majestic."

Taking that remark as a clue the detective went to work and by night had learned almost all the details of the plan to blow open the Majestic safe that night, when the robbers expected to get at least \$2000 in cash.

Sunday night ten detectives and police officers were hidden in and around the Majestic theater building, ready for the expected attack on its strong box.

The hour set for the crime, between 11 p. m. and 1 o'clock a. m., came and passed but no robbers appeared. Throughout the night the officers kept vigil, and did not abandon their posts until after daylight.

Afterward it was learned that the sickness of Garwood prevented the crime that night.

Find Tools That all preparations had been made was shown by the fact that the men had cached all their tools and explosives in a vacant house almost opposite the theater. Here the police found a

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SALOON MEN ARE 'LONG' ON SMOKE CRAFT CIGARS

TOBACCO TAKES ITS PLACE WITH SUGAR AND OIL

INFLUENCE BOOSTED OUT HOME PRODUCTS IS CHARGE

One of Mayor's Commissioners Said to Be Strong Advocate of Certain Brand "Not Made in Los Angeles"

HERBERT W. LEWIS, police commissioner under Mayor Harper, resides at 233 West Twenty-first street. His office where he conducts his private business is in the Bryson building, room 203.

August H. Klobb, a cigar broker, resides at 2019 South Grand avenue. He has an office in the Bryson building, room 225.

These men are said to have been friends in Dayton, Ohio, some years ago. At any rate they have been pretty good friends during the last few months, if the word of a number of saloon men and restaurant proprietors may be accepted.

Mr. Klobb is agent for a cigar known as the "Smokecraft." This cigar is made in factory No. 9, third district of New York. Mayor Harper in handing out cigars of this brand is quoted as having said: "They aren't the best cigars I've smoked, but I have more of them than any other brand, and Beyond this The Herald knows nothing of the quality of this cigar."

Members of the local cigarmakers' union declare they formerly had a good, steady, all-the-year-round demand for their cigars. They say there were a large number of persons in this city who formerly insisted on the home product. That the home product is in every instance equal to or better than the eastern cigars will be attested to by hundreds of smokers. These facts are almost self-evident.

"Smokecrafts" Appear But the foreign stock suddenly appeared in the saloons of Los Angeles and the home product was quietly dropped. Not in every stand is this true, but at a large number of cigar stands in the city where the proprietor has also a liquor license the strange brand has crept in. The dealers in many instances declare they are overstocked, and for this reason they urge their bartenders to push the sale of this brand. Some dealers smile when asked if there is a profit in the sale of this brand—but it is not a pleased smile. Most of them decline to discuss the matter, but others who promise their names will be kept in confidence do not hesitate to talk about their large stock.

The attorney general says: "There are two passages in the remarks of Senator Tillman published in today's Congressional Record which demand notice from me. He says: 'It might be well to inquire whether or not the attorney general has been ordered not to obey the law of congress passed last April—which I will call the Tillman-Bonaparte law—ordering suit to be instituted for the recovery of the lands.'"

"The man who announces to congress that he (Theodore Roosevelt) assumed the right to permit the street to absorb its greatest rival contrary to law would doubtless not hesitate to help his dear friend Harriman in holding 2,000,000 acres of the public

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Is Vice Protected in Los Angeles

THE HERALD expected to have presented to its readers this morning the final summing up of the facts and law relating to the question, "Is Vice Protected in Los Angeles?" but owing to the lack of some data which will require another day to obtain in full, we will have to ask the indulgence of our readers until tomorrow.

In tomorrow's issue we intend to make the case complete by showing the law relating to the duties of the Mayor, the Police Commission, and the Chief of Police, as those duties affect certain persons whom we have shown to have become business allies of those officials.

With the facts and the law before them, it will then be up to the people to answer the two questions: IS VICE PROTECTED IN LOS ANGELES? and

What Are You Going to Do About It?

BONAPARTE AND TILLMAN CLASH

ATTORNEY GENERAL DENIES SOLON'S STATEMENTS

Government Counsel Takes Exception to Defense Made by Lawmaker in Reply to President Roosevelt

WASHINGTON, Jan. 12.—"Many people are sending me material in regard to Roosevelt's dark and crooked ways and an preparing a speech in which I will try and redeem my promise made yesterday," said Senator Tillman to the attorney general.

He said he did not know how soon he would be able to deliver his speech, but he would make it before the president retired from office.

WASHINGTON, Jan. 12.—Attorney General Bonaparte tonight issued a statement replying to that part of the speech of Senator Tillman, delivered yesterday, in which he declared that the resolution in regard to the Oregon land grants, introduced by him in the senate January 31, 1908, had been prepared by the attorney general and that his "interest in the matter had been first aroused by a desire to purchase some timber land."

Mr. Bonaparte also replied to Senator Tillman's remarks in the senate last February that he had not "bought any land anywhere in the west or undertaken to buy any."

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(Continued on Page Two)

PAT CALHOUN'S TRIAL IS BEGUN

HENEY AND MOORE REVEAL MUCH BITTERNESS

San Franciscans Show Lively Interest in Proceedings—Five Talesmen Examined—Many Try to Escape

SAN FRANCISCO, Jan. 12.—Patrick Calhoun, widely known as an eastern financier before he succeeded to the presidency of the United Railroads, went to trial today upon the first of seventeen indictments charging him with the bribery of supervisors who awarded to the corporation a permit for an overhead trolley.

Unusual interest attended the opening session of the trial, due in part to the defendant's prominence as head of the street railway system, and in part to the wide publicity given the charges, which were formally entered in the records of the court more than a year and a half ago.

The greater part of the first day was devoted to the examination of 150 citizens summoned on the first panel of talesmen.

Judge William P. Lawlor, who presided over the trial, disregarded the custom providing for a noon recess, and from 10 o'clock this morning until 3 o'clock this afternoon proceeded with his personal examination of the prospective jurors.

As a result, forty-eight of the entire number survived to run the gauntlet of the examination by the opposing attorneys.

During the period of two hours preceding the end of the day's work, four out of the five men who sat in the jury box admitted having opinions as to Calhoun's guilt or innocence that could not be removed by testimony and were excused after challenges for cause.

The questioning of the fifth will proceed tomorrow.

Bitterness Apparent The bitterness manifested in the year and a half on previous trials flamed up on two occasions today, and there were sharp verbal exchanges between Assistant District Attorney Francis J. Hanev and A. A. Moore, who heads the staff of five attorneys conducting the defense.

The first was within ten minutes of the time when the examination of the first talesman was begun.

Mr. Henev objected to the form of one of Mr. Moore's questions having to do with the reception accorded to the prosecutor by his relatives, who had been east last night, and the altercation that ensued quickly became personal in its tenor.

Mr. Moore had asked the talesmen the following question: "Did you ever hear Mr. Henev in the course of a speech say that he would take care of Calhoun and tie him like a Spanish cow?"

"No," was the reply. "Did you hear Mr. Henev state at the very last night that he was still strong enough to send all the higher-ups to jail?"

To this question the assistant district attorney made instant objection, and Mr. Hanev and Mr. Moore, who had read the account of such a remark in one of the papers Mr. Henev said:

"Yes, I suppose that is as near as you can get to it. Sending grafters to jail and sending to jail all those who may be connected with them are things to my mind two distinct things."

The discussion was closed by Judge Lawlor, who ordered that hereafter, the exact language of publication matter be quoted in framing questions addressed to jurors.

The third examination of the talesmen was interrupted by the answer, said to Mr. Moore: "Is it your experience that jurors return a verdict to oblige a friend?"

"Are you addressing that question to me or the court?" asked the attorney for the defense.

"The question is addressed to you," said Mr. Hanev, and Mr. Moore, turning to Judge Lawlor, remarked:

"This case is very young, but if it is to degenerate into a series of bickerings between two attorneys I may as well quit the court interfere now."

Mr. Hanev replied that he would welcome the interference of the court and that he would carry down a list of over twenty individuals more or less directly associated with the prosecution and its officers; they were asked of opposing counsel addressed to the jury became improper, and Judge Lawlor directed that the examination proceed.

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In the showing today it was evident that many citizens were anxious to escape service as jurors in what promises to be a lengthy trial, and it was admitted that no estimate of the period necessary to complete the jury could be made at this time.

FORAKER SAYS PRESIDENT HAS DIVERTED LAND

NOTED SENATOR FROM OHIO ARRAIGNS ROOSEVELT

SCATHING REBUKE DELIVERED BEFORE LARGE CROWD

One of Foremost Republican Lawmakers Accuses Chief Executive of "Shocking and Revolting Conduct"

[By Associated Press.] WASHINGTON, Jan. 12.—Illegal diversion of public funds by the president and William H. Taft while secretary of war, to pay for the investigation by private detectives into the Brownsville affair, was charged by Senator Joseph B. Foraker of Ohio in the senate today in a speech in reply to statements of Herbert J. Brownie of this city and William G. Baldwin of Roanoke, Va., who were employed by the secretary of war to secure evidence of the guilty negro soldiers of the Twenty-fifth infantry, U. S. A., in shooting up Brownsville on the night of August 13 and 14, 1906.

The government's use of the private detectives was characterized by Mr. Foraker as "atrocious, shocking and revolting."

This charge of illegally diverting \$15,000 from the war fund of \$3,000,000 appropriated by act of congress of March 3, 1899, was adopted by Mr. Foraker in concluding his remarks, which consisted of a very careful consideration of certain legal phases of the Brownsville affair, and the reading of a number of affidavits by soldiers whose testimony and "confessions" Mr. Brownie alleged he had secured to unravel the mystery of the "fifty of the men who did the shooting, and these affidavits denied with great particularity nearly every statement of importance by the detectives.

Speaking of the \$200,000 war fund of 1899 appropriated as an emergency fund to meet unforeseen contingencies constantly arising, to be expended at the discretion of the president, Mr. Foraker said:

"Surprising Information "It probably will be surprising information that the appropriation made ten years ago at the close of the Spanish-American war to enable the government to meet emergency army contingencies, such as were then arising in connection with our military establishment, should have been construed to be permanent appropriations."

Mr. Foraker declared that the statutes directed the head of each department to make an annual report to congress giving a detailed statement in which the contingent fund of his department has been expended.

"This appropriation," he said, "being for the war department, the report should have been made by the secretary of war, and the contingent fund of his department should have been reported to congress in detail or itemized reports. This fund has been made, but only general reports have been made."

Senator Foraker says that, waiving all technical or doubtful objections, and assuming for the sake of argument that the constitutional provision quoted does not apply, "the question remains whether such payment now under consideration are legitimate and proper to be made from it. It would seem that granting all I have indicated is yet nevertheless clearly illegal and in flat violation of the statutory provision: That no employee of the Pinkerton Detective agency or similar agency shall be employed in any government service as an officer of the District of Columbia."

Use of Detectives Speaking of the use of private detectives in investigating the Brownsville affair, Mr. Foraker declared that "it is impossible to find language with which to fittingly characterize such a procedure. It is a procedure which has been from its inception down to the monstrous stages it has reached. It is atrocious, revolting and shocking to every sense of fairness, justice and even common decency."

Mr. Foraker reviewed the statements made by the president in his messages to congress on the Brownsville affair.

"It will be noticed," he said, "that the guilt of these soldiers, as charged by the president, conclusively as charged by the testimony last submitted."

The senator recognized the necessity for strengthening his case, and thereupon dispatched Mr. Purdy and Mannor Blockson to Brownsville to secure the evidence reported by them.

In the message he sent to the senate after the report of the committee on military affairs, he reiterated that the facts claimed by the president may that testimony thoroughly established."

When the committee reported, Senator Foraker said, everybody apparently supposed the investigation was ended.

He continued: "But not so. As though conscious that notwithstanding all his assertions and declarations as to the sufficiency of the testimony, it was in fact unreliable and insufficient to justify his order of discharge, we were favored with the further message of December 14, 1908, in which we were informed that private detectives had been employed by the war department which they have been at work for months."

Most Serious Feature Speaking of the reply of the president and secretary of war to a senate resolution calling for information relative to the investigation, Mr. Foraker said:

"This message of the president and secretary of war is a new and most serious feature of the unhappy business. They not only disclose determined effort on the part of the president to again bolster up the case against these men, but he has resorted to a method in his effort to secure such testimony that cannot be fittingly characterized without the use of language which, if employed, might appear to be disrespectful to the chief executive."

"And worst of all in this endeavor to secure such testimony the president has himself committed the serious offense—condemned by every court that administers the common law that has ever had occasion to speak on the subject of holding public officers to these men—introduced

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THE NEWS SUMMARY

FORECAST For Los Angeles and vicinity: Rain Wednesday; fresh south wind. Maximum temperature yesterday, 53 degrees; minimum, 48 degrees.

LOCAL Hotel Austin and numerous stores burned down as result of explosion. Seven injured. Police make important capture of burglars who proposed to blow up theater. Proposed amendments to city charter introduced. Petition for river bed franchise refused. Ordinance providing for license inspector passed. President of Pomona college resigns. Council refuses to enlarge area affected by amusements ordinance. Secretary Fleming forwards statement of facts to legislators. Agent of Japanese steamship company arrives at Los Angeles. Depositors favor Carlson's proposition to furnish bonds. Weather forecaster predicts more rain. Another block added to district where speaking is not allowed. Automobile party lost on desert. Los Angeles man the only one yet located.

COAST California legislature re-elects Senator George Perkins to succeed himself; many bills introduced and exciting contests expected. Traffic bureau of Santa Fe and Southern Pacific railroad companies announce they will recommend reduction in rates of severance. Judge Milo Root, accused by Washington State Bar association of gross misconduct, re-elected to bench, refuses to qualify for office.

FRANCIS HENEY and attorney for defense in trial of Pat Calhoun, president of United Railroads at San Francisco, accused of bribery, clash during attempt to impepel jury. Agent of Japanese steamship company arrives at San Diego to arrange for visit of four of Japan's battleships and to prepare for irregular visits of merchantmen.

EASTERN Minnesota slays four children by cutting their throats and then hangs himself. Automobile party lost on desert. Death in another terrific explosion in Lick Branch colliery at Bisbee, W. Va., where many men were killed two weeks ago.

Senator Foraker of Ohio in caustic language denounces president of United States and declares on floor of senate that he and Taft have illegally diverted government lands; also says Roosevelt has been guilty of "revolting and shocking and revolting conduct."