

WILL CHOOSE SUCCESSOR TO MAYOR HARPER

COMMITTEE TO PRESENT NAME WEDNESDAY NIGHT

COUNCIL WILL HAVE RECALL PETITION TUESDAY

District Attorney Refuses to Issue Criminal Libel Complaints—Jurors Would Welcome Civil Suits for Damages

THE committee of fifteen appointed by Judge John D. Works yesterday, which will present the name of Mayor Harper's successor to the citizens' meeting Wednesday night, is made up as follows: WILLIAM D. STEPHENS, HENRY T. LEE, H. W. FRANK, J. M. ELLIOTT, R. H. NORTON, G. M. GIFFEN, W. E. BURKE, PARLEY M. JOHNSON, PAUL R. MABURY, NATHAN NEWBY, M. F. BETROUSKI, A. M. DUNN, S. C. GRAHAM, HARRY CALLENDER.

The committee will meet tomorrow, and will be prepared to present to the meeting Wednesday evening a list of names who will win in the recall election by a large majority. It was generally agreed yesterday that the committee is entirely representative of the leading citizenship of Los Angeles, and that its selection might be depended on to be that of a man entirely qualified to undertake the task of making the city decent.

City Clerk Leland's force of checkers was unable to finish the recall petition last night, though they had hoped to do so. They went far enough, however, to make it certain that the petition would be sufficient. The work of checking practically will be finished Monday, and the petition will be certified as sufficient at the meeting of the council Tuesday afternoon.

Signed Ahead of Time The date, February 16, was that originally set for completing the signing of the recall petitions, and the pro-vice papers endeavoring to prevent the signing of the petitions were signed up by that time appear so ridiculous that voters could be laughed out of signing. In spite of the pro-vice efforts the day will be signalized as that on which the recall is effectually invoked.

"There is not the slightest doubt now that the mayor will be relegated to the society of those who are good enough for him," said a Municipal League worker yesterday, "while the decent citizens of the town clean up what the pro-vice paper says is a 'nasty mess.'"

Mayor Harper yesterday went through the formality of asking for complaints charging criminal libel against the six members of the grand jury who signed the non-concurring letter. "These members, and many other citizens, were more disappointed than the mayor appeared to be when the district attorney refused to issue the complaints."

Would Welcome Suits Suits for libel would be welcomed by many persons who desire to see Mayor Harper's record threshed out, on account of the evidence such suits would lay bare, and the opportunity they would afford of producing in public all the evidence in the grand jury, and considerably more.

Mayor Harper and his attorneys, H. H. Appel and W. L. Foley, were in consultation with District Attorney Fredericks yesterday afternoon for thirty minutes. They refused to say complaints charging criminal libel would be issued, and the district attorney said no complaints would be made out.

"I should welcome any such suits," said one of the six jurors yesterday, "and I have been assured by a number of citizens that there is a general feeling that an opportunity would be offered thereby to uncover much not known to the general public. I think a libel suit would produce something of a surprise. None of the six men who signed that letter is afraid of any action of the sort."

SEKS PARDON FOR NOTORIOUS OUTLAW Application Filed with Governor of Minnesota to Remove Last Restrictions from Paroled Bandit in Missouri

ST. PAUL, Minn., Feb. 13.—Application for a full pardon for Cole Younger, former member of the Jesse James gang, captured in the Northfield bank raid and conditionally pardoned in 1908, has been made to Governor Johnson by James A. Reed, former mayor of Kansas City.

Younger is now engaged in the promotion of an interurban railroad to his home at Lees Summit, Mo., says Mr. Reed, "and because of conditions under which he enjoys his freedom finds himself constantly annoyed."

There is some doubt of the application receiving favorable consideration, Younger being accused of violating one condition of his pardon by exhibiting himself in a traveling show.

REFUSES TO PUT YOUTH IN PRISON FOR FAILURE TO PAY WIFE ALIMONY SEATTLE, Feb. 13.—In refusing to send Fred Ebers to jail for failure to pay \$20 a month alimony to the divorced Mrs. Irene Ebers, Judge Gay said:

"I'm not going to send this young man to jail because he has not been able to pay alimony, and thus giving him notoriety in the newspapers and branding him so that he will be shunned by society and looked upon with suspicion by his employers."

"I shall hold him in contempt of court until he gets this matter squared up, but will not commit him to jail, where he cannot earn a cent."

OFFICER AND WIFE WHO ARE ESTRANGED



WIFE TO OPPOSE PAY FOR TUCKER

Colonel Whose Domestic Troubles Have Caused Widespread Interest to Appear Before Retiring Board

HOT SPRINGS, Ark., Feb. 13.—The domestic troubles of Col. W. F. Tucker and his wife are soon to be aired before the war department. Now that Col. Tucker has so far recovered his health that he is able to leave the army and navy hospital here it is expected that "full retirement" will be meted out to Col. Tucker.

Tucker hopes to be retired on the usual pay, but his wife, who was the daughter of the late Gen. John A. Logan, has different views. She will, it is said, appear in person before the board at Washington to give her side of the domestic controversy and urge that "full retirement" be meted out to Col. Tucker.

THE NEWS SUMMARY

FORECAST For Los Angeles and vicinity: Fair Sunday; light northwest wind. Maximum temperature yesterday, 60 degrees; minimum, 46 degrees.

LOCAL Recall committee decides as to action in nominating successor to Mayor Harper. Billy Sunday takes a fall out of Kid Sin at Naud Junction pavilion and knocks Satan over the ropes.

COAST Storm breaks in Northern California after doing considerable damage. Spectacular fire in San Francisco causes \$50,000 damage.

EASTERN Five firemen meet instant death, two others are fatally and a dozen seriously injured by toppling flames in Milwaukee.

FOREIGN Plan started in Russia to install steam-driven mines to train workmen of threatened employment.

Secretary Garfield expected soon to sign contracts for big canal and irrigation project in Colorado. Lem declares charges filed by wife in divorce suit at St. Louis are all false.

WILL CONTEST PLAN TO CLEAR WAY FOR KNOX

MINORITY REPORT PRESAGES MORE TROUBLES

APPOINTMENT BY TAFT, HOWEVER, SEEMS PROBABLE

Opposition Raises Fine Point as to Eligibility of Pennsylvania—Constitutional Provision to Be Annulled

WASHINGTON, Feb. 13.—Although the bill removing the bar to the eligibility of Senator Knox to become secretary of state in Mr. Taft's cabinet was reported promptly to the house today from the committee on the election of president and vice president, the filing of a minority report also indicates that a contest will be made against the passage of the measure.

Representative Gaines of West Virginia, author of the house bill which is identical with that passed by the senate expects to call up the measure Monday under suspension of the rules, and a motion will be made to substitute the senate bill, which, if passed, would bring the two houses into immediate agreement.

In spite of the minority report Mr. Clark of Missouri, Democratic floor leader, says the measure will not be made a party issue.

The minority members held that while upon its face the Gaines bill only seeks to fix the salary of the secretary of state at \$8000, the real question is: The Real Question

Whether a member of the United States senate during whose term of office the salary of the secretary of state was increased from \$8000 to \$12,000 a year, can hold the office of secretary of state any portion of the term for which said senator was elected, provided that the salary of the secretary of state be reduced to what it was before raised.

"The act of congress under which the salary of secretary of state was increased," said Representative Gillespie, "is referred to as saying to every member of the United States senate, 'You shall not for the time for which you were elected to the senate hold the office of secretary of state.'"

"We do not believe that a provision of the constitution that is clear and unambiguous should be annulled or suspended in the manner contemplated by the passage of this bill."

"We believe the mischief undertaken to be provided against by this provision of the constitution clearly embraces the act of appointing one of the United States senators to the office of secretary of state."

"The office of secretary of state will probably be held for eight years by its next occupant, and a designing senator could easily anticipate that though his salary would temporarily be reduced in the closing years of his senatorial term at the expiration of that term he would, through his influence, be restored."

JOURNEYS 850 MILES TO TALK 20 MINUTES

With Wife and Daughter, Chief Executive Arrives from Lincoln's Birthplace—Speaks at Harrisburg

WASHINGTON, Feb. 13.—After a railroad journey of 850 miles in each direction, taken for the purpose of making a twenty-minute speech on the occasion of the laying of the cornerstone of a memorial building on the site in Larue county, Kentucky, of the birthplace of Abraham Lincoln, President Roosevelt and his wife and daughter returned to Washington this afternoon. The trip consumed just fifty hours.

The return trip was practically without incident, the most interesting event being a brief speech to railroad employees at Harrisburg, Pa. In this address, which lasted little more than a minute, the president spoke of the railroad man as a model type of American citizenship, and that because of his alertness, self-reliance and willingness to obey orders he was just the sort of a man that would be most useful in case of another war, which, however, he hoped would never occur.

At many places along the road there were crowds of people, who waved their salutations as the train flew by. The president lost no opportunities to show his appreciation of the interest thus manifested.

He would respond by waving his handkerchief or lifting his hat. In conversation he spoke feelingly of these indications of popular interest and expressed special pleasure over the fact that the people generally seem to feel that the president in him now has his term of office was about to close as they felt when it was beginning.

SAYS TWO BROTHERS WERE MURDERED AND MUTILATED EDMONTON, Alberta, Feb. 13.—Charles McLeod, a northern prospector, has arrived here with a tragic story of how his brothers, Frank and William, were murdered after finding a valuable gold mine near Nabanni river, British Columbia. Robert Weir, a Scotch mining engineer, who accompanied them from Edmonton, has accompanied the brothers left records of the find of the mine on trees, but the words were obliterated by the murderers, who felled the trees.

The bodies were terribly mutilated. The father of the dead men is a prominent member of the Hudson Bay company.

BILLY SUNDAY KNOCKS DEVIL OUT OF RING

EVANGELIST APPEARS AT NAUD JUNCTION PAVILION

STRONG EPITHETS APPLIED TO ASSOCIATES OF SIN

Fighting Revivalist Makes Use of Metaphors Which Cause His Auditors to Stare in Fear and Astonishment

REELING and staggering, beaten to the verge of helplessness, from the start, Kid Sin received a terrible beating at the hands of Fighting Billy Sunday when he encountered the latter at McCarey's Naud Junction pavilion last night, and was saved only by the tap of the gong. Spectators present expressed grave fears for the recovery of Sin, but those who are acquainted with the defeated contestant are agreed his remarkable recuperative power will enable him to re-enter the arena again within a short time.

From the opening of the one-sided contest Fighting Billy rushed on his opponent with oratorical jabs and jolts of scintillating forensic diatribes and Philippic masterpieces.

The man who has announced himself as the "sworn, eternal and uncompromising enemy of the devil, who is prepared to give him a fearful run for his money," started out with an oratorical assault on those who with an oral assault on those who had been "doing as they pleased until the undertaker got round to putting cadavers" then he predicted that the free and easy livers of a vicious life would obtain, soon in a most scorching hell that would make them somewhat sorry for past carelessness. He next characterized some as so close to the sulphur fumes, and then began his main address, which he said was aimed against "boozers" and lechers.

Applies Epithets to Hearers He next stirred the audience with dozens of direct and far-reaching denunciations and by many peculiar mannerisms and characteristic poses, as he first galloped around the ring, reeled against the ropes, shouted, with clenched fists, at the mob who heard him, and characterized certain of them as possible "liars," "thieves," "boozers," "lecherous beasts," etc.

The audience received these peculiar charges with a yowl of glee and nature, and replied by cheers for the speaker and various shouts of "amen," "hurrah for you," and "Go it, kid."

There were thirteen of these great supply bills regularly enacted at each session, and today, the thirteenth of the month, there are eleven of these measures yet to be passed by the senate in the thirteen days remaining of this congress on which they can be considered and enacted into law.

Of these bills seven have not been acted on by the house. While fifteen legislative days remain, not including the 4th of March, when congress must adjourn at noon, one of these days must be devoted to enacting and another to the passage of bills providing for the re-enlistment of soldiers of the Twenty-fifth regiment who were charged with having "shot up" Brownsville, Texas.

The friends of the postal savings bank bill have not given up their efforts to pass it, and considerable time will be consumed in discussing the measure.

Two or three treaties are also being pressed for ratification, and considerable time must be given over to executive sessions.

The situation that faces the senate, where unlimited debate is one of the most cherished rules of that body, makes necessary a spirit of harmony and co-operation if the great supply bills are to be disposed of practically at the rate of one a day.

The lower branch was in an uproar on Wednesday when a motion for reconsideration of the vote by which Grove L. Johnson's Japanese school segregation bill passed was brought up.

The battle that finally resulted in reconsideration and rejection of the bill at the urgent request of President Roosevelt and Governor Gillett was one of the most spectacular ever witnessed in the legislature, according to veteran solons.

Meadow Lark, Bill Passed The senate showed its antipathy to such measures on Thursday when Marc Anthony's bill submitting the question of immigration to a vote of the people was rejected by a large majority.

Another important bill acted on was that drawn by J. W. Stuckenbruck of Acampo, classing meadow larks among the unprotected birds of California.

The bill was passed by a bare majority after a battle royal between most of the country members on the one side and a majority of the men from the city on the other.

The ruralists held that the lark destroyed fruits and seeds, particularly the table grapes, while the bird's defenders contended that it did no harm. Governor Gillett did not reach the assembly on January 21 and by the senate on February 4, with little opposition in either house and reached the governor last Wednesday.

There is much interest in the signing of the bill, because it does not become operative until sixty days after signature is attached and every day of delay gives the tracks at Emeryville and Arcadia another twenty-four hours' lease of life.

The bill establishing a state department of banking and regulating all financial institutions so that depositors may be secured from repetition of recent disastrous failures, passed the senate and is in the assembly, a special order of business for Thursday.

Considerable opposition arose when the bill was taken up last Friday, Grove L. Johnson and R. L. Beardslee raising objection to several of its provisions.

Evangelist 'Billy' Sunday and Members of His Family



'13' DOMINATES U. S. CONGRESS TO TAKE CENSUS OF ALL JAPANESE

OMINOUS FIGURE CONFRONTS STATE'S ASIATIC POPULATION WILL BE COUNTED

House and Senate Have Much Business to Transact, with but a Short Time Available

WASHINGTON, Feb. 13.—The ominous figure "13" dominated in the status of the regular general appropriation bills in congress today.

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OIL OCTOPUS AND TENTACLE TO DODGE AX

WATERS-PIERCE CO. CLINGS TO STANDARD

WILL PLEAD TO POSTPONE SEPARATION FROM TRUST

Report in St. Louis is \$50,000 Fine Will Not Be Contested—Hard Death Struggle Expected

ST. LOUIS, Feb. 13.—That the Waters-Pierce Oil company of Missouri will on Monday ask the supreme court of this state for a further stay of execution of that portion of the recent decree against it requiring it to loose itself from the domination of the Standard Oil Company of New Jersey was the intimation emanating from the offices of the local concern today.

The fine of \$50,000 which was assessed against the Waters-Pierce company probably will not be contested, the attorneys for the company saying they see no recourse from this portion of the penalty.

The Waters-Pierce company did not join with the Standard Oil Company of Indiana and the Republic Oil Company of Ohio in the proposition recently made to the supreme court by which the state would gain a direct voice in the management of interests of those corporations in Missouri.

Part of the proposition was that the 60 per cent of the Waters-Pierce stock held by the Standard should be placed in the hands of trustees to be appropriated by the state and companies jointly.

The Waters-Pierce management asserts, would result in preventing the Missouri corporation from severing itself from the foreign company's control, and, they say, would only strengthen the position of the Standard in the state.

Common Prediction It is predicted unofficially that the Waters-Pierce company will ask the supreme court to declare the holding of its stock by the Standard interests illegal on the ground that such holding contravenes the principle laid down by the federal supreme court in the Northern Securities case.

If this attitude is adopted, one of the greatest legal battles between the corporation and the history of the country may follow.

The Northern Securities decision is relied upon by the government in its suit to dissolve the Standard Oil Company of New Jersey, which is to come up for argument in the federal court here next month.

The probable attitude of the Waters-Pierce company in the present case was intimated after conferences today between H. C. Pierce, head of the company, and its attorneys.

The Waters-Pierce company must make a showing of its attempts to comply with the Missouri ouster decree on Monday next.

The annual meeting of the stockholders of the company, to be held Tuesday, probably will be made for argument for an extension of time.

The ultimate hope of the attorneys for the Waters-Pierce interests that the extension, if granted, will place final adjudication of the case beyond time decision of the federal court in the dissolution suit, so that any favorable circumstances arising from the big case may rebound to the fullest possible advantage of the Missouri company.

INSOLVENT BROKER AND ACTRESS WED

Notoriety Subsequent to Latter's Failure Results in Marriage Just Announced in New Orleans

NEW ORLEANS, Feb. 13.—That he and Edna Wallace Hopper were married nearly three months ago was the announcement made here today by A. O. Brown shortly after his arrival from New York.

The wedding took place in Freehold, N. J., November 25, 1908. The witnesses were Miss Leona Anderson, Louis Atkinson and Dennis O'Brien, the latter an attorney for Mrs. Hopper.

After her husband's announcement, Miss Hopper said: "We did not announce the marriage at the time because both Mr. Brown and myself were getting more notoriety than we wanted out of the unfortunate failure of August and the resulting assets."

"We really made up our minds that we would keep the marriage a secret to fool the smart reporters and have a good joke on them. We consider the joke good now, however, and do not mind the announcement."

Miss Hopper figured in the failure of the Brown firm. She was summoned into the bankruptcy court by the receivers of the Brown company because she had a \$7500 automobile and a \$25,000 insurance policy given her by Mr. Brown before the failure.

SAYS GATUN DAM AT PANAMA WILL PROVE DISASTER TO NATION

NEW YORK, Feb. 13.—"The construction of the Gatun dam, now being built by the United States government, is the Panama canal, will result in the greatest disaster to any public work probably that has ever been built."

This was the statement made today by P. Bunau-Varilla, the French engineer who arrived here on the French liner steamer La Provence from Havre.

He has frequently asserted that the construction of a lock canal was entirely impracticable. He said today that he had not changed his views in this respect.
