

SWOPE'S DEATH DUE TO POISON GIVEN BY HYDE

Coroner's Jury Accuses Relative of Administering Fatal Drug EXPECT A SENSATION Another Inquest Likely to Be Held on Body of Second Victim

KANSAS CITY, Feb. 9.—Col. Thos. H. Swope came to his death by reason of strychnine administered in a capsule by Dr. E. C. Hyde, husband of the millionaire's niece, according to a verdict of the coroner's jury in Independence today.

Whether the drug was administered with felonious intent the jury said in its verdict it was unable to determine. The jury was out little more than an hour. The greater part of this time was devoted to discussing the case. Only one ballot was necessary. Although there were numerous and hurried consultations between attorneys for the state and Dr. Hyde and his legal advisers, and although rumors regarding the probable prosecution were plentiful tonight, the case stands just as it did when the coroner's jury rendered its verdict.

Prosecutor Virgil Conkling refused to discuss his plans. He said positively, however, that he would confer with his associates in the prosecutor's office before he took any action. He and Henry L. Jost, first assistant circuit attorney, who has done the major portion of the investigating for the state in the Swope mystery, will confer tomorrow.

Inquest Planned It is said tonight that Coroner Zwart will begin an inquest over Chrisman Swope's body as soon as the official report of the physicians who are examining the stomach and liver is received. J. E. Trogen, coroner's attorney, would not commit himself on this point. Dr. Hyde and his attorneys, John M. Cleary and Frank P. Walsh, spent the evening together at the physician's home. They made no statement. Mrs. Hyde is seriously ill and her physician is devoting all his spare time to her.

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PINCHOT FLAYS SUCCESSOR FOR CONTRARY WORK

Collegiate Training Essential for Foresters, Is Statement DEFENDS HIS POLICY Deposed Chief, Loyal to Nation's Interest, Exposes Abuses

NEW YORK, Feb. 9.—Clifford Pinchot, deposed chief forester of the United States, but still loyal to his policies as president of the national conservation commission, defended the forest service in a speech before the National Arts club in New York tonight. Mr. Pinchot bitterly assailed the action of George P. McCabe, solicitor of the department, who, as temporary chief of the forestry bureau after Pinchot's dismissal, took action to abolish the collegiate training of foresters at government expense.

This action Mr. Pinchot described as "a secret attack on the service, proscribing the law, a method so effectively used by special interests against the people, and a cruel and needless loss." He said in part: "I am as proud of the forest service and its men as I ever was, and I venture to think that it has proved the value of its ideal by its achievements and the enemies it has made. "Now let me give you the best illustrations I have seen in recent years of how a public officer, under pretext of obedience to the law, may traffic with it and abuse it to the public injury."

Upon my dismissal, the solicitor of the department of agriculture (George P. McCabe), pending the arrival of another officer from the field, was acting forester for three or four days. It appears that he learned then of the ranger schools at the four states universities and sent telegrams to the disbursing officers in the field to pay no expense connected with them. These telegrams were kept secret from other members of the service in Washington except the stenographer who wrote them. "With equal concealment from all the men in the field, a letter was prepared and sent to the comptroller asking for a speedy advance decision as to the legality of the ranger schools. This letter was cleared, typed and was so framed as to secure a decision against the schools, and it was successful in doing so. "This letter is a misrepresentation because it omits to state the central, essential and incontrovertible facts: "First, that the forest service must have trained rangers. "Second, that it can get them only by training them after they enter the service. "It follows that the training of the rangers by the service is necessarily, clearly and undeniably for the administration, protection and improvement of the natural forests. Being necessary for that purpose, it falls well within the terms of the agricultural bill, and is therefore lawful.

How Obtained "Consider, now, the situation under which this decision of the comptroller was obtained. The solicitor of the department of agriculture is an officer charged with promoting the welfare of the department and all its bureaus on the legal side. "Both solicitor and acting forester, he was in honor bound to forward the work of the forest service by every lawful means at his command. By his official position he was clearly an advocate. Yet he made no attempt to assist the service in this matter. "On the contrary, he led the secret attack on it and used anxious and successful care that it should succeed in its course should be made by any other man. The men of the forest service were first informed that the legality of their work was in question only after adverse judgment had been rendered without giving them any hearing whatever. "I am not concerned with the motive behind this indefensible sacrifice of the public welfare. It is a typical illustration of a certain way to obey the law. Of course, it is not obedience to the law at all, but the prostitution of the law. "The Old Method "It is the method so effectively used by the special interests against the people and there is nothing to be said in its favor. "The whole proceeding is not seen in its true light until we realize its effect on nearly 200 of the best young men in the forest service, who were officially ordered to those schools for instruction. "These rangers are poor men, working for \$300 to \$1000 a year and they need their pay. Yet they will lose not only their pay for the time they attended these schools, but the money already advanced out of their own pockets for traveling and other expenses. "At best it would be nearly as far-reaching as it is needless, and that is saying a great deal. But the fine loyalty of these rangers to their work is shown by the fact that about half of them have stayed on at the ranger schools at their own expense, the better to learn their public duties. "Their devotion in doing so is worthy of all praise, but I do not believe the people of the United States can afford to let that devotion stand unpaid by anything less than the promotion the men have earned by the quality of their work. "It would be bad enough if this gratuitous check to the improvement of the public service were nothing more than a rebuke to the higher officers of the service who were responsible for the ranger schools. "They were doing their duty as they saw it. But when the weight of it falls, as it does, upon the men who can least afford to carry it, who simply obeyed orders, its ruthless disregard of ordinary humanity becomes its most striking characteristic. "It would be hard to find a better or a more bitter illustration of the use of the law as a cover for not doing what a public officer has a right to do, and what the public interest demands that he shall do. I submit the two points of view to your judgment and abide by your decision."

THE POST CARDS OF A TOURIST—No. 2



The Herald's Tourist-Artist is impressed by the habit of Los Angeles citizens of frequently stepping on the scales. He opines, however, that when weighed in the balance they are not found wanting

'HURRY UP HARRY' BROWN CONVICTED

300 PER CENT BROKER IS FOUND GUILTY Corpulent Stock Dealer, Whose Methods Were Exposed by The Herald, Will Be Sentenced

"Hurry Up" Harry Brown, the corpulent broker whose methods were exposed by The Herald last March, was found guilty in Judge Davis' court yesterday of embezzling \$300 from Nettie D. Hammond in January, 1909. He will be sentenced Monday. "The case was given to the jury at 7 o'clock in the evening and the verdict was returned at 8:45. Trial of another case, set for yesterday in Judge Willis' court, was continued until March 14. In this case Brown is charged with passing a fictitious check for \$1500, the complaining witness again being Dr. Hammond, to whom the alleged bad paper was given in March, last year. "Only two witnesses were called by Attorney A. A. Sturges to testify in Brown's defense yesterday forenoon. The first of these was Dr. Clifford A. Smiley, who said Brown had purchased Missouri Pacific stock on margins for him in January, 1909. "Did you get all your money from Brown?" asked Deputy District Attorney Blair. "I did not," and the manner in which the reply was given caused a laugh among the spectators, many of whom, it was said, had lost money in their transactions with the accused man. A. R. Stratton was Brown's second witness. He was manager of the bucket shop at Slauson Junction at the time of Brown's arrest, and stated in response to questions the only records kept of business transacted in the place was a pocket memorandum book and a number of sheets showing in lead pencil writing the supposed purchases and sales of stocks. "Stratton was not permitted to testify to anything shown on these sheets, Attorney Appel, associated with Mr. Blair in the prosecution, declaring that a defense of embezzlement in a legitimate transaction could not be made by bringing in evidence of illegitimate dealings. Judge Davis, however, permitted Stratton to say purchases of Missouri stock were made on margins in January, last year, and in his argument later in the day Attorney Sturges contended the stock order by Dr. Hammond was included in these transactions. Attorney Helm, also associated in the prosecution, made the opening argument to the jury, and was followed by Attorney Sturges, the latter's address being made by Attorney Appel.

BEQUEATHED A MILLION AFTER YEARS OF LABOR

PORTLAND, Ore., Feb. 9.—Mrs. Mary Booth, 60 years of age, who has for years been struggling against poverty and who has recently been kicking out an existence as a teacher in a local Chinese mission, finds herself today heiress to \$1,000,000 willed by George D. Nelson of Springfield, Mass., who died a few days ago, leaving her this portion of his \$6,000,000 estate.

FORMER QUEEN 'LIL' MAKES LAST APPEAL

One-Time Ruler of Hawaii, Aged and Poor, Supported by Islanders, Weeps While at Chi. (Special to The Herald.) CHICAGO, Feb. 9.—Former Queen Liliuokalani of Hawaii arrived in Chicago today from Washington, where she made a last and futile plea to have Congress compensate her for the crown which was taken from her by the United States government at the time of the island revolution in 1893. Broken down in health, the former ruler, three score and ten years old, is going back to the land of her former splendor, where the people still call her queen. Liliuokalani is now a poor woman. From the railway station she went to the hotel in an omnibus, with a crowd of immigrants who were being transferred to the Illinois Central station. The hotel was crowded, as were all other big hotels, and the former queen was forced to put up at a small south side hotel. "I am going back to my people to spend my declining years," she said, after she reached the hotel, as the tears rolled down her cheeks. "Through the loyalty of the Hawaiian people I can end my days without actual want."

PONTIFF EXPLAINS ACT

ROME, Feb. 9.—Pope Pius today personally considered the recent incident involving former Vice President Fairbanks who was refused a private audience by the Vatican because he insisted on keeping an earlier engagement to address the Methodist society here. His holiness said he regretted he had been unable to receive Mr. Fairbanks, but that he could not depart from the policy adopted, as to do so would appear to give recognition to the "disloyal interference" by certain Protestant denominations.

MAN OF NINETY VICTIM OF THUGS

NONOGENARIAN BEATEN AND ROBBED OF \$125 Second Hold-Up Reported—Battered Victim Found, and Two Mexicans Blamed for Both Crimes

Frank Garrett, a retired merchant, 90 years old, was a victim last night of footpads, who succeeded in stealing a wallet containing \$125. Mr. Garrett, who has been ill for several weeks, left his home, 1760 East First street, to take a walk and at the east end of the East First street bridge he was approached by two men whom he described as Mexicans. One of the men grabbed Garrett by the throat and held him while the other went through his pockets. Despite his age, Garrett fought desperately, and not until he was choked into unconsciousness were the highwaymen able to obtain the money, which was in the inside vest pocket of Garrett. The holdup happened within half a block of Garrett's house. As soon as he was able to telephone to police headquarters, detectives were detailed on the case, but owing to the poor description and the fact that the robbers had ample time to escape no arrest was made. Shortly after the holdup of Garrett was reported a call for the police ambulance was received stating that a man in an unconscious condition was at the corner of Macy and Main streets. There a man giving the name of E. J. Stone, a laborer, of 8329 Teletost street, Garvanza, was found with his head battered and a two-inch laceration of the upper lip. When he regained his senses he stated that he was held up by two Mexicans and robbed of \$15.40. Two boys corroborated the story of Stone. They said that Stone had been drinking and was followed from a saloon by two Mexicans, who held him up. When found every pocket in Stone's clothes was turned inside out. He was taken to the receiving hospital. The police are of the opinion that Garrett and Stone were held up by the same persons.

MORE TAX SUITS FILED

WASHINGTON, Feb. 9.—Two more corporation tax cases were filed in the supreme court of the United States yesterday, making ten suits now before the court, involving the question of the constitutionality of the corporation tax provision of the Payne tariff act. Seven of the corporation tax cases have been set for argument on March 14.

SCORE HURT IN CRASH OF CARS ON P. E. LINE

Rear End Collision Imperils Lives of Passengers from Beach TOURISTS INJURED Motorman Is Blinded By Headlight; Fails to See Warning Flagman

FIVE persons were seriously injured, two others suffered severe bruises and others were slightly hurt as the result of a rear-end collision near Florence station on the Long Beach line of the Pacific Electric railroad at 6:25 o'clock last evening, when Long Beach car No. 350 crashed into the rear end of a four-car train bringing visitors to Catalina back to Los Angeles. Seriously Injured H. A. Bate of Battineau, N. D., leg broken below knee and other injuries; taken to Crocker street hospital. Charles F. Dreyfus of Bowles, S. D., leg broken below knee; taken to Crocker street hospital. Mrs. W. H. Doyle of Telluride, Colo., back injured and perhaps ribs broken; taken to Crocker street hospital. E. T. Seaman, 812 Frisco street, suffering from severe lacerations on legs; taken to Crocker street hospital. Elias A. Smith of Long Beach, left hand injured; taken to Crocker street hospital. Slightly Injured Mrs. P. Robertson of Medicine Hat, Alberta, Canada, hip injured; went home to hotel on Hope street near Ninth street. E. Grievank, conductor of the Long Beach car, left knee bruised; taken to the Pacific Electric hospital and later taken to his home.

The accident occurred only a few yards from the Florence avenue station, and, according to an official of the Pacific Electric railroad, the only person who possibly be blamed in any way for the accident is the motorman of the Long Beach car. A four-car train, consisting of cars 34, 35, 36 and 37, had met the boat from Catalina at San Pedro and was inbound to the city. The train was in charge of Motorman Elliott and Conductor Smithman. Nearly all of the passengers were tourist visitors to Los Angeles and had been passing a holiday season at the island resort. As the heavy train passed Nadeau station the motorman noticed that there was something wrong with the air connections, and stopped the train a few yards south of Florence station to make an investigation. According to statements made last night by both Elliott and Smithman, the tail lights on the Catalina train were burning brightly, and as soon as a stop was made the flagman was seen to be running to flag any car that might be hurrying in from the south or east. Either the flagman was too late, on account of the cars running on too short headway, or the headlight of the southbound car blinded the eyes of the motorman of the oncoming car.

Crashes Into Train

The crew of Long Beach car No. 350, inbound, in charge of Conductor E. Grievank and Motorman E. S. Rankin, failed to see the danger signal and the Long Beach car crashed into the rear of the Catalina train. Fortunately the open part of the rear car of the Catalina train was in front and the open part of the Long Beach car was in the rear, otherwise there is little doubt that the cars would have telescoped and there would have been a heavy death toll. When the cars crashed together the rear platform of the Catalina rear car and the front platform of the Long Beach car were smashed in, but the heavy steel bumper prevented the Long Beach car from plowing through and over the seats of the coach with which it had collided. For a few moments all was confusion. Passengers were hurled from their seats, glass was shattered, and the moans and cries of those who had been seriously injured could be heard in the darkness. A hurry call was sent for help, and as soon as the injured could be gathered up and made as comfortable as possible a clear right of way was given, and they were rushed to the Pacific Electric hospital in the Huntington building, Sixth and Main streets, where first aid to the injured was given by Dr. H. G. Cates, the company physician.

Surgeon Noncommittal

Dr. H. G. Cates, the Pacific Electric surgeon, was non-committal as to the number of injured last night. "It is reported that twenty-five or thirty persons were more or less injured in the wreck. Is that true?" he was asked. "I didn't see them," was the reply. "But you were in the P. E. hospital when the injured were brought in. How many were attended to there?" was the question. "I don't know—three, or four, or five—I don't know," was the reply. "Sure it wasn't twenty or twenty-five?" "I didn't see as many as that," and the surgeon hung up the receiver. One of the officials in the Pacific Electric claim agency was rushed to theory as to the cause of the wreck last night after interviewing the men in charge of the trains and some of the same persons. A flagman was sent out by the crew of the inbound Catalina train when the train was stopped. But the headlights of the cars were very strong and the Long Beach car was running under short headway. I have no strong doubt that the headlight of a southbound car that happened to be passing on the main line just at that time blinded the motorman of the Long Beach car and he failed to see the

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