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The Fight Against Lorimerism

The fight against Lorimerism opened in the United States senate under the leadership of Senator John W. Kern of Indiana. The story is told in the following Associated Press dispatches:

Washington, June 4.—The vote of the senate on the resolution declaring the election of Senator Lorimer of Illinois invalid, will not be taken until after the national conventions, if negotiations now in progress between his supporters and opponents in the senate prove successful. The suggestion for the postponement was made to Senators Lea and Kern today by Senator Dillingham, chairman of the Lorimer committee. Mr. Dillingham did not indicate a purpose of pressing the suggestion, but he pointed out the necessity for a full attendance, which it would be difficult to obtain before or during the great political meetings.

The opposing senators acknowledged the force of the point, but did not indicate their decision. They are more concerned about a vote before adjournment than about the exact date and probably will fall in with the majority and agree to let the vote go over.

Senator Kern expects to conclude his opposing speech tomorrow. He will be followed by Senator Dillingham in support of Lorimer and he in turn by Senator Lea in opposition.

Senator Kern gave especial attention to the plea that the case had been settled by the senate's vindication last year. That plea, he said, had been raised only at the last moment. He said he would not admit its validity, it had come too late and that the plea itself was "res judicata."

Reminding the senate that under the constitution it is the judge of the qualifications of its own members, Mr. Kern contended it was competent for that body to proceed at any time in any matter involving the integrity of its membership.

"There was no suggestion by Senator Lorimer or any one on his behalf that the senate had not ample power to direct a re-investigation of his case," said Senator Kern. "He tacitly acquiesced in the senate's action. He appeared in person and by counsel, before the committees during the investigation cross examining all witnesses called by the committee and examining scores of witnesses in his behalf."

Mr. Kern declared that if any of the committee believed that the questions being investigated were "res judicata" they were "strangely reticent in not mentioning it," while permitting the continuation of the investigation at a cost of more than \$50,000.

He refused to concede that the proceedings were analogous to a civil action at law, but argued that, if it were, the granting of a new trial, even on the sole ground of newly discovered evidence, opened the case for a complete re-investigation.

"It is now too late for Senator Lorimer to be permitted to urge this remarkable defense," declared Senator Kern. Mr. Kern said he believed the first investigation had been utterly incomplete and had failed to develop facts which must have been accessible.

Senator Lorimer occupied a seat near Mr. Kern, giving careful attention to his arraignment. There were many visitors in the gallery.

Senator Kern praised the personal reputation of Mr. Lorimer, and said that, but for his convictions regarding the gravity of the charges, he would not be found engaged in the disagreeable task of prosecutor.

Senators Lea and Kenyon, who, with Mr. Kern, are the minority of the Lorimer investigation committee, holding that the Illinois senator's election was brought about by corruption, are ready to join in the fight against the majority report exonerating Mr. Lorimer.

While the whole question of the validity of the election is the principal consideration before the senate, a feature which promises to precipitate the first test of strength is the contention that Lorimer's case, in legal parlance, is "res judicata," or has been once decided by the senate and can not be reopened. A majority of the committee which made the second investigation holds that Lorimer can not be tried again on practically the same charges on which the senate, by a vote of forty-six to forty, acquitted him on March 1, 1911.

The minority holds that this reasoning does not apply to Senator Lorimer's case.

Senator Curtis of Kansas, who voted for Mr. Lorimer before, is said to be ready to vote against him this time, but this is counterbalanced by Senator Jones of Washington, who voted against Mr. Lorimer but will vote for him this time.

This alignment seems to throw the balance of power mainly with the new senators.

The second investigation brought

out the charge that Edward Hines, the millionaire lumberman, had raised a fund of \$100,000 to "put Lorimer over," but the majority of the investigating committee exonerated Hines, as well as Lorimer.

The senator's election, the majority report holds, was due entirely to political conditions in Illinois, which made Mr. Lorimer the only candidate who could muster a majority.

Senator Heyburn suggested that an accused member could only be tried by the senate concurrently elected with him.

"If the next class of senators coming can raise the question, it may be raised repeatedly," he said.

Mr. Kern responded that the senate, like a court, was a continuing body. "If every senator should die, the senate would be in existence still," he said.

Senator Kern continued that new evidence had multiplied to show the activity of "the malefactors in the case," which, he said, connected Senator Lorimer with the improper methods employed in his election. He cited alleged relations between Mr. Lorimer and Lee O'Neill Brown, who, he said, had been the accredited agent of Lorimer.

Four men, he said, had confessed to taking bribes. Mr. Kern will continue his speech tomorrow.

Washington, June 5.—Senator Kern of Indiana concluded today the second installment of his speech in opposition to Senator Lorimer, and gave notice that he would endeavor to conclude before adjournment tomorrow. The senator analyzed the evidence taken during the senate's second investigation, contending that much evidence that was new

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