

**KINKAID DENIES
WRONG**

Congressman Says His
Coal Claim in Alaska
and Legal in Every
OTHERS IN GREEN

**Two California Representatives and
Gov. Gillett Own Claims.**

STATEMENT OF MR. LACHLAN

He Says the Proposition is Entirely
and Legal.

GLAVIS STILL ON THE STAND

Democratic Members Ask Questions
Intended to Accentuate Certain
Points Already Testi-
fied To.

(From a Staff Correspondent.)
WASHINGTON, Jan. 31.—(Special Telegram.)—Representative M. H. Kinkaid, whose name has been dragged into the Ballinger-Pinchot investigation, through the testimony of Louis B. Glavis, is considerably annoyed, but is frank enough in saying that he did have a few extra dollars in the bank and made an investment of his surplus money in an Alaska coal claim in the summer of 1908.

Mr. Kinkaid, in explaining his connection with the transaction, said today, "I did contract for the purchase of an Alaska coal claim in the summer of 1908. The owner resided at Seattle, hence the purchase was consummated there. By letter, written to him from my home in Nebraska, I employed Judge Ballinger to pass upon the title and otherwise represent me. It was an ordinary, straightforward business transaction, which will be conclusively established by evidence before the investigation shall close."

Mr. Kinkaid's statement, explaining his connection with Alaska coal claims, as brought out in the Ballinger-Pinchot investigation report, Mr. Kinkaid of California today mentioned Governor Gillett and Representatives Knowland and McKinley of California as being interested in the proposition with himself and Representative Kinkaid of Nebraska and a number of others.

Mr. Kinkaid declared that the proposition was entirely a legal and ethical one. A dozen or more men of prominence were interested in what was known as the "Green group," he said. He did not recall the names of all of his associates. Speaking of the Green claims, Mr. Kinkaid said:

"If there has been any violation of law in this matter I am not aware of it. I went into the proposition two or three years ago at the suggestion of Mr. Green, and have paid out so far about \$4,000 in surveying and developing my claim. The law has taken the ordinary manner of filing on mineral lands.

"In the beginning I purchased the right of the original entryman, and I do not know anything about the manner in which his filing was made. If there was anything wrong with it, it occurred before I went into it. My name is not on the name of the man from whom I bought the filing right.

Willing to Sell Out.
"I have not yet applied for a patent from the government because I have been busy with development work. We have found coal on the land, but I do not know how much. A mining article was published, which says my claim is worth \$1,000,000, but if I can get my \$4,000 out of it I will be glad. In fact, I would sell out for less than the amount I put in it.

"The law provides that the army and navy can have all the coal it wants from our claim at \$100 a ton to be fixed by the government. If our claims are sold to a trust or monopoly the whole property reverts under the law to the government.

"Not more than 100 acres can be held by one person and that is the amount of my claim. The law provides also that there can be no consolidation of claims aggregating more than 1,500 acres. The group represented by Governor Gillett and Representative McKinley, Knowland, Gillett and myself is within that limit."

Glavis Still on Stand.
When the Ballinger-Pinchot investigating committee adjourned late today until next Friday morning at 10 o'clock Mr. Glavis was still on the witness stand. He will be further questioned at that time. Glavis was cross-questioned today by several members of the committee, the Democrats, taking by far the more prominent part in the questioning and framing their interrogations in the way which elicited answers tending to accentuate certain parts of testimony already given by the witness.

At the Close of the Hearing Senator Nelson called attention to the fact that the committee was proceeding "blindly and blindly," as the witness said, and that he was cross-examine as the representative of "the other side." Personally, he said, he had no desire to question the witness here. It was thought best that Glavis remain in the city until certain documents called for in the interior department have arrived and been examined.

In connection with these documents Senator Root moved that they should all be printed before being introduced. Attorney Brandeis, representing Glavis and others, said that many of the documents he had asked for might prove to be irrelevant. Senator Root remarked that so far as he could see there was nothing irrelevant to this inquiry.

Ballinger Favors Bill.
Cross-examined by Senator Fletcher of Florida, Glavis said today that Mr. Ballinger, while commissioner of the land office, had appeared before the committee of congress and by his testimony had favored a bill which would validate all of the Alaska coal claims. He also said that an affidavit filed September 4, 1904, by Clarence Cunningham had on it a backing which bore the firm name with which Judge Ballinger was connected. Glavis said that at the time Mr. Ballinger asked him not to proceed with any investigation of the coal claims until after election because of the aloneness of campaign contributions, no one was present to over-look the conversation.

**Congress May
Look Into High
Cost of Living**

and Clark Authorized to Bring
in Resolution for an In-
vestigation.

WASHINGTON, Jan. 31.—Foresadowing an investigation by congress of the high cost of living, the house ways and means committee today authorized Chairman Payne and Representative Clark, the majority and minority leaders in the house, to collaborate in the preparation of a resolution providing for such inquiry and defining the form of procedure.

NEW YORK, Jan. 31.—Neither the anti-trust campaign nor the general crusade for lowering of the high cost of living showed any signs of exhaustion today. A women's mass meeting, postponed from Saturday because of the storm, is to be held this afternoon in Madison Square. Tuesday night meetings of club women will be held to help push the postal card campaign which the Postoffice department under the direction of its president, Mrs. Anita Comfort Brooks, has inaugurated.

The cards already are in wide circulation, going to all parts of the country and making direct personal appeals to stop using meat.

Preparations were under way it was announced today to have the Federation of Women's Clubs of America take up at its convention here on Friday a concerted movement to ask every woman in the country to send a post card to President Taft asking him to take measures against monopolistic control of meat prices.

Most prices held about stationary today. Retailers are showing a strong disposition to resist further cuts and diminishing shipments are helping them maintain their stand.

**Tillman Rests on
Father's Right**

Senator Says South Carolina Statute
Gives Father Sole Power to Dis-
pose of Child.

COLUMBIA, S. C., Jan. 31.—Senator B. R. Tillman and his son, B. R. Tillman, Jr., were present when the case of Mrs. B. E. Tillman, jr., against Senator Tillman and his wife for the custody of her two children was taken up by the supreme court here. Senator and Mrs. Tillman rest their case entirely on the statute law of South Carolina, which in part is as follows:

"Section 202.—The father of any child or children under the age of 21 years and not married may dispose of the custody and tuition of such child or children during such time as they remain under the age of 21 years in any persons."

Under this act his son deeded the children to his father and mother. No effort has been made to assert the character of young Mrs. Tillman, but in his affidavit Senator Tillman says it is probable the young wife would go to another state to get a divorce and remarry, in which case the children would be placed under a stepfather.

"Thank God," says the senator, "there is no such thing as divorce in South Carolina."

**Tom Johnson Said
to Be Operated On**

Former Mayor of Cleveland Believed
to be Under Sur-
gical Care.

NEW YORK, Jan. 31.—Although Tom L. Johnson, former mayor of Cleveland, is believed to be in the city undergoing medical treatment, nothing definite could be learned today regarding his whereabouts or his condition. Marked reticence is maintained both by Mr. Johnson's friends and members of his family. The former mayor is known to have been a guest at the Hotel Prince George for several days preceding Saturday last. He is said to have left the hotel on that day.

Dr. Thomas P. Guant, who is credited with having attended Mr. Johnson, declined today to say whether or not the ex-mayor was one of his patients. "Any thing regarding Mr. Johnson will have to be given out by his family," was the physician's statement.

VAN NORDEN THIEVES HELD

Women Charged with Robbing Trust
Company President of \$25,000
Are Indicted.

NEW YORK, Jan. 31.—Beulah Roberts and May Williams, the two women accused of holding up and robbing Warner M. Van Norden, president of the Van Norden Trust company, of \$25,000, recently were indicted today charged with robbery in the first degree.

**POSTAL BANK
BILL IN SENATE**

Senator Carter Makes an Extended
Explanation of the Administra-
tion Measure.

ANSWER TO THE CRITICS
No Attempt is Made to Displace Pres-
ent System.

WILL ENCOURAGE THRIFT
Much Money Now in Hiding Will be
Placed in Circulation.

IN LINE WITH PARTY PROMISE
United States is One of Few Nations
That Does Not Provide Method
for Caring for Small
Savings.

WASHINGTON, Jan. 31.—Senator Carter had no difficulty in getting permission to proceed today with his speech in the senate in support of the postal savings bank bill, which he delivered in accordance with previous notice, but the general consent did not extend beyond this courtesy.

Mr. Carter took the floor as soon as the routine business was disposed of, but before he had begun his remarks Senator Bailey interposed to say that he assented to the taking up of the measure only for the purpose of speech making and that he would not agree to the displacement of the regular business, which is the Alaska legislative council bill.

Senator Carter explained that there would be no effort permanently to displace the Alaska bill.

The United States is the only first-class power in the world to deny to the people the privileges and the blessings enjoyed by a postal savings bank, declared Senator Carter of Montana.

He spoke of the promises made in the last republican platform, as well as in several other party platforms, of the support given to the measure by former President Roosevelt and by President Taft and also by a number of postmaster generals of the last forty years, and outlined the present bill.

No Menace to Old Banks.
Answering numerous objections which have been made against postal savings banks Senator Carter asserted that they would not be a menace to the present banking system of the country, that the commercial banks, even if they were sufficiently numerous, could not reach the people in the rural and sparsely inhabited districts whom the postal banks are designed to benefit. The postal banks, he declared, would encourage thrift, would bring into circulation much money now kept in hiding and impel foreigners, who now send much of their savings home for deposit in savings banks in their own countries, to place it in the care of this government.

In referring to the countries which already have such a system the speaker said: "It is operated in countries of limited extent and those of broad territorial extent, with equal facility, success and satisfaction."

Answering the objection that the establishment of the postal banks would be "an unwarranted use of power" by the government, he claimed that "the bill by its operation a use to which the postal service has been subjected, for as the report of the committee will show, a very large sum of money in all the states and territories is invested in money orders payable to the purchaser and renewed annually at an expense of \$5 per \$1,000 as a penalty of thrift."

Purpose to Encourage Thrift.
"The prime purpose of the measure," he declared, "is to encourage thrift among the masses of the people by furnishing widely distributed, convenient and absolutely safe depositories wherein small sums may be placed at a low rate of interest with the faith and credit of the government pledged to the repayment of principal and interest on demand."

He held that if the commercial and other banks were widely distributed, they would not be patronized to any considerable extent by the class of people to whom the postal savings depository would furnish the useful elements of convenience and absolute confidence.

As to the charge that such a system might be held unconstitutional, he answered that "the microscope has not been made which can disclose a difference in principle between the money order system and the system here proposed."

"This system," he claimed, "instead of being a menace to the banks, would prove a source of strength to the financial structure. He said that such a bill had been the experience wherever it had been tried.

The bill now before the senate provides that the system be directed by a board of trustees to be composed of the secretary of treasury, the postmaster general and the attorney general, which board shall report to congress at the beginning of each regular session. Every post office authorized to issue money orders and such others as the postmaster general may designate are to be postal depositories, although no account of less than one dollar can be opened, and no national deposit more than \$100 in one calendar month or more than \$500 altogether, not counting therein accumulated interest. Interest is to be at the rate of two per cent a year.



Time To Be Stirring.
From the Minneapolis Journal.

**NORRIS AND SENATORSHIP
Congressman from Fifth District
Ready to Enter Race.**

DECISION NOT YET DEFINITE
Increased Appropriation for Dry
Farming Urged, but House Does
Not Agree—Rural Routes
Held Up.

(From a Staff Correspondent.)
WASHINGTON, Jan. 31.—(Special Telegram.)—George W. Norris is seriously considering the advisability of becoming a candidate for the United States senate. Judge Norris today outlined the reasons which seem to impel him to this conclusion, although he has not definitely decided to make the step. Until a fortnight ago, Judge Norris says he gave no thought to the senatorial situation as it might concern him personally. He has been receiving letters all winter from constituents urging him to make the race, but he turned a deaf ear to them, and put the senatorship behind him, at least for the immediate present.

Lately, however, he says, political conditions in Nebraska have undergone a change. He has noticed that resolutions adopted at the formation of some of the Burketts clubs, simultaneously with the meeting of the radical insurgents in Lincoln, criticized the action of the insurgents and urged them to put a stop to the agitation in the interest of the party. These resolutions aroused the congressman's fighting blood and today he said:

"If my insurgency is to be the test of my republicanism, then I think the sooner we know where we stand, the better."

"The more I study the situation, the more I am convinced that the insurgent cause is just, and I am willing to try conclusions along those lines. I do not deny any man the right of an honest difference with me, but I deny that any man has a right to question my republicanism, even though it may be along different lines from that of some people in the fifth district."

"I do not say that I will get into the senatorial race," said Judge Norris, "but I am more seriously considering it than ever before. Whether this is the psychological moment or not, I don't know. This I do know, however, that the time seems propitious for trying out some things that concern us republicans and should be decided that the primary ballot law recently passed permits an expression on the part of the voters for United States senator, I may get into the fight."

Dry Farming Discussion.
Judge Norris supported a motion made today in the House which the agricultural bill was under consideration increasing the appropriation for dry farming from \$500,000 to \$600,000. He called attention to the vast empire west of the 100th meridian, which could be used for agricultural purposes, if properly tilled and said that the experiments of the department of agriculture justified his conclusions. He gave an interesting description of the Campbell system of soil culture and urged the adoption of the motion. It was defeated, however, by a close vote.

Postmaster General Hitchcock has de-

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**Would Impeach
Gov. Haskell in
Bank Fraud Case**

GUTHRIE, Okl., Jan. 31.—Reference to a possibility of impeachment of Governor Charles N. Haskell and other state officers is made in a resolution made in the lower house of the legislature here today by Representative Humphrey.

The resolution demands an investigation of the Columbia Bank and Trust company, which failed at Oklahoma City last fall owing depositors over \$1,000,000, and it calls upon Attorney General West to bring before the legislature matters which he had previously stated were being considered by the grand jury at Oklahoma City, when that body was discharged recently by order of Governor Haskell.

The resolution is based upon a letter written by the attorney general at the time the grand jury, which it was known was inquiring into the affairs of the failed bank, was discharged. At that time Mr. West criticized the acts of certain state officials alleged to be concerned in the institution.

The resolution says: "Such charges, if true, might subject the governor of this state to impeachment and the officers to whom reference is made to impeachment or removal."

**Police Briber is
Given Sentence**

Inspector McCann of Chicago Has
Term of One to Five Years Im-
posed on Him.

CHICAGO, Jan. 31.—Edward McCann, former police inspector, who was convicted of accepting bribes, was sentenced to from one to five years in the penitentiary by Judge Barnes in the criminal court today. Immediate application was made to Justice Orrin A. Carter of the Illinois supreme court for a writ of superadeas to stay the execution of the sentence until the appeal from the judgment of the lower court was passed on by the highest tribunal of the state. The writ was granted.

**SIX THOUSAND FINE AND
SIXTY DAYS FOR LOAN SHARK**

Miss Doris Griffith, Agent for D. H. Tolman, Appeals from
Usury Sentence.

HARTFORD, Conn., Jan. 31.—The appeal of Doris Griffith, agent for D. H. Tolman, a money lender, from the sentence of \$5,000 fine and sixty days in jail, imposed by the supreme court for alleged usury, will be carried to the supreme court of the United States, Chief Justice Baldwin of the Connecticut supreme court having decided to allow a writ of error to issue on condition that Miss Griffith file a new bond of \$5,000. This it is understood will be done.

WILLIAM A. PAXTON IS DEAD

Succumbs to an Acute Attack of
Pneumonia.

ILL ONLY SINCE FRIDAY LAST
Had Attended the Theater Thursday
Evening Although Complaining
for Several Days of Being
Slightly Ill.

William A. Paxton, Jr., died at 6:30 Monday evening of pneumonia. He had been sick only since last Friday.

Thursday evening last Mr. Paxton attended the theater, and it is supposed that he then contracted the cold which later developed into the attack of pneumonia that carried him off.

Mr. Paxton leaves surviving him his wife, who was Miss Georgia Sharp of Cleveland, an adopted daughter 3 years old and his mother.

Deceased was the only child of the late William A. Paxton, being born in Omaha September 24, 1866. He attended the public schools of this city, going through the grades and the High school. He afterward attended college at Racine, Wis. After graduation he returned to Omaha and began his business training with his father. For several years he managed a large ranch owned by his father, near Ogallala, and his fondness for life in the open country was evidenced in the name borne by his daughter, Prairie Paxton.

On the death of his father, the son took up personally the care of the vast interests left to him. He was a heavy stockholder in the Union Stock Yards company, and was president of the Paxton Real Estate company, the Paxton-Gallagher company and the Paxton-Vierling Iron Works. His interests in the affairs of these large concerns was always keen and active, and his advice was highly valued.

Mr. Paxton was prominent in the social life of the city as well as in business circles. He was a communicant of All Saints' Episcopal church and was a liberal contributor to all charitable causes, as well as to all public enterprises. He held memberships in the Omaha club, the Field club, Country club, Happy Hollow club and in the Elks order. In all of these organizations his genial qualities and great liberality of hand and mind continually won and held the admiration of his fellows. As the years passed Mr. Paxton was proving himself a worthy son of his father, and promising to make as great an impression on the life of his native city as the latter had made in an earlier day.

Since last April Mr. Paxton had been living in his new home, called Patrician, west of Dundee and facing Elmwood park. This home had cost something over \$30,000 and its owner took great pride in planning and building it. It is from this new home the funeral will be held, at a time to be announced later.

W. J. Burgess, who for several years was associated with Mr. Paxton in theatrical matters, speaking of him last night, said that words could not convey his essential character.

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**SWOPE'S DEATH
DUE TO POISON**

Chicago Scientists Find Large Quantities of Strychnine in Viscera of Late Millionaire.

PROSECUTIONS WILL FOLLOW
Attorney for Estate Says Arrests Will
Be Made Soon.

DR. HYDE FILES TWO SUIT
Husband of Mr. Swope's Neice Ask
for Heavy Damages.

SAYS HE IS FALSELY ACCUSED
Defendants Are John G. Paxton, At-
torney for Swope Estate, and Two
Kansas City Physi-
cians.

CHICAGO, Jan. 31.—Strychnine was found throughout the viscera of the late Colonel Thomas H. Swope, the Kansas City millionaire, according to a report made by Dr. Walter S. Haines, Ludwig Hektoen, an Victor C. Vaughan to John G. Paxton, executor of the Swope estate, today. The same poison is also believed to have been found in the liver of Christian Swope, nephew of Colonel Swope, but it was announced that the examination of his organs had not been completed to the satisfaction of the toxicologists and would be continued.

Although Virgil Conkling, the prosecuting attorney of Kansas City, refused to make any statement, Mr. Paxton said that criminal prosecution would follow their return home. The following statement was given out by Mr. Paxton after his conference with the doctor:

Paxton Makes Announcement.
"On account of the widespread interest in the investigation that has been made into the cause of the death of Thomas H. Swope, I feel it proper for me to make public the facts as reported to me by Dr. Haines and Dr. Vaughan, as the result of their investigations extending over a period of several weeks, give to me their opinion that Mr. Swope died from the effects of poison."

The Kansas City party returned home tonight and will be present at the inquest tomorrow.

Those present at the autopsy held at the university besides Mr. Paxton, Mr. Conkling and the three doctors were, Attorney James A. Reed, an associate of Mr. Paxton in the Swope estate; Coroner E. E. Zwart and Thomas H. Swope, a nephew of the dead millionaire.

The conference lasted several hours and every bit of the evidence submitted by the toxicologists was carefully considered before the statement concerning the finding of poison was made public. Each of the three doctors declared that he was satisfied beyond any doubt that strychnine was present in various places in Colonel Swope's organs.

While no one would make a statement that strychnine itself was administered, Mr. Paxton said that all were satisfied that a drug containing strychnine in large quantities had been given the dead man. Mr. Paxton and Thomas Swope were greatly agitated by the report. Mr. Swope would make no statement concerning his own actions or future plans, but Mr. Paxton was emphatic in his prediction that criminal prosecutions would follow immediately after the return of the party to Kansas City. When pressed to name the person or persons under suspicion, Mr. Paxton absolutely refused to name anyone.

DR. HYDE FILES TWO SUITS
Man Alleged to be Implicated, Asks
\$750,000 Damages.

KANSAS CITY, Mo., Jan. 31.—The filing of damage suits against an attorney and two physicians connected with the investigation of the death of Colonel Swope, H. and Christian Swope by Dr. B. C. Hyde, the Swope family physician, for sums aggregating \$750,000 marked his active entrance into the case here today.

The defendants are, John C. Paxton, Dr. Frank J. Hall, a bacteriologist, and Dr. Edward L. Stewart, asking additional damages aggregating \$750,000 for alleged damage to the health of the late Swope. The plaintiff in connection with the death of the Swope.

Mr. Paxton, who for many years has been the Swope counselor, is now in Chicago with attorneys for the Swope interests and the coroner and prosecutor of Kansas City, connected with the three chemists who recently have been examining the organs of the two dead Swope men.

Dr. Hyde is related by marriage to the Swope family, having married the daughter of Mrs. Logan O. Swope, mother of Christian Swope. Dr. Hyde has been associated with some of the leading physicians of Kansas City. Formerly he was city surgeon, was secretary of the Missouri State Medical society and a member of the staff of the city hospital.

The part of the petition in which Mr. Paxton's alleged statement is quoted follows: "I believe that Colonel Thomas H. Swope and Christian Swope were poisoned and did not die from natural causes, and I believe that Dr. Hyde (meaning the plaintiff) poisoned or caused them to be poisoned, and thereby caused their deaths. And I believe that he (meaning the plaintiff) inoculated the Swope family with typhoid germs and caused several members of said family, including Margaret Swope and Lucy Lee Swope, to contract typhoid fever."

"And that he (meaning the plaintiff) attempted to poison said Margaret Swope and Lucy Lee Swope, unawares thereof and intending to mean and charge, and being understood by him who bears such statements to mean and charge that plaintiff had murdered Thomas H. Swope and Christian Swope, and had attempted to kill and murder Margaret Swope and Lucy Lee Swope, and was therefore guilty of the crime of murder and was liable for capital punishment therefor, and also guilty of the crime of assault with intent to kill, and liable to conviction and punishment therefor to the penitentiary."

STATEMENT BY MRS. HYDE
Brother Took Wife Pills Prescribed
By Dr. Twyman.
KANSAS CITY, Jan. 31.—Mrs. B. C. Hyde filed a second statement this afternoon declaring that Christian Swope shortly before he died had taken some "white pills" prescribed by a physician in Kan-

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THE OMAHA BEE