

HEARS GUILTY

Judge Swayne Acquitted on All Counts.

SENATE CLEARS HIM

Not Even Bare Majority Against Him on Any Count.

TWO-THIRDS IS REQUIRED

Great Impeachment Trial a Fiasco—Voting Follows Party Lines—Distinguished Assemblage at Closing Scene.

WASHINGTON, Feb. 27.—The Senate, sitting as a court of impeachment for the trial of Charles Swayne, District Judge for the Northern District of Florida, today acquitted him on all of the 12 articles of impeachment brought by the House of Representatives. On none of the articles was there even a majority for conviction, although it required two-thirds to convict. The closest vote was on the last article, the contempt case of W. C. O'Neal, when 35 Senators voted guilty and 47 not guilty, while on two articles only 23 Senators voted for conviction. The voting for the most part was on party lines, though there was not a strict alignment on any article. At the conclusion of the voting, the speaker directed the secretary to enter an acquittal upon the records, and the court then adjourned without day.

Judge Swayne was not in the Senate during the rollcall, but in the President's room, just back of the chamber. The result of each ballot was sent to him by his attorneys. One of the House managers attended during the proceedings.

There was an exceptional attendance of Senators, and the galleries were crowded. Many members of the House also were in attendance. They occupied seats especially set apart for them in the rear of the Senate chamber, and followed the proceedings with the closest attention.

The House managers and the attorneys for Judge Swayne were ushered in and took their usual seats, and the sergeant-at-arms for the last time made proclamations of the trial and the proceedings. Imprisonment for a violation of the rule imposing silence. Judge Swayne was not present.

Platt (Conn.), presiding, announced that the rule prohibiting applause would be rigidly enforced, a violation resulting in the certain eviction of the offender.

First Article is Not Sustained. The trial preliminaries required only ten minutes. The first article of impeachment then was read, and the vote taken on it.

In this article Judge Swayne was charged with making a false certificate for expenses while holding court at Waco, Tex. "Senators," said the presiding officer, when the article was read, "how say you? Is the respondent, Charles Swayne, guilty or not guilty as charged in this article?"

The calling of the roll by the secretary was then begun. Aldrich's name was first. He was not present, so that the first Senator to answer in response to the call was Aldrich, who voted "not guilty" in clear and distinct tones. He was followed immediately in the negative by Allison, Allen and Penrose, all pronouncing verdict while standing. All are Republicans.

Bacon was the first Democrat on the roll and likewise first to answer in the affirmative, finding Judge Swayne guilty. The vote throughout was largely partisan, Republicans voting with the Democrats for conviction and Democrats with the Republicans for acquittal. The utmost quiet prevailed while the vote progressed. The vote stood 23 to 45, being in detail as follows:

Guilty—Bacon, Bailey, Bard, Bates, Berry, Blackburn, Carmack, Clark (Mont.), Clay, Cockrell, Culberson, Daniel, Foster (La.), Gorman, Kittredge, Lattimer, McClure, McCumber, McHenry, McLaughlin, Mallory, Martin, Money, Morgan, Nelson, Newlands, Overman, Patterson, Pettus, Simmons, Stone, Tallaferro, Teller, 23.

Not guilty—Allen, Allison, Ankeny, Ball, Beveridge, Burnham, Burrows, Clapp, Clark (Wyo.), Crane, Culom, Depew, Dick, Dietrich, Dillingham, Doolittle, Dryden, Duane, Gurnea, Fairbanks, Foraker, Foster (Wash.), Frye, Fulton, Gallinger, Gamble, Gibson, Hale, Hansbrough, Heyburn, Hopkins, Keen, Kearns, Lodge, Long, McCamie, Millard, Penrose, Perkins, Platt (Conn.), Platt (N. Y.), Proctor, Quarles, Scott, Smoot, Spooner, Stewart, Warren—45.

On the roll requiring a two-thirds vote to convict, 55 votes in the affirmative would have been necessary to convict. As this vote was almost reversed, Judge Swayne was pronounced to be not guilty. The chair announced this to be the result, saying "On article 1 of the impeachment of Charles Swayne, 35 Senators have voted 'guilty' and 47 Senators have voted 'not guilty.' Two-thirds not having voted for conviction, Charles Swayne stands acquitted of the charges contained in the first article."

While the vote was in progress, Knox had asked to be excused from voting, saying that he would have an explanation to make at the close of the vote. He then said that illness had prevented him from either reading or listening to the testimony in the case, and he asked to be excused. The request was granted.

Quick Action on Other Articles. The reading and voting upon the other articles followed in rapid succession. The second charge was that of an excessive charge for expenses while holding court at Tyler, Tex. The proceeding in this case was an exact counterpart of that on the first article, and there was only one change in the vote, which was that made by Clark (Dem., Mont.), who, having cast his first vote for conviction, changed on this rollcall and voted for acquittal. The result was 23 for conviction to 56 for acquittal.

The third charge also related to excessive expense charges at Tyler, Tex., and the vote was identical with the vote on the second article, 23 to 56.

The fourth and fifth articles related to the use of private cars. There were only 13 votes in all for conviction, as follows: Bailey, Berry, Blackburn, Carmack, Cockrell, Culberson, Daniel, McClaurin, Martin, Money, Morgan, Newlands, Pettus, all Democrats.

On the sixth charge, that of non-residence by Judge Swayne in his district, the vote was 31 to 51. On this vote, Clark (Montana), changed back to the affirmative side, but Kittredge and McCumber went to the negative. Dubois and Gibson voted for conviction on this charge.

On the seventh article, relating to residence, the vote was 19 for conviction to 47 against. The affirmative vote was as follows: Bates, Berry, Blackburn, Carmack, Clark (Montana), Cockrell, Daniel,

Dubois, Gibson, Lattimer, McCreary, McHenry, McLaughlin, McClaurin, Martin, Money, Morgan, Pettus and Tallaferro—19.

The vote on the eighth, ninth, 10th and 11th articles, covering the contempt cases of E. T. Davis and Simon Belden, was 21 to 51.

On the articles covering the contempt cases, Messrs. Dubois (Dem.) and Hansbrough (Rep.) voted for conviction, and Bard (Rep.) for acquittal. On these articles Hansbrough and McCumber were the only Republicans who voted for conviction and Stone was the only Democrat for acquittal.

Vote Closest on Contempt Case. The 12th article was the last. It dealt with the conduct of Judge Swayne in punishing W. C. O'Neal for contempt in assaulting a trustee in bankruptcy appointed by the court. On the final vote the result was 25 guilty to 47 not guilty, the largest vote for conviction. Bard, Hansbrough, Kittredge, McCumber, Nelson and Quarles voted "guilty" with the Democrats, and Newlands (Democrat), voted "not guilty" with the Republicans.

The result on this vote being announced and with it the verdict ascertained, the chair directed the secretary to enter an order of acquittal on all the articles. This being done, a motion for final adjournment was made and sustained by Fairbanks and it prevailed. Thus the long and tedious proceedings came to an end. Messrs. Thurston and Higgins were congratulated by many Senators, the House managers walked up the center aisle of the chamber and soon took their departure, the galleries were speedily cleared, and the Senate proceeded with its regular business.

"MARRY ME OR DIE"—SHE DIES. Actress Slain by Lovesick Policeman, Who Commits Suicide.

CHICAGO, Feb. 27.—Miss Mary Catherine Mulvill, an actress, was murdered today by Daniel Herman, a policeman, whose love she had refused. The crime was committed in the most fashionable part of Michigan Boulevard at a time when the avenue was filled with pedestrians and carriages.

Herman, after killing the young woman, made his escape, and a local woman, who was returning from her home at 2155 Archer avenue by shooting himself through the brain.

The young lady was returning from St. James' Parochial School, where she frequently acted as a substitute teacher, and had reached the corner of Twenty-ninth street and Michigan boulevard when she met Herman, who had evidently been waiting for her. What passed between them will never be known. Suddenly Herman seized the girl, caught her close to him and fired three times. One bullet passed through her brain, one tore off a finger of her right hand and the third missed her.

Herman became infatuated with the girl through hearing her play at St. James' Catholic Church, where she acted as organist, and had for a long time annoyed her with his attentions, constantly urging her to marry him. Herman had been a member of the Chicago police force for several years, acting as a "plain clothes" man. For about one year he had been on furlough.

HOCH GOES TO PENITENTIARY. Convicted of Embezzlement, Bigamy Charge Being Dropped.

MINNEAPOLIS, Feb. 27.—(Special.)—Henry Hoch, arrested some time ago in Portland, Or., charged with the embezzlement of \$100 from the Minneapolis Structural Iron Works, and who was alleged to have had a wife in Portland and another in this city, was sentenced today to two years in the Penitentiary here.

The Minneapolis wife has forgiven Hoch and there will be no prosecution for bigamy unless the woman he is alleged to have duped in Portland brings the action.

Will Celebrate Jefferson's Day. NEW YORK, Feb. 27.—Arrangements are being made by the Democratic Club in this city to celebrate the birthday of Thomas Jefferson with a dinner on April 13.

JUDGE WHO WAS ACQUITTED IN IMPEACHMENT TRIAL BY THE SENATE



CHARLES SWAYNE, UNITED STATES JUDGE OF THE NORTHERN DISTRICT OF FLORIDA.

13, to which representative Democrats from all parts of the country will be invited. Replies already have been received from 400 persons.

A committee has been appointed to visit Washington this week to deliver in person an invitation to various Democrats of National importance. Governors Douglas, of Massachusetts, and Johnson, of Minnesota, both have promised to speak. Dr. David R. Francis, of St. Louis; Senators Raynor, Carmack, Daniel and Bailey have promised to be present.

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MAKE NO INCREASE

Senate Sets Limit on River and Harbor Funds.

FULTON TOLD PLAIN FACTS

Burton Says if Senate Makes Increase, House Will Knock Them Out—No Hope for Tacoma Waterway Scheme.

OREGONIAN NEWS BUREAU, Washington, Feb. 27.—In view of the determination of the Senate commerce committee to make few amendments to the river and harbor bill, and inasmuch as it is probable that most of the increases made by the Senate will be stricken out in conference, there seems to be a good prospect at this late date that the river and harbor bill will pass before adjournment. In fact, most Senators now feel confident that the bill will pass in substantially the form in which it was originally reported to the House.

It was found today that there is absolutely no hope of securing increases in any appropriations for the Columbia River or for Oregon improvements. Senator Fulton had a hearing before the committee this morning and asked for \$150,000 increase in the cash appropriation for the mouth of the Columbia. The committee indicated that it would not make any increase. Later, when Fulton talked with Chairman Burton of the House committee, he was told very flatly that in case the Senate did increase any appropriation for the Columbia River, the House would knock it out.

This makes the outlook hopeless, so far as increasing any appropriations is concerned, and it is equally hopeless that any new Oregon items will be added. In fact, there is every prospect that the various additions to the bill for Washington improvements secured by Senator Foster

Goods Bought Today Charged on March Account

Club "A"—Contains 157 pianos which sell regularly at from \$225 to \$325. Price to club members \$17 to \$22. Payments \$3.00 down and \$2.50 a week.

Club "B"—Contains 22 pianos, selling regularly for from \$275 to \$375. Club members can get them from \$18 to \$23. Payments \$1.50 down and \$1.00 per week.

Club "C"—In all 208 pianos priced regularly at from \$50 to \$100. To club members they are for from \$27 to \$38. Payments \$2.00 down and \$2.00 per week.

Club "D"—Includes 154 of the most costly American upright pianos, selling regularly at \$500. Prices to club members \$312 and up. Payments \$20.00 to \$25.00 down and \$15.00 per week.

Club "E"—Membership 141, costliest grands and uprights in special styles, all of them regularly priced at over \$1,000. Average saving on these to club members \$147. Payments \$30.00 to \$60.00 cash and \$3.00 to \$5.00 weekly.

Club "F"—A miscellaneous collection of old pianos, manufacturers' samples, discontinued '94 catalog style of Chickering, Webster and Kimball; also numerous instruments taken in exchange for new Chickering, Kimball and other of our popular pianos. Prices \$10.00 down and \$1.75 weekly.

dent today to present the name of B. D. Whitson as the candidate for the office of the new Eastern Washington District. The formal endorsement of Whitson by the Washington delegation will not be presented until March 4.

BURTON DEFEATS HEMENWAY. Personal Victory for Ohio Man, Chairman Being Twice Reversed.

WASHINGTON, Feb. 27.—With a handful of Republicans, aided by the Democrats, Representative Burton, of Ohio, today gained complete control of the House and forced its amendment to the sundry civil appropriation bill, requiring the use of granite in the construction of the public building at Cleveland, his home town.

Chairman Hemenway, of the appropriations committee, had put to rest the unusual spectacle of being twice overruled on an appeal from his decisions. The amendment, which was introduced by Burton, had exhausted unsuccessfully every means at his disposal to check the tide against him. In order to adopt the amendment, it was necessary to revert to a page of the bill already passed over, a procedure also unusual.

Burton Defeats Hemenway. Seeing that he had been outflanked by Burton, Hemenway several times sought an adjournment after the bill had been reported to the House for final action, but his motions were voted down. So clearly were he and his followers in the minority that Hemenway interrupted a roll call to move the passage of the bill, which was carried by a vote of 145 to 77.

Earlier in the day the conference report on the Army appropriation bill was passed, and a number of measures pertaining to the District of Columbia were passed.

When the House met, the regular order was the consideration in committee of the whole bill relating to the District of Columbia.

The proceedings later were interrupted by a message from the Senate announcing the passage of the House bill, which was carried by a vote of 145 to 77.

Hemenway (Rep., Ind.), chairman of the committee on appropriations, reported the general deficiency appropriation bill, the last of the great supply bills to be reported at this session, following which the House will adjourn.

The conference report on the Army appropriation bill then was agreed to, which passed the measure.

The sundry civil appropriation bill then was taken up, the pending amendment being by Senator Fulton (Ga.) to increase \$50,000 the bill for topographical surveys.

Following a plea by Hemenway for economy, Williams (Miss), the minority leader, severely arraigned the administration for having abandoned the Monroe Doctrine. The way to economize, he said, was to stop "your miserable, Oriental, colonialist foolishness."

The United States should stop sending men-of-war to assist in establishing receivers for South American republics, he declared, and was deserved for a "new Roosevelt" doctrine that is bent on being the guide of the American people in their dealings with the world.

and means the sending of American boys to be the lower end of the stick as policemen to collect debts for European speculators.

Hemenway twitted the Democrats with the fact that, notwithstanding the fact that the House had elected a President was treading on dangerous ground "by appointing receivers for South American republics," they were now going to get up to the White House to approve of Roosevelt's election.

The amendment was adopted by 120 to 87.

On a point of order by Bartlett (Ga.) the House struck out the provision appropriating \$200,000 for an Army general hospital, to be located in Washington.

The provision to substitute for existing commissions in charge of the several military parks a commission of members having all the powers and duties of the former board of parks was stricken out on a point of order.

An echo of the Swayne impeachment case was heard when various amendments were offered to put restrictions around the \$19 a day limit allowed for expenses of District Judges, but all such were ruled out on points of order coming simultaneously from members on both sides of the chamber.

The reading of the bill was concluded. The refusal by Hemenway to accede to a request by Burton (Ohio) to return to the provision relating to the Cleveland public building caused the latter gentleman to lead a successful fight against the committee's rising and favoring reporting the bill. He had the support of many Republicans and the entire Democratic strength. He renewed his motion, but was opposed at every turn by Hemenway, who contended that the rules forbade such action.

The situation presented a new question of parliamentary procedure, but the chairman in an exhaustive opinion ruled against Burton, who immediately appealed from the decision. By a vote of 71 to 59, and amid Democratic applause, the decision of the chair was not sustained.

The paragraph then was returned to, and Burton offered an amendment providing for the use of granite in the construction of the building. Following a prolonged discussion, the chair sustained a point of order against the Burton proposition. Burton again appealed from the decision, but pending action on his motion Hemenway moved that the committee rise, but that motion was lost, 15 to 100. By a vote of

Lipman, Wolfe & Co. Embroidery Sale Continues. Hundreds of women came here yesterday for their share of the embroidery bargains told about yesterday. Embroideries 24c, 29c, 37c, 47c.

"Dollar Sale" of Silks Continues. This is the most comprehensive showing of Silks at a dollar Portland has ever known. Spring Dress Goods Sold Underprice. 50c For new Mohair Brillantines, navy blue, black, brown and myrtle, with white pin dots. 60c For new Illuminated Mohair Brillantines for shirt-waist suits. 85c For new Illuminated Mohair Brillantines for shirt-waist suits.

New Cotton Taffetas at 15c. The cotton goods manufacturers have simply surpassed themselves this season. Never was their textile knowledge and art put to better use. Lipman, Wolfe & Co.

45 to 59 the chair once again was not sustained. The Burton amendment finally was adopted, 115 to 47.

The bill was then reported to the House with a favorable recommendation, but it was not accompanied by a motion to pass the bill, but instead Hemenway moved to adjourn, which the House refused to do. In announcing the vote, Speaker Cannon produced loud laughter by declaring that "the does not only made the most noise, but got the most votes."

Burton and followers forced the yeas and nays on the motion to adjourn. In the midst of the roll call which Hemenway, seeing the necessity of necessary supporters, moved to vacate the call and also his motion to adjourn. This was agreed to, the action immediately being followed by motion of Hemenway to pass the bill. Applause greeted the motion, and the bill was passed without a dissenting vote.

LOSS IS THREE TO SIX MILLIONS. Illinois Central Will Rebuild New Orleans Docks Larger Than Ever.

NEW ORLEANS, Feb. 27.—Complete figures of the loss involved in the destruction of the Stuyvesant docks of the Illinois Central Railroad, it was announced by the local officials of the company, will not be available until an inspection of the docks of the dock is finished. Fortunately, all these were saved. The value of the wharves, sheds, warehouses, elevators and trackways is known roughly, but the number of cars and the quantity of merchandise destroyed cannot be given until the inspection is concluded. In the meantime, estimates of the loss vary between Superintendent Dunn's figures of \$3,000,000 and General Freight Agent Perkins' aggregate of \$6,000,000.

The ruins of the fire smoldered all day. Including the Crescent ice plant, the police have compiled a list of approximately 40 buildings, mostly occupied by laborers, which were destroyed, with an estimated loss of \$100,000. Earlier estimates of the damage to shipping were modified today, the principal sufferer being the Leyland Line Indian Head, on which the loss is \$500.

The Illinois Central Railroad announced today that as soon as the ruins cool forces will be put to work to clear away the debris, and the Stuyvesant docks and elevators will be rebuilt promptly on a more elaborate and substantial scale than before.

DENIES JEWELS ARE SMUGGLED. Mrs. Chadwick Challenges Customs Collector to Prove It.

CLEVELAND, O., Feb. 27.—The Plain-dealer tomorrow will say: Mrs. Cassie L. Chadwick has given out her side of the investigation that Customs Collector Leach has been carrying on for the past few weeks. Mr. Leach has taken possession of many thousands of dollars worth of stuff that once belonged to Mrs. Chadwick, and has thrown on its present owners the burden of proof that Mrs. Chadwick paid duty on the stuff when it was imported.

"If any one has turned property over to Mr. Leach at his demand, they have acted very foolishly and in ignorance of their rights," declared Mrs. Chadwick. "There is not a dollar's worth of stuff I ever owned that was 'smuggled' into this country, and the people who now have anything I ever had ought to bear this in mind and refuse to allow Mr. Leach to seize the property."

"If Mr. Leach has obtained any jewelry in the East, it is jewelry that I sacrificed as security on loans made in the years 1902 and 1903. At that time I made several large loans in the East, and secured them strongly with personal jewelry as collateral. Subsequently it developed that the men from whom I had borrowed the money demanded such exorbitant commissions that I forfeited the security rather than pay them their utterly unjust fees."

"It will make this offer to Mr. Leach. If he will go into any court in the land and prove that one single dollar's worth of the property he has seized was smuggled by me, or for me, I will plead guilty to every single one of the multitudinous indictments against me."

Mrs. Chadwick was equally vehement in denying the rumors that she has a fortune somewhere in the old country.

Move to Quash Chadwick Indictments. CLEVELAND, O., Feb. 27.—Attorney Dawley, counsel for Mrs. Cassie L. Chadwick, sprang a surprise on the Government this afternoon by filing a motion to quash the indictments against her. Mrs.

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