

DEATH OF FIVE BABIES IN HOSPITAL PROBED

**WORN BUT GRIM,
REED CONTINUES
SENATE BATTLE**

All-Night Session Runs
Through Day in Fight
Over Election Probes.

By United Press
WASHINGTON, March 3.—Worn to exhaustion from twenty-four hours continuous session, but still obdurate, Senator James A. Reed (Dem., Missouri), successfully repelled attacks in the Senate today to displace his resolution authorizing investigation of Republican elections.

Senator David A. Reed (Rep., Pennsylvania), today threw the Senate into consternation with presentation of the credentials of Senator-elect William S. Vare (Rep., Pennsylvania).

Reed played the trump card in his fighting game against the Democrats by offering new credentials of Vare issued several days ago by Governor John S. Fisher of Pennsylvania. He admitted he had buried in his desk drawer credentials issued several weeks ago by former Governor Pinchot of Pennsylvania, suggesting Vare had been only "apparently" elected. The intimation was that the election was fraudulent.

The presentation offered a new dilemma for Senators in the most complicated and dramatic legislative battle of recent years—a battle raging uninterrupted since 11 a. m. yesterday.

Senator Reed, Democrat, refused to permit reading of the credentials, and intimated he might move to refer them to the Privileges and Elections Committee. If he made this motion, however, it might lead to debate which would in the end enable Republican filibusterers to kill his resolution and all pending legislation.

Sleepy-eyed Senators voted at 9:30 a. m. 33 to 24, to continue to consider the Reed resolution rather than take up the deficiency appropriation bill, although final adjournment of Congress was only twenty-six hours away from the deadlocked Senate.

The battle proper started at 6:10 last night, when the Senate passed the Andrews prohibition reorganization bill by a vote of 71 to 6, thereby killing the wet filibuster against that measure.

Upon Senator James Reed's motion the Senate then took up the primary resolution by a vote of 53 to 24.

Motions to adjourn and quorum calls were frequent up to just before midnight, when Senator Cameron (Rep., Arizona), obtained the floor and delivered a three-hour oration on various subjects, including almost everything but the Reed resolution. He was the first of the Reed resolution filibusterers to make a long speech in the attempt to kill time to prevent a vote on the plan.

Cameron's voice gave out at 1:30 a. m. and Senator Goldwater (Rep., New York), another of the filibusterers, then took the floor and held it sporadically until 5 a. m.

At 6 a. m. Senator Cole L. Blease (Dem., South Carolina), who furnished comedy relief from the grim all-night battle, held the floor and read the sleepy Senate an extra-oral lecture on parliamentary law.

**DEARTH HIRES
ATTORNEY HERE**

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will consider the legal phases further, but will take no action until the impeachment charges are presented to the Senate.

Following the conference, the Dearth party returned to Muncie. No judge in Indiana has been impeached since 1835 and the board of managers will study the proceedings at that time as precedents for the course of action.

The vote to impeach Judge Dearth for suppression of the press and the irregularity of jury panels was so emphatic that the board of managers will use unusual zeal and carefulness in the preparation of the articles of impeachment, so that no technicality may block a complete trial before the Senate on the truth or falsity of the charges.

No trial can be held before ten days' notice. If the articles are filed Thursday, it is not probable that trial will be fixed before March 15, with the Senate recessing until that time to resume as a trial court.

The board of managers of the impeachment are also impressed by the fact that this is the first time any judge has been impeached on the direct charge that he had used his power to set aside the bill of rights.

Broad Question Arises

Other impeachments, in State legislatures and before Congress, have been based upon charges of personal gain from official acts or upon personal conduct incompatible with the dignity of courts. The Dearth impeachment re-raises the broad issue of the inviolability of the Constitution and the power of the people, through the Legislature, to safeguard the Constitutional guarantee of free speech.

The report of Judiciary A Committee to the House upon which Dearth was impeached follows:

This committee held a public hearing in the chamber of the House of Representatives Monday evening, Feb. 28, 1927, and considered the petition introduced by Representative John W. Scott on behalf of certain citizens of Delaware County, Indiana.

Many witnesses came before this committee and presented statements in support of the charges made in this petition. Clell Maple, a manufacturer of Muncie, Ind., stated that Circuit Judge Clarence W. Dearth had told him personally that he would procure a grand jury which would report to him on such facts

*Made Speech for
Impeachment*



46 ENDANGERED AS CRAFT DRIFT

Barges and Light Ships
Helpless in Atlantic Storm.

By United Press
NORFOLK, Va., March 3.—Two barges, two lightships and the steamer City of St. Louis with forty-six men are adrift near the Hatteras shoals as the result of the fierce northeaster which swept the Atlantic coast yesterday, according to reports reaching here today. The British steamer King David last night went aground off Cape Henry. Later she was floated under her own power.

The Firmore, bound for Baltimore from Dauphin, reported by radio that she was ashore and asked for assistance, but her position was not given and has not been reported.

Other vessels sending distress signals were the Sulanero, out of San Pedro for Newark, N. J., and the Maracaibo, for New York from Curacao. At noon today coast guard headquarters had no reports as to safety of the vessels.

By United Press
HAMPTON BEACH, N. H., March 3.—A small hotel and one cottage were swept into the sea shortly before noon today by an abnormally high tide that swept over the sea front boulevard.

SNOW COVERS NORFOLK

Virginia City Visited by Heaviest
Fall in Twenty-Two Years.

By United Press
NORFOLK, Va., March 3.—Norfolk was snow-buried today. The fall was unparalleled in twenty-two years and traffic was disturbed.

Francis A. Shaw, president of the Munroe Bar Association, read to this committee his own written notes of an incident in the courtroom of Judge Dearth when a large number of newsboys were taken from the streets and brought before the judge. The judge at that time told these boys that the papers taken from them would not be returned to them. He ordered each boy to give his name and address to the sheriff and release them with the threat that any further sale of the

newspaper would result in the being brought before him as a juvenile judge and placed upon probation. The only reason given by the judge for the arrest of these boys and for the confiscation of those newspapers was that the papers so confiscated contained a slanderous article concerning himself and one John Hampton, mayor of Muncie.

Police Used

That these boys had been arrested upon the streets by policemen acting under the orders of the said Judge Dearth and that their papers were confiscated by the sheriff acting upon the judicial order of said Judge Dearth.

Mr. Shaw further testified concerning irregularity in the drawing of juries which had resulted in miscarriage of justice. He stated that he had seen the said Judge Dearth instruct the grand jury to return a bill of indictment against him, he faced trial before the Senate on the impeachment charges of the said Judge Dearth.

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