

BRANDT CASE LOOMS LARGE

Prisoner Sentenced to 30 Years May Be Pardoned and Trial Judge Moved From Bench

SUBJECT OF SWEDEN IMPRISONED UNJUSTLY If Dix Doesn't Free Schiff's Former Valet, Diplomats May Invoke Federal Court Action.

New York, Feb. 13.—Folke E. Brandt, former valet of Mortimer L. Schiff, the banker, was brought here from Sing Sing this morning before Supreme Court Justice Garard on a habeas corpus writ, to determine whether the valet was illegally sentenced to 30 years term in the Clinton prison for burglary. The attorney general will ask the dismissal of the writ so the governor can review the case. The latest report is that Gov. Dix will pardon Brandt before the week is out, and feels now that he has been imposed upon; that the pardon will be followed by an investigation on the part of Attorney General Carmody to determine whether improper influences were used in sending the former servant of Mortimer L. Schiff to Clinton prison for thirty years on a plea of guilty for thirty which such record as there is of the case does not show he committed—burglary in the first degree.

Justice Gerard reserved decision and pending the decision whether he was being illegally restrained of his liberty, Brandt was remanded to the Tombs. The court room was crowded during the hearing. Among the spectators were Mrs. Schiff and Mrs. W. K. Vanderbilt.

On top of what will be, it is expected, a recommendation from the governor to the senate that Judge Rosalsky, who sentenced Brandt, be removed from the bench. Very likely the attorney general will make such representations to the governor as will lead the chief executive to move against Judge Rosalsky. The constitution requires a hearing in such a case.

Gov. Dix is described as acting under the conviction that he was deceived and misled by persons in whom he had confidence. In that opinion he is supported by the attorney general to whom the governor has referred all the papers in the Brandt case and who has already detected a number of what appears to him to be suspicious circumstances. The attorney general believes that the courts have been misled.

Plea of Prisoner Changed. The habeas corpus has been sued out by Brandt, said M. L. Towns, attorney for Brandt, "upon the theory that he was sentenced without a trial and without a plea. The record shows that on March 22, 1907, he pleaded not guilty and was represented by counsel. Six days later, on March 28, there was a stamped entry on the indictment which was without explanation—'Pleads guilty.' There is nothing to show that Brandt changed his plea. The record on March 28 doesn't show that he was represented by counsel. I claim that the record doesn't show any plea or if it shows anything shows a plea of not guilty. Judge Rosalsky had the man sworn and proceeded to examine him. The record discloses that Brandt denied that he broke into Mr. Schiff's house. He said positively that all the doors were open. The examination shows that he didn't steal anything. It shows that he never intended to hurt Mr. Schiff. He admits that at one time he struck Mr. Schiff, but I say the record doesn't show that he struck him with a bowling pin. The record shows that Mr. Schiff was so calm and self-possessed that he sat down and conversed with Brandt for three-quarters of an hour—from 10:30 p. m. to 11:20 p. m. At the end of the conversation Mr. Schiff, alone, escorted the man to the front door after giving him \$50.

"I shall claim that these facts negate any conclusion on the part of the judge that Brandt pleaded guilty to burglary in the first degree. It was the duty of the judge to take his statement as well as his plea and find if they were reconcilable. His statement was uncontradicted. The judge failed to shake his story in any important particular.

HILL QUESTIONED AS TO ORE LEASE

Great Northern Man a Nonchalant Witness Before Stanley Committee.

Washington, Feb. 13.—James J. Hill told the Stanley steel trust investigating committee that the bureau of corporation's report compiled by Commissioner Smith on ore values was not worth reading. Hill had concluded it was valueless.

"There was a time years ago," Hill testified, "when these entire ore lands would not have brought \$1,000,000. That would be no criterion for establishing present values. Fifteen years ago Smith had figured on fixing a minimum rate of 25 cents a ton." Hill said he knew of some people who had paid as high as 50 cents a ton on ore leases since the steel corporation went into the field.

J. J. Hill, chairman of the board of the Great Northern railroad, told the Stanley steel trust investigating committee yesterday a story of himself in the role of philanthropist to the stockholders of the railway company. Mr. Hill told how he had bought properties for more than four million dollars, turned them over for that amount to the Lake Superior company, limited, as trustees for the railroad stockholders and presented the stockholders with pro rata certificates for the increased value of the property, which accumulated rapidly and amounted to millions.

The railroad magnate was questioned at length regarding the lease of the Superior ore lands to the United States steel corporation for development, a lease which the corporation recently decided to cancel on January 1, 1915. In this land there are estimated to be about 500,000,000 tons of ore which the steel corporation values at \$1 a ton.

"I would not take \$1 a ton for the ore," said Mr. Hill.

"The ore freight rate from the Lake Superior region to the Pittsburgh district, which the United States steel corporation recently reduced to 30 cents a ton, Mr. Hill declared to be the cheapest in the country.

"And it will be still lower," said he. "The next rate will be 60 cents."

"Why did they cut the rate?" he was asked.

"Why, I think the steel corporation just got scared to death," he replied. "That's all there is to it."

Motor Boat Show's Unique Features



INTERIOR OF MADISON SQUARE GARDEN DURING THE MOTOR BOAT SHOW.

PLANS PERFECTED FOR 50 ARRESTS

Whether Alleged Dynamiters Will be Apprehended Today Is Uncertain.

Indianapolis, Feb. 13.—Whether arrests will be made this afternoon in the dynamite case is uncertain. The district attorney admitted that all plans for taking into custody the defendants, numbering about 50, were complete.

The signal to make arrests simultaneously in different parts of the country is now awaited.

A labor leader in Boston, several each in New York, Cleveland and Detroit, at least five in Chicago, one each in Peoria, St. Louis, Kansas City, Mo., New Orleans, Philadelphia, Milwaukee, Hartford, Conn., Buffalo, Cincinnati and about five men in Indianapolis are believed to be among those indicted. Six indictments are said to certain to men living in Salt Lake City and west of there.

PROGRESSIVES TERMED POLITICAL NEURITIS

Taft Manifests Little Sympathy for Advanced Wing of His Party.

New York, Feb. 13.—President Taft brought his celebration of Lincoln's birthday to a close here last night with a political speech to the republican club in which he breathed defiance to the democratic party, declared that it was his belief that the republicans would triumph next November and made it plain that he had little sympathy with those of his own political faith who call themselves progressives but who are "political emotionalists or neuritis."

While at the banquet of the republican club the president received telegrams assuring him that two delegates to the republican national convention from the eighth Virginia congressional district and two more from Alaska all pledged to support him, had been elected. Another telegram assured the president that the Colorado republican state central committee and declared for Taft by a vote of 103 to 19.

Chemical Revision Bill. Washington, Feb. 13.—The chemical tariff revision bill prepared by the democratic members of the house ways and means committee was made public today. It puts the following articles on the free list: Acids, sulphate of copper, borax, charcoal, and bone black, coal tar, and some of its products, sulphate of iron, Paris green, London purple, phosphorus, sheep dip, sulphate of iron, strychnine, sulphur in all its forms, talcum and practically all drugs, such as barks, beans, berries, fruit, dried fibers, roots and the like.

Land Promoters Muzzled Departments, He Asserts

A. Zappone, Disbursing Officer Under Wilson, Says That Everglades Syndicates Caused the Dismissal of Drainage Engineers—J. O. Wright is Scheduled to Testify

Washington, Feb. 13.—A Zappone, disbursing officer in the department of agriculture, testified before the house committee on expenditures in that department of the inquiry into charges today that Florida everglades land promoters were responsible for suppressing government reports on land conditions and for the discharge of two department engineers.

J. O. Wright, Florida drainage engineer, was another scheduled witness.

Roosevelt Will Announce Position Within a Week

New York, Feb. 13.—Theodore Roosevelt today received a letter from eight governors asking him whether he would accept the republican presidential nomination. Col Roosevelt is giving the letter careful consideration he said and added: "I shall reply within a short time, probably within a week. Until then I can say nothing on the subject."

BUSINESS MEN OF SOUTH AT ATLANTA CONVENTION

Nearly 1000 Industrial and Commercial Leaders in Two Days Session.

Atlanta, Feb. 13.—Nearly 1000 business men from all parts of the south are attending the Southern Merchants' convention, which opened this morning. Matters pertaining to commerce and all lines of industry in the southern states will be discussed at the two days' meeting. J. G. Anderson of Rock Hill, S. C., originator of the "Hock Hill plan" of cotton reduction will be one of the principal speakers.

46 ARE DROWNED

Crew and Passengers Lost When Two Japanese Steamer Met in Collision.

Wakanagi, Japan, Feb. 13.—Forty-six members of the crew and passengers were drowned in a collision of two Japanese steamers, the Ryoha Maru and Mori Maru, today.

To Hold Bank Directors Liable. Washington, Feb. 13.—Comptroller of the Currency Murray today announced that he would strictly enforce the law holding national bank directors liable for losses sustained through loans in excess of the legal amount.

President Again in Washington. Washington, Feb. 13.—President Taft returned from New York this morning. The president remained aboard his private car until 4 o'clock, when he was driven to the white house.

SIMMONS' FOES HAVE SETBACK

WHY HANNA TURNED TO PANAMA ROUTE

Cromwell's \$60,000 Campaign Contribution Said to Be Reason for Change.

Washington, Feb. 13.—The relation of William Nelson Cromwell to the proceedings through which the United States paid \$40,000,000 for the French rights to the Panama canal route were discussed before the house committee on foreign affairs yesterday by Henry S. Hall, of the New York World, who has been making a study of incidents connected with the choice of the Panama route over the Nicaraguan route.

Mr. Hall charged that Mr. Cromwell had influenced congress in 1899 to reject the Nicaraguan route after it had been practically selected. Acting for the new Panama canal company, which had acquired the rights of the French builders, Mr. Cromwell undertook, said Mr. Hall, to influence the new Walker commission, then appointed and commit it to purchase of the Panama property.

"Mr. Cromwell persuaded Senator Hanna," said the witness, "to permit him to amend the republican national platform in 1900 in the interests of the Panama route. The words 'an isthmian canal' were substituted for the words 'the Nicaraguan canal' but only after Mr. Cromwell had contributed \$60,000 to the republican national committee of which Senator Hanna was chairman. This \$60,000, Mr. Cromwell later charged up to the new Panama canal company as a necessary expense."

Mr. Hall said that a few months before Senator Hanna had publicly attacked the representatives of the new Panama canal company as attempting to "interfere with legislation." Senator Hanna thereafter, said Hall, took an active part in advocating the Panama route in the senate.

Mr. Cromwell, he declared, prepared a complete draft of the report he wanted made to the senate upon the Panama route and submitted it to Senator Hanna of the committee that passed the legislation.

"Mr. Cromwell's draft was corrected, adopted and signed by the minority," said Hall, "and became famous under the name of the 'Hanna minority report' it was the text book on the Panama side during the debates which followed in the senate."

Cromwell wrote Senator Hanna's speech in favor of the Panama route, if not in its entire, at least in great part.

Washington, Ga., Feb. 13.—After the police had been called upon to quell disorder at the first district republican convention here yesterday, the delegates split into two factions and two sets of delegates to the national convention at Chicago were elected. The majority or "postoffice crowd" did not instruct delegates and only endorsed "the republican administration."

The trouble arose shortly after the opening of the convention, when contests from four counties were presented for action. Delegates regarded as followers of Henry S. Jackson, collector of internal revenue, at Atlanta, precipitated the tumult in attempting to get control of the convention through contests. When finally quieted by the police, the Jackson men, 19 in number withdrew to another hall and elected William James and B. W. S. Daniels as delegates to the national convention.

After the withdrawal of the Jackson men the "post office faction" numbering 22 delegates under the leadership of Henry Blun, Jr., past master at Savannah, settled down to business. Mr. Blun and J. C. Simmons were elected as national convention delegates. A continuation of today's fight is promised at the state convention in Atlanta on Wednesday.

Senators Call Latest Attack on Him by Strangely Elusive Newspaper Correspondent Absurd.

EFFORT TO PREVENT RE-ELECTION IS SEEN

Stories From Mysterious Sources to Effect that Progressives Regard Him with Disfavor.

Gazette-News Bureau, Washington, Feb. 13.

Periodically some man about Washington makes a strong bid for fame by causing to be published his "discovery" that Senator Simmons, even if his party should succeed in getting control of the senate, will not be made chairman of the powerful finance committee, owing to opposition which he would encounter from some of the more "progressive" democrats. Singularly enough these stories, while never fathered by any correspondent from that state, are always given publicity in North Carolina. The One "Jones" referred to by Senator Simmons in a statement given the press, has been let gently but firmly out of the press gallery since his contribution to a Raleigh paper was aired. The other man mentioned, Clifford, could not be located without resort to a search warrant, because neither the keeper of the gallery nor any of the members there, who were questioned, had ever heard of him.

Characterized as Nonsense. The several senators who were approached on the subject when this column was first set in motion, all characterized such talk as sheer nonsense and it goes with the saying that if democrats are fortunate enough to get control of the senate, Mr. Simmons will, in the very nature of the case, become chairman of the finance committee. This will be done, not only because there is no opposition to him, but by virtue of senate rules and regulations, and parliamentary practices, as fixed in their operation as any law of nature.

It will be observed that Mr. Simmons, in his statement, hints at some special inspiration as accounting for the recurrence of this story.

Mr. Simmons' Statement. The senator said: "I have read the story in the Charlotte News from Washington under the name of Roderic Clifford to the effect that there is a movement among progressive democratic senators to prevent my becoming chairman of the finance committee in case we have a majority in the senate in the next congress. Some weeks ago a similar story was published in the Evening Times of Raleigh under the name of 'One Jones.' I do not know either of these gentlemen and I have met no one here who does."

"So far as I have heard, and I have diligently inquired among my colleagues about it, there is absolutely no foundation for this story. I have heard of no such movement, and if there is one it would not succeed."

"If this story is true why is it that the North Carolina newspaper correspondent have not found it out? Why is it that none of the many regular correspondents here have found it out? If it were true it would be so sensational in its character that the papers of the country would carry it, and yet apparently it has appeared in no paper except two papers in North Carolina and then under the name of a non-resident correspondent. Manifestly this is a story for home consumption."

"I do not know who inspired this story. I have been told by a North Carolina newspaper correspondent here that a certain North Carolinian here suggested to him to run a similar story in his paper and he declined because he did not believe it was true."

The concluding part of the Clifford story would seem to suggest that North Carolina should elect some other North Carolinian to the senate in order to prevent a contest "wholly imaginary" in the senate over the promotion of its present senior senator to the highest position in that body ever occupied by a North Carolinian.

What Others Say. The following prominent progressive democratic senators when asked about this story answered as follows: Senator O'Gorman of New York: "Have never heard of such a movement." Senator Smith of South Carolina: (Continued on page 5.)

POLICE QUELL DISORDER IN REPUBLICAN MEETING

Two Sets of Delegates to Chicago Chosen in First Georgia District.

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MY CHOICE FOR PRESIDENT

If I could select the man I would name

Name: Address: Cut this ticket out and mail it to The Gazette-News, or hand it in at this office. If you do not care to write your name on the ballot, you can write it in a registry book provided at the office. Results will be published from time to time and in no case will the name of the voter be given out unless so requested.