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FIVE CENTS

ALL FACTS

Demand that Full Light be Turned on P. O. Affairs

SIMMONS SPEAKS

The Senator From North Carolina Insisted That an Investigation be Made by the Senate—Mr. Platt Contended That the Postoffice Commission Should Ascertain What Was to be Investigated—Several Senators Engage in the Discussion. The House Appropriates \$250,000 to Fight the Cotton Boll Weevil.

Washington, January 8.—Alleged postoffice frauds were under discussion in the Senate today, the subject being opened in a set speech by Mr. Simmons, of North Carolina, who insisted there should be an investigation by the Senate into the charges. Mr. Platt, of Connecticut, denied that the Republicans were trying to cover up any wrong doing in the postoffice department, and said they were simply contending that the postoffice commission should ascertain what was to be investigated.

The discussion was participated in by Messrs. Burrows, Dolliver and Quarles on the Republican side and Messrs. Carmack, Tillman and Teller of the Democratic side.

Mr. Simmons said it was clearly the purpose of the Republicans not to permit any further inquiry into the frauds and scandals of the department. He predicted that when the resolutions came back from the Senate committee, they would be defeated by practically the unanimous vote of the Republicans. It was apparent, he said, that no further investigation would be permitted on the eve of a presidential election.

Mr. Simmons made the point that the frauds exposed by Mr. Bristow in nearly every instance form a civil liability and that government funds which had been wasted should be recovered in a court of law.

Mr. Tillman said that a number of years ago he had asked that rural free delivery boxes be supplied to farmers at cost and that he had submitted a sample box which sold for fifty cents. This box, said Mr. Tillman, was furnished later at \$1.25 and \$1.50 each. He wanted to know whether any investigation of this case had been made.

Mr. Simmons answered that the Bristow report exposed many such cases.

Mr. Simmons referred to former Assistant Postmaster General Heath, and said that there was every reason why an inquiry should be directed to finding out what his connections were with the postoffice scandals. He did not say Perry Heath was guilty, but if he was not connected with the frauds he was surrounded by the most curious set of circumstances that had ever been known. Mr. Simmons also criticized former Postmaster General Smith, because he did not investigate the Tulloch charges. Speaking of Mr. Tulloch's experience in the postoffice department, Mr. Simmons said:

"Who knows but what his dismissal was for the purpose of intimidating employees who might have had information for the exposure of frauds."

When Mr. Simmons concluded, Mr. Platt, of Connecticut, said it had been charged by the Democratic Senators in direct terms that if an investigation is not had, it would be because the Republicans objected to the investigation. He said that such was not the case; that what the Republicans had demanded was that the postoffice committee should conduct an inquiry to determine whether a congressional investigation is necessary.

Exceptions to the Republican position was taken by Mr. Carmack, who said that the Democrats are not agreed to leave the matter entirely to the committee on postoffice and postroads. "We admit," he said, "that Mr. Bristow's investigation was thorough as it went, but we deny that it was elaborate or comprehensive."

Mr. Platt concluded that the committee is to report to the Senate whether an investigation is necessary and Mr. Carmack argued that such an arrangement would leave the entire matter in the hands of the committee. The Senate now, he said, should order an investigation. No course short of this would meet the demands of the situation. He declared that the postmaster general had stood in the way of an honest investigation, and in view of his obstinate opposition and in view of the fact that rottenness had been found in some divisions of the postoffice department, the inference was that there had been corruption in other divisions. For this reason he wanted an investigation and he would have it non-partisan in character.

Mr. Tillman charged that the opposition to an investigation was characterized by partisanship. There was an apparent attempt at congressional smothering. He did not see how honest men could stand up in the

face of public sentiment and try to prevent an investigation, and allow the statute of limitations to prevent the prosecution of the rascals.

Mr. Quarles criticized the remarks made by Mr. Carmack concerning the postmaster general and Mr. Carmack explained that he referred entirely to Mr. Payne's predecessor. In respect to the Tulloch charges," said Mr. Carmack, "I do not think the present postmaster general was as diligent as he might have been. Perhaps he relied too much upon what had been the cause of his predecessor."

Mr. Dolliver said the disclosures of corruption in the postoffice department, instead of convincing him that general investigation is necessary, has had the effect of showing that the business departments of the government have been well conducted. Mr. Tillman asked why it is that the Republicans were so anxious to prevent an investigation. "We are trying to turn the rascals out," said he, "while you are trying to keep them in. You have much to gain by refusing to shed light on the department. We have much to gain by exposing corruption." Before answer was made to the question, Mr. Tillman at the top of his voice propounded another question. "What about those rural free delivery boxes? the man who had that business in charge has not been investigated."

"You can't convince the chief of the rural free delivery service that he has not been investigated," responded Mr. Dolliver.

"No," the inquiry concerning the boxes were confined to boxes for cities," said Mr. Tillman. "And what about Mr. Heath? Bristow says he needs investigating, but you could not connect Mr. Heath of that either, I suppose."

Mr. Dolliver replied that he had read the Bristow report and had found no charge that Mr. Heath needed investigating. Mr. Tillman started to read the references to Mr. Heath and while looking for the place, said caustically: "Well, if he has not been investigated by the report he was tattooed—he is a tattooed man."

Mr. Teller said that the only suggestion of a political purpose in an investigation had come from the Republicans. He said there was a general public demand for the investigation. "It is not made in accordance with the demand," he said, "You will hear such a roar as will make you tremble in your seats."

Further consideration of the investigation resolutions was postponed until Monday, to which time the Senate adjourned.

THE HOUSE.
Washington, January 8.—The House today made available the sum of \$250,000 to be used to meet the emergency caused by the ravages of the cotton boll weevil and other insects and diseases affecting cotton.

The measure had the support of both sides and was adopted without division. The sum is diverted from the half million dollars appropriated last year to eradicate the diseases among cattle.

Mr. Burleson, of Texas, explained that the bill simply diverted money heretofore appropriated for another purpose and did not make a new appropriation. He urged the importance of the passage of the bill to the cotton growing sections, from the history of boll weevil and what it has done.

Mr. Gillette, of Massachusetts, called attention to another insect—the gypsy moth—which had been brought to New England and which he said was equally dangerous and should receive attention with a view to its extermination.

Mr. Roebertson, of Arkansas, spoke for the bill.

Mr. Slayden, of Texas, in urging its passage said he hoped the bill would not be jeopardized by amendments. Mr. Gardner, of Michigan, said he believed it would be establishing a bad precedent to pass the bill.

Mr. Gillette, of Massachusetts, offered an amendment for an additional appropriation of \$250,000 for the eradication of the Egyptian moth.

The speaker sustained a point of order against the amendment and the bill was passed without division. It provides that the sum made available may be expended by the secretary of agriculture in such manner as he shall deem best, in co-operation with state experiment stations and practical cotton growers if the secretary of agriculture shall deem it advisable to meet the emergency caused by the ravages of the cotton boll weevil and other insects affecting cotton.

Pension bills to number of 115 were considered in committee of the whole and passed.

The House adjourned until Monday.

OFFER TO MEDIATE.
Good Offices of United States Tendered to Japan and Russia.

Washington, January 8.—Representative Slayden, Democrat Texas, introduced a resolution in the House today requesting the President to tender the good offices or mediation of the United States to Russia and Japan. The resolution says:

"Whereas, Warlike difficulties are now threatened between Russia and Japan, which countries, as well as the United States, are signatories to The Hague peace convention,
"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, that the President be requested to tender the good offices or mediation of the United States to Russia and Japan with relation to their present dispute, and to remind them, in accordance with The Hague peace convention that the permanent court of arbitration is open to them."

Appointed Special Assistant Attorney General.
Washington, January 8.—Colonel W. Leaken, an attorney of Savannah, Ga., today was appointed special assistant attorney general. Col. Leaken will have charge of important cases for the government in the gulf states.

NOT CERTAIN

Still Chances that Hostilities May be Averted

IN THE FAR EAST

The Diplomats Are Negotiating Over Terms That Can be Agreed On—Russia's Concession to Japan Has A Tendency Toward Bringing About a Peaceful Solution—A Rumor That the Two Fleets Have Met in Collision is Not Credited.

London, January 8.—A special dispatch from Tokio under today's date after recording the arrival of the Russian reply, adds: "Diplomacy has not said its last word and there are still hopes that hostilities may be averted. From the Russian legation it is announced that the negotiations continue."

The Russian ambassador, Count Benkendorff, and the Japanese minister, Baron Hayashi visited the foreign office today and had half hour conferences with Lord Lansdowne, to whom the text of the Russia reply to Japan was communicated.

The British government is continuing its efforts in the interests of peace.

St. Petersburg, January 8.—Mr. Kurino, the Japanese minister, tonight authorized the Associated Press to say that the Japanese government still was doing everything in its power in the interests of peace and that all reports about the sending of troops to Korea were without foundation. Minister Kurino said he thought that the negotiations had made some progress.

Tokio, January 8.—The Japanese government has practically determined to continue negotiations. It is dissatisfied with Russia's terms, but does not feel warranted in issuing an ultimatum or breaking off negotiations and will make another effort to secure their modification before resorting to force. It is anticipated that the discussion will consume a few weeks, during which interim a break of the peace is very improbable.

Paris, January 8.—The Associated Press learns that in the opinion of the French government there is still a chance of avoiding a conflict between Russia and Japan, as a result of a concession made by Russia in her latest note. The dispatches which have come to Paris from all quarters today have been most pessimistic, and the hopefulness of the government is in strong contrast with them.

It appears that Russia's concession relates to the recognition of the preponderance of the interests of Japan in Korea. This has been the crux of the question between the two powers up to the present moment. Just how far the concession goes it is impossible to learn, but the effect in Tokio, according to the information obtained, has been more satisfactory than the press dispatches show and it is believed the negotiations will continue.

Hong Kong, January 8.—A detachment of two hundred and fifty members of the Sherwood Foresters (Nottinghamshire and Derbyshire regiment) forming part of the garrison of Hong Kong, has suddenly been warned to be in readiness for active service. The destination of the troops has not been divulged, but authorities refuse all information on the subject, but it is presumed the troops are going to Pekin or Seoul. The detachment is ready and other transport arrangements have been completed.

London, January 8.—The British home fleet left Portland today for the Spanish coast, after coaling to the full capacity. The fleet will thus be in readiness to replace the channel squadron in the event of the latter being required to fill up vacancies in the Mediterranean squadron, should vessels be ordered thence to the far east.

Seoul, Korea, January 8.—An Italian cruiser has arrived in the harbor of Chemulpo and a German warship is expected there.

The legations are all guarded by detachments of marines belonging to various nations. It is anticipated that in the event of a military revolt the Emperor will take refuge in one of the European legations.

London, January 8.—The Kobe correspondent of the Daily Express sends a scare rumor to the effect that a collision between the Russian and the Japanese fleets has taken place near the Islands of Taushima, in the Strait of Corea. This rumor is not mentioned in any other source, and in view of the fact that the Japanese government is exercising a censorship of all news concerning naval matters, it may be safely disregarded.

CELEBRATED JACKSON DAY

OLD HICKORY CLUB DINES PROMINENT DEMOCRATS.

Philadelphia, January 8.—The principal leaders of the two wings of the Democratic party of Philadelphia were brought together tonight by the old Hickory club which gave a dinner in celebration of Jackson day. Democrats of prominence throughout the State and several members of Congress were present. Letters of regret from ex-President Cleveland, United States Senators McCreary, of Kentucky, and Tillman, of South Carolina; David B. Hill and W. Bourke Cockran, were read. Mr. Cleveland's letter was dated December 25th, and stated that other engagements prevented his attendance. He said:

"Of course I need not tell you how fully I am in sympathy with the objects and purposes of the club, and how fully I believe in the usefulness of its efforts in the cause of true Democracy."

Mr. Hill in his letter said:

"The best interests of the country require a change of administration. The people want sanity, rather than hysteria in the management of public affairs; stability rather than fickleness; honorable diplomacy rather than international intrigue; straight-forwardness rather than fakery, and honesty rather than corruption. With wise counsels, live issues, conservative candidates and unity of action the Democracy can win the contest of 1904."

Senator Tillman in sending his regrets said:

"The sentiment which would propose to the Democrats who will honor the memory of Jackson at the banquet Friday next would be this: 'This Democratic party will live as long as it deserves to, and will command the support of a majority of the people when it shall demonstrate its adherence to the grand principles of the fathers. When we stand for the people and their rights in a manner so unimpeachable that they cannot be misled, the people will support the party in preference to any other. The two wings of the party must flap together if we are to make any progress. We must ignore past differences on matters of policy, but no candidate can succeed who is obnoxious to the south and west, just as no candidate has succeeded who is obnoxious to the east. We must find a man who can command the respect and loyal support of all patriots, and with such a man we will win, because the times are threatening, and all conservative men without regard to party will support such a candidate. Pennsylvania Democrats can not give us any electoral votes. Let them not undertake to dictate a policy or present a candidate who can only revive the bitterness of the past and make success impossible."

Congressman John S. Williams, of Mississippi, who had prepared a speech on "The Principles of Andrew Jackson" was unable to be present, and it was read by Michael Francis Doyle, a member of the club.

WILL BE NEUTRAL.

Asiatic Squadron Will be Ordered to Subig Bay.

Washington, January 8.—The Far Eastern situation was discussed at the cabinet meeting today, special consideration being given the movement of the Asiatic squadron which, it is desired, shall be so shaped as to emphasize the absolute neutrality of this country in the event of hostilities between Russia and Japan. After the meeting it was announced that orders would be cabled Rear Admiral Evans upon his arrival at Guam tomorrow to proceed thence to Subig Bay, it being desired that the American navy shall observe "good sea manners" by not going to Japanese or Russian waters just now.

NOMINATION HELD UP.

Senators Discuss President's Right to Appoint a Minister to Panama.

Washington, January 8.—In the executive session of the Senate today the nomination of W. I. Buchanan to be minister to Panama was discussed for more than two hours, the debate being confined almost entirely to the constitutional right of the President to appoint a minister to the new republic without the co-operation of the Senate.

The point was raised by the Democrats that the position to which Mr. Buchanan was nominated was not in existence when the appointment was made and that the President had no right to create the position except with the consent of the Senate. The Democrats who supported this position were Senators Morgan, Bacon, Bailey, Pettus and Blackburn. Republican Senators almost unanimously supported the action of the President. They declared that he acted wholly within his constitutional prerogatives. The principal arguments on that side of the question were made by Senators Lodge, Cullom, McComas, Spooner, Fairbanks and Allison.

No decision was reached.

NOT SENATOR

Case of Bribery Against Dietrich Comes to End

PRECEDENT SET

The Judge Decided That Dietrich Was Not a Senator at the Time the Alleged Acts Occurred—The Opinion is a Lengthy One and Probably Sets a Precedent—Upon This Decision the Case Against Postmaster Fisher Was Not Pressed—Decision in Driggs' Case Differs from This.

Omaha, Neb., January 8.—The trial of Senator Charles H. Dietrich for alleged bribery, in connection with the appointment of a postmaster at Hastings, Neb., came to an abrupt end today, when the United States circuit court, Judge Van de Venter presiding, decided that Dietrich was not a Senator at the time the alleged acts occurred. The opinion was a lengthy one and is said to be a precedent.

Upon this decision, District Attorney Summers entered a nolle in other cases against the Senator, with the statement that the construction placed on the laws by the court precluded further proceedings against either Senator Dietrich or Postmaster Fisher, both of whom were discharged.

District Attorney Summers stated to the court that the government had not within his knowledge, ever placed a man on trial on what might be termed a technical violation of the law. He said that under the construction placed upon Section 1781, Dietrich had enjoyed the lease but a short time after he had become a United States Senator, that is after taking the oath. He said that although he had received rentals from April 24 to December 2nd, under the clause construction of the section there had been no violation of the law. The property was leased to Senator Dietrich's daughter shortly after December 2, 1901. "I would not," said the district attorney, "ask a jury to return a verdict of guilty against a man under any circumstances unless I believed such a verdict to be in the interest of justice."

The court therefore, on motion of the district attorney, entered a nolle to the indictment, which cleared the docket of the cases against Dietrich and Fisher.

In his opinion Judge Van de Venter said:

"The two houses of Congress, under the constitution are the only judges of who shall sit as members of their respective bodies. The district attorney has admitted that there was no session of Congress from March 28th, the date of the election by the legislature of Senator Dietrich, and December 2nd, the date of the convening of Congress. Until the latter date, there could be no question raised as to his actual membership in the Senate, nor could he qualify before that body until that time. Until then it was not known whether he would be permitted to enter upon his duties as a United States Senator and as the representative of the people of Nebraska before that body."

The opinion then defines the meaning of members elect, ex-members and members of Congress and closes:

"Our opinion, therefore, is that this defendant was not a United States Senator at the time of the acts charged in his indictment, within the inhibition of this statute. The jury is instructed to find a verdict of not guilty."

Immediately the verdict was ordered for defendant, District Attorney Summers announced that he wished to enter a nolle in the case of Jacob Fisher, postmaster at Hastings, explaining his motion by saying:

"If Charles H. Dietrich was not a member of Congress until after December 2, 1901, and the court has held that he was not, then Jacob Fisher cannot be put on trial for or on account of agreeing to pay or paying certain sums of money to him or performing contracts for him during the months from July to October, 1901, under a contract made with him as a member of Congress whereby Jacob Fisher was to be appointed postmaster."

The court made the order.

New York, January 8.—Former Congressman Driggs, who was convicted here yesterday of receiving compensation for aiding in the procurement of a contract with the government, in his defense, set forth that although he had been elected a Congressman he had not taken his seat at the time of the improper transaction. Mr. Driggs' attorney contended throughout that his client was not a Congressman until he had actually taken the oath of office, but the prosecuting attorney maintained that the defendant was a member of Congress from March 4th when the preceding House of Representatives adjourned. Judge Thomas left to the jury to decide whether the term as Congressman had actually begun at the time his question and the jury brought in a verdict of guilty.

MUST WORK SEVEN HOURS

GOVERNMENT EMPLOYEES SHALL LABOR FROM 9 A. M. TO 4.30 P. M.

A Unanimous Decision Reached by the Cabinet — Affects 100,000 Employees Throughout all the Country.

Washington, January 8.—A unanimous decision was reached by the cabinet today that the hours of labor for government employees shall be from 9 a. m. until 4:30 p. m., a half hour of that time being allowed for luncheon. The new regulation will apply only to the executive departments and will go into effect next Monday. Heretofore the departmental hours have been from 9 to 4 o'clock, with a half hour for luncheon. The decision reached today affects not only the employees in Washington, but also those in the departments throughout the country.

The question was raised by appropriations committees of the House and Senate on applications made to them by the heads of several departments for additional clerks. It was pointed out by the committees that the law distinctly provided that employees of the departments should work seven hours a day and that under the present system the government was getting only six and a half hours of labor. The committees urged that as a matter of economy in the employment of additional assistance in the department, the present employees are to be required to work full seven hours. The decision affects 100,000 employees and adds 114 1-2 hours of labor annually to each employees time.

GENERAL GORDON'S CONDITION.

Patient Grows Weaker and at the Last Bulletin Was Delirious.

Miami, Fla., January 8.—General Gordon has rested fairly well today, taking nourishment from time to time. While no decided change had taken place, late this afternoon his condition was not regarded as being so favorable as during the day. He is suffering tonight from abdominal pains, which at times are severe. The physicians are with the patient constantly, relieving each other, but one of them being at all times within easy call.

The following bulletin was issued by Doctors Gramlin and Jackson at 8 p. m.:

"General John B. Gordon has passed a restless afternoon with considerable pain in stomach. Temperature has risen to 102 2-5 with irregular and weak pulse. At this time he is resting more quietly than any time since noon."

The following bulletin was issued at 11 o'clock tonight: "General Gordon's condition: Temperature 101 8-5; pulse 96. Much pain in stomach, restless at intervals. Delirious."

JAPAN BUYS A CRUISER.

An Opcion Secured on the Turkish Cruiser Medjidie.

Philadelphia, January 8.—The Philadelphia Record tomorrow will say:

The Japanese government has secured an option on the new Turkish cruiser Medjidie, now being hurried to completion at Cramp's shipyard. Both the Russian and Japanese governments have been negotiating with the Sultan for the cruiser for a month bidding higher and higher as the war fever increased, until it is claimed the Japanese offered half a million dollars more than the cruiser cost after which the Russians withdrew.

The Medjidie cost about \$2,000,000. Should the sale be made the cruiser will be turned over immediately to the Japanese officers, who are at Seattle awaiting orders from home to proceed to Philadelphia.

THE ACT OF A CRIMINAL.

In Fight for Freedom, Charles Brooks is Killed and Two Keepers Are Injured.

Trenton, N. J., January 8.—Charles Brooks, an inmate of the New Jersey state prison, is dead. Centre Keeper John Fitzgerald has a bullet in his hip and William J. Harney, a deputy keeper is suffering from scalp wounds as the result of Brooks' attempt to escape from the institution today. It will require a post mortem examination to determine whether Brooks died from being shot or from strangulation in an attempt to commit suicide, after he had been taken to the dungeon.

Brooks today was polishing brass in one of the wings when he turned on Harney and struck the keeper over the head three times. Harney was made unconscious and Brooks grabbed the deputy's revolver, started for the center of the prison. Brooks shot Fitzgerald and a number of shots were fired at Brooks by other keepers. He was finally overpowered.

Cuts a Way Through Ice.

Vineyard Haven, Mass., January 8.—Although Nantucket sound is still badly choked with large fields of drift ice, the schooner Childs Harvord which sailed from Boston for Norfolk on the 5th, managed to work her way through and passed here this morning.