

## NOT IN GOOD FAITH

### President's Attitude Toward Rate Legislation

## TILLMAN MAKES A SPEECH

### Charges Against the Railroads to Be Investigated

Inter-State Commerce Commission Directed to Investigate Charges of Discrimination and Combination in Restraint of Trade—Present Proceeding in Congress, He Declares a Stupendous Farce—Mr. Lodge Favors Governmental Regulation of Rates, but Advises Against Radical Action—Reference to the Comparison of Roosevelt and Andrew Jackson.

Washington, February 12.—The Senate today adopted a joint resolution reported by Mr. Tillman from the Senate committee on interstate commerce, which directs the interstate commerce commission to investigate the charge of discrimination and combination in restraint of trade made against the railroads. The adoption of the resolution was preceded by a speech by Mr. Tillman, in which he practically charged that the administration was not proceeding in good faith to secure railroad legislation, because he was not satisfied with the President's advisers. Among these he mentioned Secretary Root and Senator Knox, the former of whom he said was an adviser of the "magnates responsible for the devilment" and the latter of whom had been for years attorney for the Pennsylvania.

Mr. Lodge also spoke at length on the railroad question. He delivered a carefully prepared speech, in which he took a position for governmental regulation of rates, but advised the utmost caution against too radical action. He expressed the opinion that the giving of rebates was practically the only evil existing in connection with the railroad systems of the country.

Mr. Tillman giving the reasons for the inquiry proposed in his resolution, said that he is convinced that evils exist in connection with the railroad system of the country. He said that he had no desire to do injustice to railroads, and he believed they should have a fair return on the money invested. "We find, however, a system of combination instead of the old system of competition, resulting in trusts which are grinding the people to death." He believed there should be a remedy, but added that the present proceeding in Congress is a stupendous farce. "Every paper you read," he said, "brings assurance that the President has won his fight and yet when you examine further you find that the President's two principal advisers are Elihu Root, who has been the closest adviser of the railway magnates of New York, who are at the root of all the devilment, and Mr. Knox, the junior Senator from Pennsylvania, who has been for I don't know how many years in the employ of the Pennsylvania railroad and its closest friend and counsellor.

"When you look further, you find the Pennsylvania railroad at the head of the list of the oppressors of the people." Hence he contended that the people were being "bamboozled" by the talk of protecting the masses against the classes. He confessed that "with such cooks he was inclined to sniff at the dish that is set before us." There was, he declared, much evidence that those charged with the execution of the laws were not sincere because he said they had long been aware of the evasion of these laws.

Mr. Knox was not in the Senate chamber when reference was made to him, but he came in before the South Carolina Senator had proceeded far. He immediately interrupted Mr. Tillman to say to him that he had been entirely mistaken in saying he had been attorney for the Pennsylvania railroad. "I never sustained that relationship either permanently or temporarily, directly or indirectly, at any time during my career," he said. He added that he would not consider such connection at all improper.

Mr. Tillman expressed satisfaction over the denial, saying to Mr. Knox that he would respect him more for the balance of his life.

Continuing the South Carolina Senator said that the three principal lines of road south of the Potomac were in a merger which was controlled by the Pennsylvania and the New York Central.

He then spoke of the conditions in West Virginia, and said that notwithstanding Governor Dawson's predecessor had called attention to the viola-

tion of the law in that state, the attorney general had done nothing about it. The people were, however, becoming aroused.

"Even the poor, besotted Pennsylvania and the Reading, had shown signs of life by adopting a resolution as to the control of the coal output by the railroads as if everybody did not know that the anthracite output is and has been for years controlled both as to quantity and price." He declared the Pennsylvania road to be "the head devil in the whole policy of monopoly," and referring to the Baltimore and Ohio's policy in West Virginia, he said that road had practically told the public that it might "be damned."

He declared that a very strenuous effort had been brought to bear on the President to grant to the railroads the privilege of appeal to the courts where the orders of the interstate commerce commission go into effect. He had even heard that threats were being made that the President must yield. "If he stands firm and does not yield, then I will have more confidence," he added. Mr. Foraker asked Mr. Tillman if he did not believe there should be provision for review by the courts and Mr. Tillman replied that he believed in it if properly provided for. "Otherwise," he said, "the poor devil of a complainant will be bullyragged and dragged from one court to another until he is forced into bankruptcy."

Mr. Tillman confessed that he was not entirely satisfied with the Hepburn bill, and drew from Mr. Foraker the statement that he would not vote for it.

The South Carolina Senator then went on to say that the Senate was under a cloud and should take steps to clear its good name. "The newspaper press associations, however controlled, and I have my suspicions on that point," he said, "have educated the people to believe that Theodore Roosevelt is their only friend here, and the Senate is the supple tool of the corporations unless it takes their 'ipse dixit.'" He then told how the Hepburn bill had been gotten through, saying that the President had said to the representative whose name the bill bears: "Here, Pete, take it and get it through," and that the latter waddling about through the words of the bill had sworn that there were things in it which are not, and that there are not things in it which are there.

Why shouldn't he be suspicious?" he asked. He declared that the bill had a loophole in it that a freight train might be driven through, and added: "You'll never stop the devilment till you put some millionaire in prison and put the stripes on him."

He said that he had asked the interstate commerce commission to make the inquiry called for by his resolution because, for one reason, the Senate has not the time and because "we know better how not to do it than anybody on God's green earth."

He then proceeded to give reasons why he thought the President could not be depended upon to serve the interests of the people. In that connection he referred to former Attorney General Griggs, saying that immediately after retiring from office he had taken the merger case of the Northern Securities Company against the attorney general.

Speaking of Paul Morton, Mr. Tillman said that he had resigned from the navy "with the concession of rebate on him, made by his own mouth and the proof hanging over him."

"He is promoted," Mr. Tillman continued, "and made head of the great insurance organization in New York which has been made the stamping ground for as dirty a lot of thieves as ever walked God's green earth. And they sent a man with this clean record and put him in charge of these scores of hundreds of millions which are the savings, so to speak, of widows and orphans who have policies in that company."

"Yet, here we go," he went on, "the White House is immaculate. I do not doubt Theodore Roosevelt's integrity and patriotism. As I stated the other day, he is monstrously persuaded by some people who get around him and honeyfuggle him with flattery. Whatever their methods may be, he stands by his friends. He gave Morton a certificate of government character."

Mr. Tillman then referred to a dinner recently at the White House, to the executive committee of the Republican national committee and said:

"The President has been elected nearly a year and a half and never has it been found necessary or desirable to bring these friends of his, these great and tried lieutenants and counsellors in his last race for the Presidency to dine with him. The inevitable conclusion in my mind, at least, it ought to be if it is not, is that these people were brought together to confer how the money could be raised to help poor old McCall out of the bog into which he has sunk and refund \$148,000 which he stole from the policyholders of the insurance company and contributed to the campaign funds of the national Republican committee. For surely this man McCall is not going to be left in the lurch and run the risk of bankruptcy or of being sent to the penitentiary because of the fact that his love for the Republican party got him into this trouble." He closed as follows:

"The other day somebody here made an allusion to the comparison between Andrew Jackson and President Roosevelt. Let us look at it. Andrew Jackson never put Nicholas Biddle in his cabinet. In his fight against the money power he fought to the bitter end. He used no blandishments, he used no bludgeon. The President had no need for any campaign fund, but his lieutenants did. Mr. Bliss collected it. Mr. Cortelyou spent, Mr. Cortelyou is in the cabinet and, as I said, the trusted friend and attorney of the money power in New York. Mr. Elihu Root—I acknowledge, he is a very

## WHIPPING POST BILL IN HOUSE

### Measure Effectively Disposed of by Vote of 153 to 60

ITS DISCUSSION CAUSES MIRTH

All the Speeches in Opposition to the Bill Partook of Levity—Amendments Offered by Mr. Bartholdt Received With Hilarity—Parker Bill, Requiring the Return of Freight Rebates, Was Passed.

Washington, February 12.—The house today had sport with the bill to establish a whipping post for wife-beaters in the District of Columbia, and then laid it on the table, effectively disposing of it by a vote of 153 to 60.

Among those who voted against laying the Adams whipping post bill on the table were:

Bartlett (Ga.); Brantley (Ga.); Bell (Ga.); Gaines (Tenn.); Houston (Tenn.); Howard (Va.); Jones (Va.); Lamb (Va.); Lee (Ga.); Livingston (Ga.); Pou (N. C.); Rixey (Va.); Small (N. C.).

The most impassioned speech for the measure was delivered by Mr. Hepburn (Iowa) who depicted the brutality of the man who would beat his wife, and declared that to be whipped was hardly adequate punishment. Mr. Adams opened the discussion with a serious speech in favor of the bill. All of the opposing speeches partook of levity, and Mr. Adams received more than one fling because he is a bachelor.

Mr. Sims (Tenn.) opposing the bill predicted that it would get one vote only in the House. While the President, he said, had advocated increased punishment for wife beaters a year ago, he is a year older now, and his last message said nothing about it. He made further point that the report of the local chief of police indicated that "common law wives and other females" received most of the beatings.

"Some one has suggested we amend the bill to apply to wife chasers," he declared further. "I don't know who that would hit." (Laughter.) For five minutes Mr. Stanley (Ky.) made fun of the bill and incidentally took Mr. Adams to task for never marrying. It was, he said, a "brutal measure for brutifying a brute."

All the arguments in defense of the instruments of torture buried one hundred years ago with barbarism, he said, would apply to this bill.

Mr. Gaines (Tenn.) asked what the gentlemen would do if he were to witness a husband beating his wife.

"It would depend," replied Mr. Stanley, "on the husband and on the wife; if he was red headed, even my southern chivalry would not tempt me to interfere." (Laughter.)

Mr. Bartholdt (Mo.) offered several amendments. One to put on the rack a man guilty of non-support of his family; one that a wife deserter should be pinched with red hot tongues; another penalizes every man over 25 years of age who refuses to wife and provides that he shall stand in the pillory, and after six months, if he still refuses, he shall be burnt at the stake. These amendments were received with hilarity.

The Parker bill requiring the return of freight rebates was passed, also a measure relating to court procedure. The rebate bill provides that when a rebate has been received with guilty knowledge it is a violation of law and double the amount is to be returned by the recipient, and half of this amount is to go to the informant. The bill was favored by Mr. Clayton (Ala.) and Mr. Brantley (Ga.)

The House adjourned until tomorrow.

bright and great man and I admire him. But Andrew Jackson never would have taken as a cabinet officer a man so closely allied with Nicholas Biddle in the national banks.

"So we have a condition in this country today which should make every thoughtful man pause to see whether or not it is possible that the members of the Senate have the saving grace and patriotism and regard for their obligations of office, the oaths they took, to take up all these questions relating to the public welfare, this railway rate business, this railway discrimination business, this railway monopoly business, this destruction of private property without due process of law, simply denying the right to ship coal and all that kind of thing."

Mr. Tillman suggested an amendment to prevent public carriers from owning any product or any coal which is to be shipped over their line, "thus relieving us from this infernal monopoly which now oppresses the life blood of Pennsylvania in the anthracite region and is feeding upon the bituminous region of Pennsylvania and West Virginia and the Atlantic seaboard generally, by which the people are held up and men compelled to pay from one to two dollars a ton or more than is just compensation for their coal in order to put more millions and stolen millions in the pockets of Cassatt and his allies."

Mr. Tillman's resolution was adopted without division or opposing vote. The Senate adjourned until tomorrow.

## ANXIOUS THAT CONFERENCE FAIL

### No Likelihood of Agreement Between France and Germany

ON THE AFFAIRS OF MOROCCO

Germany is Given Credit for the Failure—Great Britain Maintains Her Position of Supporting the French Demands—France Will Continue the Policy of Policing the Algerian Frontier.

London, February 12.—While the British government has not relaxed its efforts to bring about an agreement between France and Germany on the question of the Moroccan police, it has given up hope of an amicable settlement. It is expected in official circles that the Algiers conference will break up possibly during the present week, leaving the Moroccan situation where it was before the conference was called. Germany is given the credit for the failure. In fact, it is believed here that Emperor William, realizing that there is no hope of Germany's demands being endorsed by the powers, is now anxious that the conference shall fail. Great Britain maintains her position, supporting the French demands in regard to the police and cannot see any reason for a compromise. Should the conference break up it is understood that France will continue her policy of policing the Algerian frontier, and should serious trouble break out within the Sultan's domains, France will undertake to suppress them, notifying the powers that she cannot allow the disorder to continue as it threatens the peace of her colony. Germany then will be in the position it is pointed out of having either to concede the right of France to police Morocco or issue an ultimatum to the effect that France must not interfere in the affairs of that country.

## READY TO MEET OPERATORS

Miners Have About Perfected the Propositions to Be Made to the Coal Owners—No Inking of Their Nature Made Public.

New York, Feb. 12.—President John Mitchell, of the United Mine Workers of America, who arrived here Sunday night to prepare for the conference on Thursday between the mine workers of the anthracite union and their employers, spent a busy day at the headquarters in the Ashland house, arranging his programme for the meeting. Mr. Mitchell declined to discuss the anthracite coal situation, so far as it related to the miners union, in advance of the meeting with the operators. Neither would he talk of the conditions in the West.

Mr. Mitchell was in conference tonight with the presidents of the three anthracite districts, Messrs. T. D. Nichols, William H. Dettrey, and John Faher, who will take up most of his time between now and Thursday in the work of perfecting the demands or propositions to be laid before the coal fields at a series of meetings these demands were drafted by the three executive boards of the hard coal fields at a series of meetings held last week at Wilkesbarre. No inking of the exact nature of the demands has leader out.

President George F. Baer, of the Philadelphia and Reading Coal and Iron Company, will be here tomorrow. It is understood that while here Mr. Baer will meet some of the officers of the other coal carrying railroads. Mr. Mitchell declined to be drawn into a controversy with District President Patrick Dolan, but said he would make answer at the proper time.

## PENNYPACKER CONFERENCE

Governor Glenn Appoints Delegates to Meet in Washington—Condition of Douglas Olds.

(Special to The Messenger.)

Raleigh, N. C., Feb. 12.—Governor Glenn has appointed George Rountree of Wilmington, D. B. Winborn of Murfreesboro, J. C. Buxton of Winston, J. C. Biggs of Durham, A. B. Andrews, Jr., and F. H. Busbee of Raleigh, delegates to the Pennypacker conference at Washington, D. C., Feb. 19th. The special purpose of the conference is in regard to the establishment of more uniform state laws regarding divorce and extradition matters.

News from Col. Fred A. Olds, at Waco, Texas, is to the effect that his young son, Douglas Olds, suffers greatly with his lungs. He will be taken by Col. Olds to a ranch in west Texas, near the Mexican line.

Hunter Brothers and Drewry Co., at Raleigh, were incorporated for the conduct of department store, with shoes and dry goods as specialties. Fifteen thousand dollars are paid in with authorized capital stock of \$50,000. G. E. and W. R. Hunter and three others are incorporators.

\$75,000 Fire at Texarkana. Texarkana, Tex., Feb. 12.—Fire destroyed half of a city block today, entailing a loss of about \$75,000. The fire originated in the Covington hotel. Bagraiser's saloon, the Pullman building and Ingram blocks suffered from the flames.

## INVESTIGATION OF RAILROADS

Terms of the Joint Resolution Which Passed the Senate Yesterday.

Washington, February 12.—The joint resolution passed by the Senate today for the investigation of railroads instructs the interstate commerce commission to inquire:

First, whether any common carriers by railroads, subject to the interstate commerce act, own or have any interest in, by means of stock ownership in other corporations, or otherwise, any oil, coal or other products which they or any of them, directly or through other companies, which they control, or in which they have an interest, carry over their or any of their lines as common carriers.

Second, whether the officers of any of the carriers aforesaid, or any person or persons, charged with the duty of distributing cars or furnishing facilities to shippers are interested, either directly or indirectly, by means of stock ownership or otherwise, in corporations or companies owning, operating, leasing or otherwise interested in any coal mines, coal properties or any other traffic over the railroads with which they or any of them are connected or by which they or any of them are employed.

Third, whether there is any contract combination in the form of trust or otherwise, or conspiracy in restraint of trade or commerce among the several states, in which any common carrier engaged in the transportation of bituminous coal or other products is interested, or to which it is a party; and whether any such common carrier monopolizes or attempts to monopolize or combines or conspires with any other carrier, company or companies, person or persons to monopolize any part of the trade or commerce in bituminous coal, or traffic among the several states or with foreign nations, and whether or not, and if so, to what extent such carriers or any of them limit and control directly or indirectly the output of coal mines or the price of coal.

Fourth, if the interstate commerce commission shall find that the facts set forth in the three paragraphs above do exist, then that he be further required to report as to their effect upon the general public as consumers of such coal and other products.

Fifth, that said commission be also required to investigate and report: the system of car distribution in effect upon the several railway lines engaged in the transportation of bituminous coal or other products as aforesaid, and whether said systems are fair and equitable, and whether the same are carried out fairly and properly; and whether said systems are fair discriminate against shippers, or parties wishing to become shippers over their several lines, either in the matter of distribution of cars or in furnishing of facilities or instrumentalities connect with the receiving, forwarding, or carrying of coal as aforesaid.

The commission is also requested to report remedies for the evils if they exist, to report any pertinent fact or conclusions and to make the investigation at its earliest convenience.

## READY TO DEAL WITH CHINA

Secretary Root Has Outlined Plan to Protect American Life and Property.

Washington, Feb. 12.—While not regarding an anti-foreign uprising in China as exactly imminent, Secretary Root is convinced that it is his duty to pursue the course he has already outlined for the protection of American life and property in China. He has not hesitated to express this view to his congressional colleagues. Advice from the Orient are disquieting from this fact; that it is clearly established that the Chinese government, while not perhaps actually aiding the development of this anti-foreign sentiment, has not exerted itself to prevent the spread of the anti-American boycott, notwithstanding the publication of numerous proclamations by the viceroys. So Mr. Root will continue to urge upon Secretary Taft the adoption of proper military occasions to meet this policy of preparation for any emergency that may arise.

The troops which were ordered to the Philippines for the purpose of strengthening the forces there in order that this government might be prepared for any eventuality in China, which might demand American troops, are now enroute to the islands, and it was stated at the war department today that the department would be able to take care of them and would have sufficient funds to provide for the increased force in the Philippines.

## FOUR LOSE LIVES IN FIRE

Sweet Busy Commercial District of Portland—Eleven Persons Seriously Injured.

Portland, Ore., February 12.—At least four persons lost their lives in a fire that swept a busy commercial district at the east end of the Morrison street bridge, spanning the Willamette river early today. Eleven persons were seriously injured.

The fire started in the Mount Hood saloon, and consumed that place and the lodging house above it, in which a majority of those killed and injured were sleeping. Twenty two horses, property of the East Side Transfer Company, were destroyed.

Watchman Nathaniel P. Young met death in a heroic effort to save the horses. He made several trips into the transfer company's stables and was finally cut off by the flames. Looking from an upper window, he waved his hands to the crowd below and cried: "Good bye boys, I can't get out this time," and he fell back into the flames. The loss is \$50,000.

## GILLETTE ON STAND

### May Require Several Days to Give Testimony

## IN GREENE-CAYNOR TRIAL

### Tells of His Connection with Work in Savannah District

Major Gillette Cross-Examined by Counsel for the Defense—He Will Be Recalled by the Prosecution to Give Evidence Along Different Lines. Judge Speer Declares That Strict Adherence Will Be Paid Rules Laid Down by Supreme Court for the Examination of Witnesses.

Savannah, Ga., February 12.—A stage of the Greene and Gaynor trial was reached today that proved replete with interest. It was the cross examination of Major Cassius E. Gillette, who for the last two days had been occupying the stand for the government, and had given much testimony relating to his connection with the river and harbor work of this district as done by Greene and Gaynor, the contractors under charges of defrauding the government out of about \$2,000,000.

Major Gillette was cross examined for half an hour by Mr. Osborne, of the defense, and tomorrow will continue upon the stand. In fact several days may be required for the completion of his testimony, as the prosecution has indicated that he will be recalled for further evidence along different lines.

Judge Speer, in order to facilitate the progress of the case, declared that strict adherence would be paid rules laid down in one of the supreme court reports for the examination of witnesses. This, he thought, would reduce the time required as witnesses would not be so frequently recalled.

Major Gillette said on direct examination that up to the time the Edward H. Gaynor contract at Cumberland Sound was let, the submission of three designs of mattresses by the bidders at the same price with the selecting of the kind left to the discretion of the engineer office had never been heard of. Heretofore the plan had been to bid on three designs at one price, with the selection of the kind to be used at the contractor's option. The change from contractors options to engineers option was a radical one, resulting in a great disadvantage to those contractors who did not know what the engineer would choose, and a corresponding advantage to those contractors who did know the price practically cutting off competition.

"Following these changes in the specifications," said Major Gillette after examining several contracts, "the price jumped from \$1.40 per square yard to \$3.50 per square yard. The price of long mattresses more than double at Cumberland Sound and each cubic yard of fascine cost the government \$4.40, whereas about the same character of work was let at \$1.10 under Major Gilmore."

On cross examination Mr. Osborne asked Major Gillette if he ever knew of any contract specifications under which an engineer officer if he were corrupt and so desired, could not impose upon a contractor and cause him embarrassment. The witness answered that he thought he had drawn such specifications. "I am not referring to your specifications, Major, but am leaving Major Gillette out of it," said Mr. Osborne. "Have you ever known of such specifications drawn by others?"

"I have not," answered Major Gillette. Adjournment was taken until tomorrow.

## BOSS SYSTEM IS ON THE WANE

Secretary Cortelyou Addresses Banquet of Lincoln and Young Men's Republican Clubs.

Grand Rapids, Mich., February 12.—At the fourteenth annual banquet of the Lincoln and Young Men's Republican Clubs held tonight, the speakers were Postmaster General Cortelyou, Ambassador Nabuco, of Brazil, Ministers Corea, of Nicaragua, Walker-Martinez, of Chile, and Quesada, of Cuba, and Congressman J. Adam Bede, of Minnesota.

Congressman William Alden Smith read a greeting from President Roosevelt which was enthusiastically cheered, the point that received most cheers being the assertion that the American public wanted leaders, not bosses.

Postmaster General Cortelyou declared that the day of the boss in American politics is on the wane, expressed his belief in rewarding party service and in opening the door of opportunity to every worthy aspirant for public station and said:

"Our political campaign must be conducted upon the high plane of principle, in which the fullest discussions of politics shall be encouraged, in which misrepresentation and abuses of opponents have no part."