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TILLMAN HATES TO CRITICISE IT

Things He Cannot as Senator Put Up With

EXECUTIVE CONTEMPT

The South Carolina Senator in Charge of Rate Bill Says the President's Ridicule of Coal and Oil Resolution Seems to Charge Him With Ignorance of What He Was Doing When He Offered It.

(By the Associated Press.) Washington, March 12.—Mr. Tillman today addressed the senate in reply to President Roosevelt's message concerning the Tillman-Gillespie resolution instructing the interstate commerce commission to make examination of railroad discriminations in the matter of hauling coal and oil.

The message, which condemned the resolution on the ground that its purpose was not specific, was sent to the desk by Mr. Tillman and was re-read. The president, after signing the resolution, asked that additional legislation be entered into to make it effective. Included in this request was a recommendation that an appropriation be made to carry on the investigation and specific authority be given to the commission to administer oaths and compel the attendance of witnesses.

"I deprecate the necessity of criticizing this most extraordinary document," said Mr. Tillman as a preface to his remarks.

"Fate has enlisted me as an ally of the president in getting an adequate railway rate bill, and I regret very much to have anything come up which would occasion any disruption of the amicable relations that now exist or appear to exist between us."

This statement was greeted with smiles and chuckles from other senators. Continuing, Mr. Tillman said:

"But there are some things that as a senator I cannot put up with patiently."

He said that the executive contempt and ridicule of the resolution seemed to charge that he had been ignorant of what he was doing in offering the resolution.

"Now that is going a great way in a very little while. That is a pretty big contract the president has taken on himself to justify such a sweeping charge," he said.

Taking up the resolution Mr. Tillman said that it was a joint measure and was now a law. He called attention to the fact that both houses of congress had given the subject consideration.

Mr. Tillman then read the resolution and also from the act to regulate commerce and amendments thereto to prove his contention that the commission has the means and authority to carry on the investigation proposed. He added:

"There can be no good reason for the president to scold me in a manner that is almost insulting by charging me with incompetency, profligate and ignorance. The only reason I can see is that he must have been miserably advised. I am not a lawyer—only a farmer—but I have better common sense than that."

Mr. Tillman went extensively into the subject of appropriating money for the purpose of the resolution, declaring that it could be taken care of in the sundry civil service bill. He closed with a protest against the president's "lightly and flippantly" insulting the senate. He said he could pardon many things on account of the great burden of the president and because of his impetuosity.

In reply to Mr. Tillman Mr. Lodge said:

"I have noticed that those most ready in criticism are most sensitive when criticised themselves." He then took up the resolution and said he did not see how the president could treat it other than he did. He said he thought the resolution was of a class passed because of having caught the fancy of a moment. He said that from statements made, quoting Mr. Tillman, it seemed that congress had put itself in the foolish position of re-enacting legislation, that is, if there was sufficient law already to carry on the proposed examination. Several senators participated in the debate, was interrupted at 2 o'clock when the house railroad rate bill was laid before the senate.

Mr. Critcherson was recognized to speak on the railroad rate bill.

TOBACCO MEN MUST ANSWER

Federal Grand Juries Under Anti-Trust Law

BROWN WROTE OPINION

Origin Was a Suit by Government Against American Tobacco Company, McAndrews and Forbes Company and the Imperial Tobacco Company—Questions as to Existence of Trust.

(By the Associated Press.) Washington, March 12.—"The tobacco trust" cases, involving the rights of witnesses to refrain from testifying before federal grand juries in proceedings under the anti-trust law, were today decided by the supreme court of the United States against the witnesses. The cases grew out of proceedings for writs of habeas corpus instituted in the circuit court of the southern district of New York, whose decision was affirmed. The court held, however, that the subpoena in this case was too broad.

The titles of the cases were: Edwin F. Hale versus United States Marshal Henkel and William H. McAllister versus Henkel, and both came to the supreme court on appeals from the United States circuit court of the southern district of New York.

These cases involved the broad question of the right of a federal grand jury to compel witnesses to answer questions, and as this question has recently arisen in many of the federal courts, the decision in this case has been looked forward to with much interest.

The present proceeding had its origin in connection with a suit of the government against the American Tobacco Company, commonly known as the tobacco trust, the McAndrews and Forbes Company and the Imperial Tobacco Company, under the anti-trust law, which was instituted in the circuit court of the United States for the southern district of New York. Hale & McAllister are officers of tobacco companies and when called to testify before the grand jury, relative to the existence of the so-called trust, they refused to answer questions or to produce their books. They were committed for contempt of court and sought to escape by means of writs of habeas corpus. Their writs were refused and the case was brought to the supreme court by the defendants.

In the hearing they attacked the jurisdiction of the grand jury and contended that at the time they were before the jury there was no action pending against the tobacco companies. The jury's right to compel answers was questioned on the ground that in the investigation it was making no specific charge against any particular person. They also attacked the constitutionality of the act of February 25, 1903, granting immunity to witnesses in anti-trust cases.

Justice Brown delivered the opinion of the court.

BIG PIANO PLANT BURNED.

(By the Associated Press.) Easton, Pa., March 12.—The piano and organ factory of H. Lehr & Co. was destroyed by fire during the night. Two dwelling houses were also destroyed. It is not known how the flames originated but at about 1.30 a. m. the watchman heard an explosion in the engine room, and when he reached the department of the works the place was in flames, and he was driven back when he attempted to use a chemical extinguisher. The loss will reach \$75,000 partially insured.

INDICT MANN FOR PERJURY

(By the Associated Press.) New York, March 12.—Colonel William D. Mann, editor of Town Topics, was today indicted for perjury by the grand jury. The indictment was based on his testimony in the recent trial of Norman Hayward, editor of Collier's Weekly, on a charge of criminal libel.

Morgan Sees Pope.

(By the Associated Press.) Rome, March 12.—The pope today received in a private audience J. Pierpont Morgan, H. B. Hollins and Miss Hollins, all of New York.

A UNION CEMETERY AFTER TRUST

Big Plot to be Reserved for Members of Unions

INDEPENDENT PROTEST

Producers Charge That There is Discrimination in Favor of Standard Oil and Interstate Commerce Commission Begins an Investigation—Statement Filled With Garfield Evidence.

(By the Associated Press.) Chicago, March 12.—A movement has taken shape looking to the establishment of a "union" cemetery, and within a month or two a plot of ground large enough for 5,000 graves will be reserved strictly for unionists. No other persons may be buried there.

The joint cigar makers' unions of the city have appropriated \$15,000 from their treasury to carry out the scheme. They do not intend to keep the cemetery for the benefit of members of their own trade only, but will throw open the gates of the burying ground to the other unions of Chicago. It is expected that the rest of the 150 labor organizations of the city will join in the plan.

RESCUE WORK IS SUSPENDED

Engineers Fear Another Explosion in Pits

VENTILATE CHAMBERS

Mine Company's Latest Estimate Places the Number of Dead at 1,000—Necessary for Mounted Gendarmes to Keep Back the Crowds of Relatives Today, to Prevent Disorder.

(By the Associated Press.) Paris, March 12.—All rescue work has been suspended at the Courrières pits, where over a thousand miners lost their lives on Saturday, owing to the danger of gases and the emanations from decomposing bodies.

The engineers fear another explosion, and therefore they ordered up the relief gangs at 11 o'clock this morning. The engineers will attempt to ventilate the chambers before attempting further rescues. If the results are satisfactory work will be resumed tonight, but it is probable that no further efforts will be made until Wednesday, as Tuesday will be devoted to funerals. The mine company's latest estimate places the number of victims at 1,050.

A serious disorder was threatened today owing to the persistence of relatives who wanted to see the bodies of the dead in hope of identifying them. The authorities promised to admit them in groups of twenty-five but the delay made the parents impatient and they rushed at the doors. A scene of great confusion followed, but mounted gendarmes eventually forced back the crowds and order was restored with difficulty. When the relatives obtained admission a sorrowful spectacle was presented as in groups of twenty-five they searched the blackened bodies. A number of identifications were made and the bodies were taken home. The houses of the dead are marked with rough black crosses decorated with simple floral devices.

THINK ROCKEFELLER IS IN NORFOLK.

(By the Associated Press.) Norfolk, Va., March 12.—The steam yacht Tuscarora, flying the flag of the New York Yacht Club, arrived here today and is at anchor in the inner harbor off the Standard Oil Company's local pier. There appears to be a deep mystery attached to the yacht's presence here. Further than that the Tuscarora came in the Virginia capes Saturday, steamed up the James River to Jamestown and then came to Norfolk, where she is to fit out for a cruise under charter, nothing will be given out. The vessel occupies the same anchorage as that occupied by the big yacht Kanawha belonging to Henry H. Rogers of the Standard Oil Company when the Kanawha was here some time ago.

TO PUNISH HIS WIFE

Why He Killed Child as Well as Himself

FATHER GAPON IS ARRESTED

On the Eve of Inquiry He Demanded

CONFLICTING OPINIONS

Minister of Commerce Exonerates Him from All Blame, but His Enemies Intimate that He Arranged the Arrest Because He Feared Revelations.

(By the Associated Press.) St. Petersburg, March 12.—Father Gapon was arrested today on the eve of the inquiry demanded by him into the scandal involved in the charge that his labor organization was subsidized by the government.

BELMONT WANTS PURE BALLOT

Says Campaign Funds Demoralize Elections

TAKES UP M'CALL BILL

President of the National Publicity Bill Organization Addressed House Committee on Importance of New Law—Griggs Willing to Publish All Contributions to Democratic Party.

(By the Associated Press.) Washington, March 12.—Perry Belmont of New York, president of the National Publicity Bill organization, addressed the house committee on election of president, vice president and representatives in congress today on the purification of political campaigns by preventing secret contributions. Representatives Cockran of New York, and McCall of Massachusetts, also addressed the committee on the general subject of publicity as set forth in a bill introduced by McCall and supported by the organization of which Mr. Belmont is president.

Mr. Belmont in explanation of the purpose of the McCall bill, said it was drawn to compel the publication of contributions to the campaign funds of national committees with no thought of interfering with state control of state elections. He said many states have passed publicity laws which would be strengthened by a national publicity law.

Mr. Belmont said Mr. Griggs who has just been elected chairman of the democratic congressional committee is willing to publish all contributions he may receive in the approaching campaign. It was urged by Mr. Belmont that the bill is in no sense partisan and has the support of men prominent in all exciting party organizations.

"There has been enough secret purchasing of organizations," said Mr. Belmont.

"There has been enough nullification of speeches and of earnest political work by secret contributions. All parties are tired of it."

SLIGHT WRECK ON E. & O. ROAD.

(By the Associated Press.) Pittsburg, Pa., March 12.—The engine hauling through express train No. 9 on the Baltimore & Ohio Railroad, leaving here at 7:50 a. m. was derailed near Smithton, Pa., and after ploughing alongside the rails some distance overturned. Engineer Frank Cunningham and Fireman Harry Keekland were seriously but not fatally injured. The Pullman sleepers held to the rails and the passengers escaped with a severe shaking up.

REPRIEVE GRANTED LAWYER PATRICK

(By the Associated Press.) Albany, N. Y., March 12.—Governor Higgins today issued a further reprieve until May 15 in the case of Albert T. Patrick whose sentence of death for the alleged murder of William M. Rice the governor had already delayed from January 22 to March 12. The reprieve is at the joint request of District Attorney Jerome and the attorneys for Patrick, in order to allow time to continue the proceedings on the motion for a new trial, now pending in New York City.

KANSAS PUTS ROCKEFELLER CO. ON THE RACK

INDEPENDENT PROTEST

WOMAN KILLED HERSELF AFTER LOVER'S QUARREL

Police at First Were Unable to Get Facts, but Found Later That Mrs. Rogers Committed Suicide Because of Disagreement With a Man.

(By the Associated Press.) New York, March 12.—The police investigation into the mysterious death yesterday of Mrs. Ruth Rogers, a handsome woman 35 years old, resulted today in the finding that she probably committed suicide. The young woman was found dead in a West Eighty-fourth street flat with a bullet wound in the head. John S. Williams, who was occupying a room in her flat at the time and who found the body, was held as a witness. He said he did not see the shooting. A friend of the young woman today told the police that Mrs. Rogers killed herself because of a quarrel with a man with whom she was in love.

DOPE FIENDS IN PHILIPPINES

President Sends Opium Report to Senate

MR. TAFT TELLS OF LAW

Resorts for Chinese in Manila Were Licensed, but Commission Now Has Bill Providing for the Suppression of Smoking—Some Facts About an Industry That Thrived for Years.

(By the Associated Press.) Washington, March 12.—The president today sent to congress the report of the opium commission appointed in 1904 to investigate the use of opium in the Philippines and to suggest means for its regulation. The report itself in outline has already been published in view of the earnest efforts of Christian clergymen and reformatory societies to stop the traffic in opium in the Philippines, and of developments since the publication of the report the letter from Secretary Taft which accompanies the president's message to congress may be of interest.

The letter says in part: "The law in force in the Philippine Islands under the government of Spain made it unlawful for any Filipino to smoke or use opium in any way. It permitted, however, a license to issue for the maintenance of opium smoking resorts, to be patronized only by the Chinese, and police supervision was exercised over the resorts, and any Filipino found there was arrested and punished. The owner of the resort was also punished for conniving at the Filipino's violation of the law. When the American troops entered Manila, and took possession of the islands, the Spanish opium law was not continued in force. A duty was imposed on opium and towns were enjoined to pass ordinances forbidding the establishment of opium dives. Such information as the commission could obtain indicated that the suspension of the Spanish law had led to an increase of the use of the drug among Filipinos. Early in 1903 there was introduced in the Philippine commission for enactment into law a bill following in some respects the Spanish law, especially in the main features, that the sale of opium to Filipinos and its use by them as absolutely prohibited and made a penal offense. It was very vigorously opposed by the clergymen of the city of Manila."

The secretary says the opposition was so strong that the commission tabled the bill and appointed a committee to investigate the measures taken by other governments for the purpose of suppressing the use of opium in oriental countries. The result of this investigation was the adoption by congress of a bill fixing a duty on opium and providing:

"That the Philippine commission or any subsequent Philippine legislature shall have the power to enact legislation to prohibit absolutely the importation or sale of opium, or to limit or restrict its importation and sale, or to adopt such other measures as may be required for the suppression of the evils resulting from the sale and use of the drug; and provided further, that after March first, nineteen hundred and eight, it shall be unlawful to import into the Philippine Islands opium, in whatever form, except by the government, and for medicinal purposes only, and at no time shall it be lawful to sell opium to any native of the Philippine Islands except for medicinal purposes."

The secretary continues: "There is now pending before the Philippine commission for public discussion a bill providing for the suppression of opium smoking, which penalizes the sale of opium to Filipinos, or its use by them; second, it prohibits the sale of opium to any Chinaman unless he be registered as an habitual user of the drug. License taxes are imposed on wholesale and retail dealers who are subject to close regulation and scrutiny. This bill, if it becomes law, will by reason of the congressional restriction above set out, cease to have effect in April, 1908, and at that time all importations of opium into the island will cease except for medicinal purposes, and the importation for that purpose will be made by the government only. The interval of two years before the absolute prohibition applies is made in accordance with the successful policy followed in Formosa by the Japanese, who did not put into operation the prohibition until after three years of preparation, during which licenses were imposed, and a registered list of habitual users was required. A supplement to the secretary's letter is contained in a cablegram received from the governor general of the Philippine Islands at Manila, indicating that the public discussion on the proposed opium bill has been finished, and that the bill was passed.

REMAND POWERS TO STATE COURT

(By the Associated Press.) Washington, March 12.—The Catox Powers case was decided by the supreme court of the United States today against Powers.

The opinion was delivered by Justice Harlan, and held that the case was not removable from the state to the federal courts. The case was therefore remanded to the Kentucky state courts.

The opinion was based on the ground that the equal rights statute, section 611 revised statutes, does not apply unless recognized by state laws of the state certification. Justice Harlan said that the supreme court of the United States could take cognizance of the case on a writ of error. The opinion was unanimous.

President Quintana Dead.

(By the Associated Press.) Buenos Ayres, March 12.—Dr. Manuel Quintana, president of the Argentine republic, died yesterday.