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IN HEATED SPEECH HEYBURN REVIVES CIVIL WAR MEMORY

Idaho Senator Protests Against Loan of Government Tents to Confederate Veterans.

ATTACKS PLAN OF HONORING GENERAL LEE

Western Statesman States His Prejudice Against Placing Statue of Southern Leader in Hall of Fame---Notwithstanding Arguments, Required Camping Outfit Will Be Allowed to Old Soldiers.

A SUMMARY.

Washington, Feb. 7.—Memories of the civil war were revived in the senate today when Senator Heyburn bitterly opposed a loan of tents by the government for use at the next annual encampment of confederate veterans at Mobile, Ala., next April. However, every republican present, except Mr. Heyburn voted for the bill authorizing the loan.

The senate passed more than a dozen bills for the establishment of fish hatcheries in various parts of the country. The president's federal incorporation bill was opposed in the house today by Representative Garrett of Tennessee on the ground of unconstitutionality. Both houses will meet tomorrow.

Washington, Feb. 7.—Protesting against loaning government tents for the use of the confederate veterans at their annual reunion in Mobile, Ala., next April, Senator Heyburn of Idaho in the senate today made the sharpest comment upon the issues of the civil war that has been heard in congress in 20 years. He inveighed against men in "rebel uniforms" being permitted to occupy government property or the "rebel" flag being allowed to fly above it. Finally he drifted into the question of honoring men by placing their statues in the hall of fame and by unmistakeable inference condemned the action of Virginia in sending the statue of General Robert E. Lee to the Hall of Fame.

"Take it away and worship it if you please, but don't intrude it upon the people who do not want it," he said.

Democratic senators moved uneasily about the floor conversing with each other or sat, frowning during the speech. When Senator Heyburn had concluded, Senator Bankhead of Alabama said:

"I am sure the senator from Idaho feels much better and I ask for a vote."

"By roll call," shouted a dozen or more senators, hands went up in a second and a motion from every part of the senate chamber.

The Vote.

When the vote was had on the tent loaning resolution all democrats and all republicans, except Mr. Heyburn voted for it. The resolution was reached in its regular order. Mr. Heyburn was prompt to raise an objection and Mr. Bankhead just as alert in moving the consideration regardless of the objection. It immediately was evident that the objection had aroused some feeling, for with flushed face and animated voice, Mr. Bailey, who sat near Mr. Bankhead, declared that if this resolution were ruled out of order, no other business could be transacted.

The Bankhead motion being undebatable, the senate immediately proceeded to an aye and no vote on the question as to whether the resolution should be taken up. This was decided in the affirmative unanimously, Mr. Heyburn not voting.

Mr. Heyburn then spoke for probably 40 minutes, in which he went over many of the issues of the war and declared himself as much a patriot now as he had been in 1862-3-4. There were no material interruptions, but all senators listened with evident interest. The southern senators held a hurried consultation while the Idaho senator was proceeding and decided to make no reply. Accordingly, when Mr. Heyburn had concluded they contented themselves with allowing the question to go to a vote after the laconic remark by Mr. Bankhead.

It so chanced that Mr. Heyburn's colleague, Senator Borah of Idaho, was the first of the republicans to be reached in the roll call. Without a twitch of countenance he voted in favor of the adoption of the resolution against which Mr. Heyburn had so recently been inveighing. Mr. Heyburn's speech was delivered in earnest tones, though in well moderated voice.

Heyburn's Speech.

"This resolution refers in terms to a confederate veterans' reunion at a specified time," he said, "and it proposes that the government of the United States in recognition of its purposes shall loan the property of the United States. I trust I shall not be charged with bad faith when I say that I have today inquired from a senator who is interested in this measure whether on this occasion the men engaged in this celebration would wear the rebel uniform, and his reply was in the affirmative. I asked him further if the rebel flag was to be carried over this property of the United States, and he replied that both the rebel and the union flags were always carried at these reunions."

Mr. Heyburn then proceeded to say that while he did not want to open the wounds of the war he still thought the south had made a great mistake in that war. He had been told that the government was in the habit of making such loans to the Grand Army of the Republic and he thanked God that such was the case, because the Grand Army was composed of men who had fought on the side of the union and "their cause was a glorious and honorable one."

"Do you expect," he said, going back to the contrast of the G. A. R. with the confederate veterans, "that those who gave their support to the union cause would sit idly by and say nothing when these issues are raised? They are none the less patriotic now than they were in 1862-63-64. Could they be less patriotic and can they complacently permit the subject of the war to become a jest in this age? If so, the sooner we know it the better."

At this point Mr. Heyburn received his only interruption. It came from Senator Jefferson Davis of Arkansas, who, even without awaiting the permission of the Idaho senator, abruptly interposed the question: "Were you in the war?"

"Oh, no," responded Mr. Heyburn, "that is the stock question of the cheap reporter."

"I understand," replied Mr. Davis, "that the senator represents 264 niggers in his state."

Too Young.

Responding to the last interruption, Mr. Heyburn said if there were 264 negroes in his state he intended to try to represent them. He added that he was not a senator from his state alone, but a senator of the United States as well. As for his participation in the war, he stated that he had been too young for that, but that he had been very anxious to enlist while the war was in progress. Mr. Heyburn said that if there were senators who thought that it was proper that the "rebel" flag should wave over the property of the United States, they could vote for the measure, but he would remind them that there were millions of people in the United States who have implanted deep in their hearts the spirit of patriotism and who would not follow them in that course.

From the consideration of the pending resolution Mr. Heyburn turned temporarily to the question of the wisdom of placing a statue of General Lee in the Hall of Fame in the national capitol. He did not mention General Lee by name, but left no doubt that he had him in mind. He spoke of the fact that the object of his remarks had been an officer in the army of the United States when the war broke out and said that he had done much to render more serious that conflict which had cost the country millions upon millions of money and thousands upon thousands of lives. He appealed to the people of Virginia and the south to take the statue back.

"In sending us figures for the national hall of fame I would advise you," he said, "not to overlook your Marshalls, your Earlys, Lees, your Monroes and your Henrys. Don't violate a sentiment which you know to exist and which exists today as it did in the sixties. I ask you in the interest of loyalty and harmony to say to the people who have sent here this image to come and take it away. It may be dear to you, but it is not dear to us. Take it and worship it if you please, but do not intrude it upon the people who do not want it. Take him home—place him in the most sacred spot; give him the dearest place in your local temples, but, for God's sake, don't again start this spirit out of which the terrible troubles of the past arose."

Mr. Heyburn here declared that he had no personal feeling in the matter and that it was not his intention to "wave the bloody shirt."

"I am," he said, "as far from doing that as any man you ever dreamed of, but I love my country too well to see it drifting on the shores of discontent and personal strife."

Declaring that he would stand against such legislation as was proposed if his is the only voice to be raised in opposition and that he would vote against it if no other senator did, he insisted that he did not desire to be interpreted as imputing disloyalty to any senator who might differ with him.

PEACH CROP THREATENED.

Oswego, N. J., Feb. 7.—Temperatures ranging from zero to 24 below prevailed throughout Oswego county during the last 24 hours. Fruitgrowers fear damage to the peach crop.

"GET BUSY"

ASSISTANT RESIGNS TO MANAGE OHIO CAMPAIGN

WADE H. ELLIS OF DEPARTMENT OF JUSTICE GOES BACK TO NATIVE STATE.

Washington, Feb. 7.—After several conferences at the White House today Wade H. Ellis of Ohio, resigned his position as assistant to the attorney general in the department of justice to accept the chairmanship of the republican executive committee of Ohio, and to assume charge of the Ohio campaign this fall.

Regarding the resignation of Mr. Ellis the following statement was given out at the White House late today:

"Mr. Vorys, the member of the national committee from Ohio, Mr. Walter Brown, the chairman of the republican state central committee, and Henry A. Williams, chairman of the republican state executive committee, have been canvassing among the republicans of Ohio, to determine who should succeed Mr. Williams on the resignation which he is obliged to tender. After a visit to Washington and full conference with the senators, the conclusion was reached that the man best qualified to assume the cares of the office as chairman of the executive committee at this time was Mr. Ellis and therefore the president was asked to consent to Mr. Ellis' resignation from his position as assistant to the attorney general, to take up the duties of the chairmanship of the committee.

Makes Sacrifice.

"The president was very loath to lose the services of Mr. Ellis from the department of justice, where he is engaged in important work, but as Mr. Ellis was willing to make the sacrifice the president did not feel that he could insist on retaining him."

The Ohio political situation has been giving the president much concern and has been the subject of a number of conferences at the White House. With the expected renomination of Governor Harmon by the democrats, the republican party faces a hard fight this fall and the president has been anxious that factional differences be eliminated as much as possible. He believes that Mr. Ellis will be able to do more along that line than anyone else who could have been designated to take charge of the coming campaign.

Harmony.

Mr. Williams recently was appointed a national bank examiner of the Pittsburg-Cleveland district and is compelled to give up his political activities. As he was leaving the White House Mr. Ellis was stopped by a member of the Ohio delegation in the house who heard the news with surprise.

"What induced you to do it?" the member inquired.

"Well, party expediency largely. We

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QUESTIONABLE BEEF ON PRESIDENT'S TABLE

INSPECTOR DECLARES THAT POOR QUALITY WAS SERVED AT WHITE HOUSE.

Washington, Feb. 7.—That bad beef, some of it ready to fall to pieces, was served at the White House during President Roosevelt's occupancy, was the testimony of District Food Inspector Dodge today before the house committee engaged in the investigation of the high cost of living in the District of Columbia.

Mr. Dodge stated that it was the custom of a steward at the White House to buy a quarter of beef and hang it up until it was ripe, or "ready to fall to pieces," as the inspector described it, when it could be cut up and served on the White House table. Members of the committee expressed disgust over Mr. Dodge's revelations.

Further Inspector Dodge testified, many of the wealthy people of the national capital were accustomed to eat from choice meat that had turned black and was well on the road to decomposition because it was more tender. He related an incident of one of his visits to a fashionable Washington market where he found a quarter of beef, black and apparently unfit for human food. He condemned it and was about to pour kerosene over it when the proprietor interfered and told him he had many wealthy customers who always ordered from such piece of meat.

While the inspector was present a footman from a wealthy family came in and ordered a cut from the piece which had been condemned.

"Gratification of canine appetites," commented Representative Johnson of Kentucky, who asked Inspector Dodge if this class of meat was kept in the same coolers with the beef intended for "civilized people." The inspector replied it was.

FATE OF MEASURE ALARMS BRISTOW

Washington, Feb. 7.—Senator Bristow is growing anxious about his resolution for the election of United States senators by a direct vote of the people. Today he asked Chairman Clark of the committee on judiciary when that committee would report the resolution and Mr. Clark was not able to make definite reply. "Is there any prospect that the question will be considered?" asked Mr. Bristow. "There is," responded Mr. Clark.

SMILES A FAREWELL AS SHE FACES DEATH

YOUNG WOMAN WADES INTO THE RIVER AND GOES OVER NIAGARA FALLS.

Niagara Falls, Feb. 7.—A young woman, thought to be Miss Beatrice R. Snyder of Buffalo, committed suicide today by wading into the river just above Prospect point and going over the American falls. As her body swept over the brink of the cataract she turned her face toward her would-be rescuers and smiled a farewell to them. A park policeman paid scant attention to the woman when she first appeared on the path leading to the river bank. When she began to run toward the river it was too late to intercept.

Without a moment's hesitation, she waded into the stream. She turned once and smiled toward the men who were calling to her stop and continued to move rapidly into deep water. In an instant she was whisked from her feet and carried rapidly toward the brink of the falls. On the bank was found a handbag containing this note:

"Mamma and Papa: May you both forgive me for bringing this awful disgrace upon you in these years of your life. Also may our heavenly Father forgive all my sins. But I have been very good, thank God. You will find a slip for the money under your dresser scarf. With my heart full of love for all your kindness and tender love; goodbye. Lovingly, BEATRICE."

There was a card in the purse bearing the name, Beatrice R. Snyder.

Grieved Over Fiance.

Buffalo, N. Y., Feb. 7.—Miss Snyder was chief clerk in a Buffalo tea store and worked this morning. She had been dejected since the death of her fiance, George E. Myers. They were to have been married in a few months.

RE-ELECTS DIRECTORS.

Cheyenne, Wyo., Feb. 7.—In spite of the bitter opposition of former President James F. Burns, the Portland Gold Mining company today re-elected its board of directors, composed of Thomas Burns, Irving Howbert, Frank G. Peck, H. D. Rice and C. S. Chamberlain. According to the report of President Peck, there has been a gross production of $3,908 tons during the year, with a gross value of $1,438,650, yielding net earnings of $425,444.42, of which $330,000 has been paid in dividends.

TEN ARE INJURED.

St. Paul, Feb. 7.—Ten persons were injured today in a wreck of a local passenger train running between St. Paul and Duluth, Minn. The accident was caused by the breaking of a car wheel.

NURSE TALKS AT SWOPE INQUEST

PEARL KELLER, WHO ATTENDED DEAD MILLIONAIRE, TELLS OF MEDICINE.

MEDICINE GIVES CLEW

Testimony Is That Mixture Taken Daily Contained Strychnine, and This Is Said to Explain Presence of Poison in Vital Organs—Eight Other Witnesses Testify.

Kansas City, Feb. 7.—That Colonel Thomas H. Swope, the millionaire whose death, on October 3, has been the subject of a diligent inquiry for the last month to determine if he died from poisoning, took a patent medicine containing tonic of iron, quinine and strychnine upto within a few days of his death, developed at the inquest over his body in Independence, Mo., today. This testimony was given by Miss Pearl Keller, Colonel Swope's nurse. It was the most significant piece of evidence brought out in the inquest which opened today.

Patent Medicine.

Miss Keller cared for Colonel Swope from September 12 until the day of his death. She testified that the millionaire took the mixture daily in addition to the treatment given him by Dr. B. C. Hyde. Previously, in a deposition taken in a damage suit of B. C. Hyde, against an attorney and two physicians who are interested in the Swope investigation, S. W. Spangler, office partner of Colonel Swope, testified that Colonel Swope took a patent medicine containing strychnine while at his office. It is supposed that this is the same mixture to which Miss Keller referred in her testimony. Mr. Spangler said Colonel Swope took large quantities of medicine daily. Physicians say that the fact of Colonel Swope having taken much of this concoction would explain the presence of poison in his vital organs. It is also pointed out that Colonel Swope was in a weakened condition when he last took the medicine.

Other Witnesses.

Eight witnesses besides Miss Keller testified during the day. They were Dr. Edward L. Stewart, Dr. T. G. Twyman, who testified regarding the autopsy, and James Craig, R. B. Mitchell, W. F. Stine, H. S. Coak and Thomas L. Nicholas, all of whom told of the burial of Colonel Swope's body. Mr. Stewart said that while he had no part in the autopsy other than writing down the records, he knew that no hemorrahage of the brain, visible to the naked eye, was found. Colonel Swope was supposed to have died from apoplexy.

The calling of the inquest today brought together for the first time in several weeks members of the Swope household and Dr. B. C. Hyde. Mrs. Logan H. Swope and her daughters, Miss Lucy Lee Swope, Miss Sarah Swope and Miss Margaret Swope sat on one side of the room with their attorneys, while Dr. Hyde and his attorneys were on the other. There was no sign of recognition between the two parties. Mrs. Hyde was not present. Her husband explained that she was too ill to attend.

Are Subpoenaed.

During the day Mrs. Swope and Miss Keller were served with subpoenas by an attorney from the office of Frank P. Walsh, Dr. Hyde's counsel, to appear and give their depositions in the libel suits brought by Dr. Hyde against Attorney John G. Poxton and Drs. Frank Hall and Edward L. Stewart. Attorneys have been attempting to serve the subpoenae for a week. The women readily accepted service. Dr. Hyde filed suit for $100,000 for alleged slander against Attorney John G. Paxton today and service was obtained upon the attorney at the inquest.

A similar suit against Mr. Paxton was dismissed by Dr. Hyde in order to keep from giving his deposition before the inquest began over the body of Colonel Swope.

Miss Keller testified regarding the actions of Colonel Swope, when his old friend, Thomas Moss Hunton, died from apoplexy two days before the millionaire's death. The blow of his friend's death grieved Colonel Swope greatly and he went into seclusion for hours, refusing to see anyone but Mr. Spangler, his financial agent.

HOARDING COAL.

Danville, Ill., Feb. 7.—In anticipation of a strike of coal miners in this district on April 1, the Chicago & Eastern Illinois and Chicago, Indiana & Southern railroads are beginning to hoard coal and as a result dealers are having difficulty in placing contracts.

SMITH IS RESTING EASILY.

Toronto, Ont., Feb. 7.—Professor Goldwin Smith, who was injured Saturday by a fall, is resting easily this morning.

CONSERVATION IS KEYNOTE SOUNDED

GIFFORD PINCHOT MAKES INTERESTING REPORT TO NATIONAL ASSOCIATION.

DISCUSSES NINE BILLS

Former Chief Forester Picks Out Faults and Makes Suggestions as to Changes in Important Measures Now Before Congress Looking Toward the Preservation of Natural Resources.

Washington, Feb. 7.—"Conservation—the necessity for the passage at the present session of congress of good laws for the protection of the natural resources of the United States"—is the keynote of a report just made to the National Conservation association by Gifford Pinchot, recently chosen president of the association. Mr. Pinchot takes up, in what he calls "a spirit of constructive criticism," nine bills relating to the conservation of natural resources introduced in congress January 18 on behalf of Secretary of the Interior Ballinger, one of which has been reported from the public lands committee, the other eight being still in the hands of the committee.

Mr Pinchot calls upon the members of the association to put forth strong efforts to have enacted into law the bill on the withdrawal of public lands, which has been presented in amended form from the committee by Senator Nelson, following conferences between the committee and the officers of the conservation association. This bill, Mr. Pinchot thinks, should have the "unqualified support of the members of the association."

Of the other eight bills, he believes that some merely require amendment, while others must be recast. The coal bill and the phosphate, oil, asphaltum and natural gas bills, he reports, are fundamentally sound in principle, but need some amendment. They wisely separate, he said, the surface of the land from the underlying minerals and provide for the disposal of the minerals by lease and not by sale. But the coal bill, he asserts, "contains no sufficient anti-monopoly clause. The clause that purposes to regulate rates to be charged the public is so framed that it may be evaded with ease."

Wasteful Level.

Another clause of the bill, he adds, "may reduce the standard of mining to the wasteful level of the prevailing commercial practice."

In regard to the bill for survey of railroad land grants, he expresses the opinion that it will enable the railroads properly to perfect titles to their lands, "but it overlooks the long-pending understanding between certain of the roads and the forest service for the return of railroad lands within the national forests to the United States, in return for the right to cut in one body an amount of timber equal to that on the lands returned." This understanding, he says, requires only legislation to make it effective.

Speaking of the water power bill, Mr. Pinchot declared that "it repeals in silence the existing water power law and curtails the already ample power now exercised, with the approval of a former attorney general, by the department of agriculture." The provision in the bill for compensation to the government by the companies, he holds, is good. Water power sites should be protected from private appropriation under the land laws, he says, and it should be made possible to issue to the companies permits good for and definitely terminating at the end of 40 years.

Fault Found.

The fault found by Mr. Pinchot with the reclamation bill is that it opens reclaimed lands to absentee landlords and speculators. A bad feature of the bill for the sale of timber and timber lands, he declares, is that it replaces the objectionable features of the timber and stone act, which was the inducement to speculation in government timbers, with provisions that promote speculation and retard the development of agricultural and mineral lands far more than did the act it repeals.

In failing to separate the surface from the underlying minerals, the bill for the classification of public lands is inconsistent with the coal bill, he finds. "The withdrawal bill, as amended and reported by Senator Nelson makes easy," said Mr. Pinchot, "the protection of all natural resources on the public domain until good laws can be passed."

The whole influence of the conservation association, he declares, should be thrown behind the bill.

READY TO ARGUE.

Portland, Ore., Feb. 7.—Prosecutor Francis J. Heney will begin his argument to the jury in the trial of former Congressman Binger Hermann tomorrow afternoon, by the outlook tonight. The evidence will all be in shortly after the morning session opens. The session today was devoted to gathering up tag ends of testimony and rebuttal on old points.