THE HOUSE IN AN UPROAR

A CHARGE OF HOMICIDE.

Mr. Sullivan and Mr. Hearst Exchange Bitter Personalities.

[FROM THE TRIBUNE BUREAU.]

Washington, Feb. 13.—Charges of homicide and immorality, suggestive slurs and thinly disguised insinuations of a highly sensational character marked the controversy in the House to-day between John A. Sullivan, of Massachusetts, and William Randolph Hearst, of New-York. Details fortunately were eliminated, chiefly for the reason, it is declared, that Speaker Cannon made the verbal gladiators adhere to certain rules of parliamentary procedure. In anticipation of Representative Sullivan's effort in his own defence, previously advertised from the floor of the House, there was an unusually large attendance of members, who witnessed a debate probably without parallel in the history of the lower chamber. Keeping wholly within his parliamentary privilege, Mr. Sullivan's denunciation of the erstwhile candidate for the Democratic nomination for President was a scathing but polished production, indicating careful preparation and research. With cutting sarcasm and bitter innuendo he assailed the private character and political methods and aspirations of Mr. Hearst without mentioning his name—an omission, however, which did not conceal his meaning. At the close of Mr. Sullivan's speech Representative Hearst rose and, obtaining unanimous consent, began his reply. He spoke in a quiet, almost gentle, voice, calmly facing a hostile minority and critical majority. He met polished sarcasm with unreserved candor, accusing his adversary of manslaughter and requesting him to explain the incident to the House. At this moment the scene was dramatic in the extreme and excitement ran high, but the Speaker admonished Mr. Hearst not to transgress the rules and the New-Yorker brought his remarks to a close. The affair grew out of the recent discussion of the freight rate question in the House, when Mr. Sullivan inquired of Mr. Lamar, of Florida, who was favoring the Hearst bill, why Mr. Hearst did not defend his own bill, this being followed by a criticism of Mr. Sullivan in "The New-York American and Journal."

Mr. Sullivan at the outset said he had given his notice early in order that Mr. Hearst might be present to-day. He had interrupted Mr. Lamar, he said, because he thought Mr. Lamar was criticising his Democratic colleagues too harshly for their failure to support the so-called Hearst bill, and he felt that Mr. Hearst himself might produce the desired effect. Ordinarily, he said, public men expect fair criticism of their official acts, but where the proprietor of a newspaper is a member of Congress he owes a double duty to his colleagues to be fair and impartial in his criticisms of them. He read the article in "The New-York American" of February 9, in criticism of himself, which, he said, had been called forth by an infraction of Mr. Hearst's monarchical dignity and thereby had been consigned to the political assassination of Mr. Hearst's paper. The article in question, Mr. Sullivan said, touched his representative capacity, "and is a deliberate insult to one member by another."

He was interrupted by Mr. Robinson, of Indiana, who raised the point that Mr. Sullivan was not in order. Immediately there went up a shout of "no," "no," "no!" The Speaker ruled that Mr. Sullivan was proceeding by unanimous consent. Continuing, Mr. Sullivan said:

The writer raises the query whether my ignorance of pending measures was due to congenital incapacity or indifference to the people's rights. Congenital incapacity is a serious charge, yet obviously one which a person accused would not dare to discuss. If the charge is true, he is not guilty, but unfortunate, and it is surely a grievous misfortune not to be able to appreciate the value of the legislative services of the gentleman from New-York. But congenital incapacity to understand is a term that covers a wide range of mental and moral deficiency. It covers the case of the moral degenerate, the unclean, unproductive, shiftless members of society, and, it includes the man who, totally bereft of the sense of proportion, raises his profaning eyes toward the splendid temple of the people's highest gift—the Presidency of the United States—blissfully unconscious of the woful contrast between the qualifications requisite for that high office and his own contemptible and moral equipment.

Mr. Sullivan again was interrupted by Mr. Robinson, but the Speaker ruled that Mr. Sullivan was in order. Mr. Sullivan was permitted to proceed, commenting on the non-attendance and lack of record on rollcall "exhibited by some members." He referred to Mr. Hearst as "the unknown man or political novice whose only recommendation is his inherited wealth." The scheme of political assassination, he said, had been mapped out evidently with the idea of destroying the respectable elements of the Democratic party. He commended Mr. Williams, the minority leader, for refusing to indorse the Hearst rate bill, also "a refusal of that leader to stoop to a controversy with a contemptible opponent."

"I know," said Mr. Sullivan in conclusion, "that prudential reasons warn against a controversy with a newspaper of this character. These reasons present the danger of exposure to a new form of 'yellow peril' as disastrous to reputation as the other form is alleged to be to Christian civilization. But while I remain a member of this House I will reply to unjust attacks in the newspapers of the gentleman from New-York by sending to the clerk's desk to be read with the article complained of, an estimate of the character of my traducer which was given on the floor of this House by a member from California in 1897 as the judgment of those with whom the gentleman from New-York then lived, and who for that reason knew him best. If by my remarks I have checked the scheme of political assassination which has been marked out by this Nero of modern politics, or have even called public attention to its evil purpose, I believe I have performed a service to the House and to the country. To the House by insisting that each member shall duly respect each other, at least outwardly, and to the country by exposing the malice that inspires these newspaper articles which operate to create in the minds of the people false impressions of their public servants."

MR. HEARST'S REPLY.

As soon as Mr. Sullivan concluded, Mr. Hearst rose to reply. He denied that he either inspired or suggested the publication referred to, but said he assumed all responsibility for it. Replying to Mr. Sullivan's criticism that he had been guilty of lack of action in the House, Mr. Hearst said he was proceeding in the way he thought most effective to his constituents. He did not know any way by which a man could be less effective for his constituents "than in emitting chewed wind on the floor of the House." He then began a review of the attack on him by Representative Johnson, of California, when he was interrupted by Mr. Payne, of New-York, who said the remarks were unparliamentary.

"I ask for fair play," said Mr. Griggs, of Georgia.

Mr. Payne withdrew his point, and Mr. Hearst proceeded. He declared that he had no desire to criticise Mr. Sullivan, because if he had he would not have done it in so puerile a manner. He then sprang a sensation which threw the House in an uproar. He charged that John A. Sullivan was one of two Sullivans who had kept a saloon in Boston where a murder was committed, and that the two Sullivans were indicted for manslaughter.

"I would like to ask the gentleman from Massachusetts," calmly inquired Mr. Hearst, "what he knows about that incident."

Mr. Sullivan arose, and, facing Mr. Hearst, said: "If the gentleman is asking that question of me, I will be very glad to answer it."

Mr. Hearst, however, ignored the remark.

"This is not a wash shop!" shouted Mr. Butler, of Pennsylvania, who appealed to the Speaker to know if there was any power to prevent a continuance of the discussion.

The Speaker ruled that Mr. Hearst was proceeding by unanimous consent, and he was not sure that Mr. Hearst was specifically referring to Mr. Sullivan, not being familiar with his given name.

"But, Mr. Speaker," said Mr. Butler, "he has inferentially charged the gentleman with murder."

Mr. Butler was thoroughly enraged, and as he walked across the aisle, exclaimed: "This is not fair to the country."

After the excitement had subsided, Mr. Hearst, resuming, said he recognized the justice of the remarks of Mr. Butler about the turn of affairs, and he greatly regretted it, but, he added, he was compelled in defence of himself "to define the character of men who have made their attacks upon me." It was, he said, the duty of a newspaper, when such men were in public life, to refer to their past and their character.

At this juncture Speaker Cannon, noting the effect on the House of Mr. Hearst's charge, interrupted and declared that "an accusation of homicide against a member seems to fall within the parliamentary prohibition, calculated to provoke disturbance and disorder and to bring the body itself into contempt and criticism."

The Speaker's admonition caused Mr. Hearst to cut short his remarks with a statement that he was proud of the hostility of such men as Mr. Sullivan and that he would continue "to incur the hostility of that class of individuals" so long as he was in journalism or in Congress.

The House then proceeded to the consideration of bills relating to the District of Columbia.

Mr. Sullivan, after the House adjourned, said he would take the floor to-morrow and answer the reflection on him contained in Mr. Hearst's speech.

MR. HEARST STATES HIS POSITION.

The Rights and Duties of an Editor Who Sits in Congress.

Washington, Feb. 13.—Representative Hearst, in an interview to-night on to-day's incident in the House of Representatives, said:

I need not say that I consider to-day's session of the House disagreeable to all, and absolutely disgraceful to those who deliberately planned such a scene and forced it upon myself and other unwilling members. I feel that they deserved the disagreeable shock and discomfiture that met them when they learned through me the extremely appropriate kind of man whom they had selected as their mouthpiece.

The one interesting feature to newspaper men and to the public whom they serve is the question which was raised of the right of an editor to sit in Congress without making his newspapers subservient to the opinions of his Congressional associates. I say as emphatically as I can that it would be of the greatest possible value to the United States if a hundred editors of important newspapers could be elected to Congress. I wish that these men could see for themselves and tell the peopl of the country, much better than I am able to do, exactly to what extent the House of Representatives is a representative body, and they might, guided by actual knowledge obtained as members of Congress, use their newspapers to force upon the House the needed reforms and compel action and definite obedience to the people.

This is my position, and so far as I know the editors of this country I think there are very few that would not agree with me.

As a member of the House, speaking in the House, I expect to be bound by the rules of the House.

As an editor of a newspaper, representing a constituency much larger than that of any Congressman, I expect to be bound now, as I have been in the past, by newspaper ethics, that is to say, by the real interests of the readers whose approval gives my newspapers what force they have. I am perfectly certain that no American newspaper editor worthy of the name would allow himself or his newspaper to be controlled by the membership of any club or any legislative body to which he might belong.

I am not interested in knowing who it was actually prepared or inspired the lengthy, elaborate attack upon myself which Mr. Sullivan read from manuscript this afternoon. This strikes me as the one feature in it of interest to the public.

The gentleman from Massachusetts spoke as the representative of the "respectable Democracy." He spoke about protesting on behalf of the "respectable" element in the Democratic party. According to men of this type, he who tries to accomplish real reform is an anarchist. Mr. Sullivan illustrated this tendency of his class interestingly, not only by attacking an individual Democratic Congressman as an anarchist and a socialist, but declared the whole Republican party to be "pushing the country into socialism" because of the recent effort urged by the President to bring about a reform in railroad rate legislation.

The original attack upon me by Grove Johnson was due to my opposition to the will of the Southern Pacific Railroad, and, incidentally, to my having defeated him for re-election. And this attack by Mr. Sullivan is apparently due to my effforts to force the Democratic party in the House to take a stand more advanced than that of the Republicans, and in harmony with the professions of the Democratic platform for the last eight years in regulating railroad rate.

I am glad to be contrated a an anarchist or a socialist, or under any other appellation with the "respectable" element of the Democratic party, as represented by Mr. Sullivan, and I have no doubt that the honest Republicans who have insisted upon some measure of railroad reform will also view with complacency their denunciation as sosialists from this particular ource.

OLD CHARGE AGAINST SULLIVAN.

Convicted of Manslaughter When a Boy, but Not Punished.

[BY TELEGRAPH TO THE TRIBUNE.]

Boston, Feb. 13.—John A. Sullivan, the present Representative of the 11th Massachusetts District in Congress, was in May, 1885, in company with his father, Eugene Sullivan, indicted in the East Cambridge court for manslaughter, in causing the death of John F. Driscoll. Sullivan ran a saloon at Norfolk and Cambridge-sts., Cambridge. Driscoll came into the saloon drunk early one Sunday morning and created a disturbance. He was thrown out by father and son and died from his injuries. John A. Sullivan was then seventeen years old. Both were convicted and the father served three years in the House of Correction. The younger man's case was put on file, the Massachusetts method of placing a man on probation, and he was never punished.

MAY BE ONE NEW STATE.

Plan for Sending the Statehood Bill to Conference.

Washington, Feb. 13.—The Republican leaders of the House to-day took the first step toward getting the Statehood bill into conference. In accordance with the plan previously decided upon, Delegates Rodey and McGuire, of New-Mexico and Oklahoma, respectively, began the circulation of a paper among the Republican members for signature. At the head of this paper is the following statement:

In the endeavor of the House to secure the final passage of H. R. 14,749, and the admission of Oklahoma and Indian Territory as one State and the Territories of New-Mexico and Arizona as one State by conference between the two houses or otherwise, the undersigned members of the House will support the parliamentary procedure deemed necessary for that purpose by the Committee on Territories, the Committee on Rules or any conference committee.

It is considered necessary to secure only the signatures of the thirty-three Republican members who voted against the resolution adopted in the recent conference, expressing practically the same idea. It is said that this can readily be done. The next step will be the introduction of the necessary rule in the form of a resolution, which will provide that the Statehood bill shall be taken from the Committee on Territories and sent direct to conference without action by the committee or opportunity for a motion to concur in the Senate amendments.

This activity on the part of these interested in getting the bill through is taken to indicate confidence that the Senate ultimately will yield to the House. It is understood that the House is willing to accept the amendment offered in the Senate by Mr. Foraker, which permits Arizona and New-Mexico to vote separately on the question of Statehood. Should either of these Territories reject the proposition, the provision for one State out of the Territories of Arizona and New-Mexico would fail, but the union and admission of Oklahoma and Indian Territory would be secured.

INSIST ON FREE SEEDS.

Senator Lodge's Amendment to the Agricultural Bill Fails.

Washington, Feb. 13.—Senator Lodge's earnest effort to end the free seed abuse met with signal failure in the Senate to-day. Following up his severe denunciation of the practice of distributing common garden seeds by order of Congress, delivered last week, Mr. Lodge to-day moved an amendment to the Agricultural Appropriation bill striking out the sum provided for the purchase of this class of seeds and their distribution, approximately $200,000. On a viva voce vote the Senator from Massachusetts was the only member of the upper chamber who could be distinguished as voting against the practice, and it was obvious that it would be impossible to secure the "one-fifth" necessary to secure an aye and no vote, so the amendment was lost, and Congress will continue, to use Senator Lodge's words, "to purchase cheap popularity for members of Congress bought with $200,000 of the people's money expended for common garden seeds."

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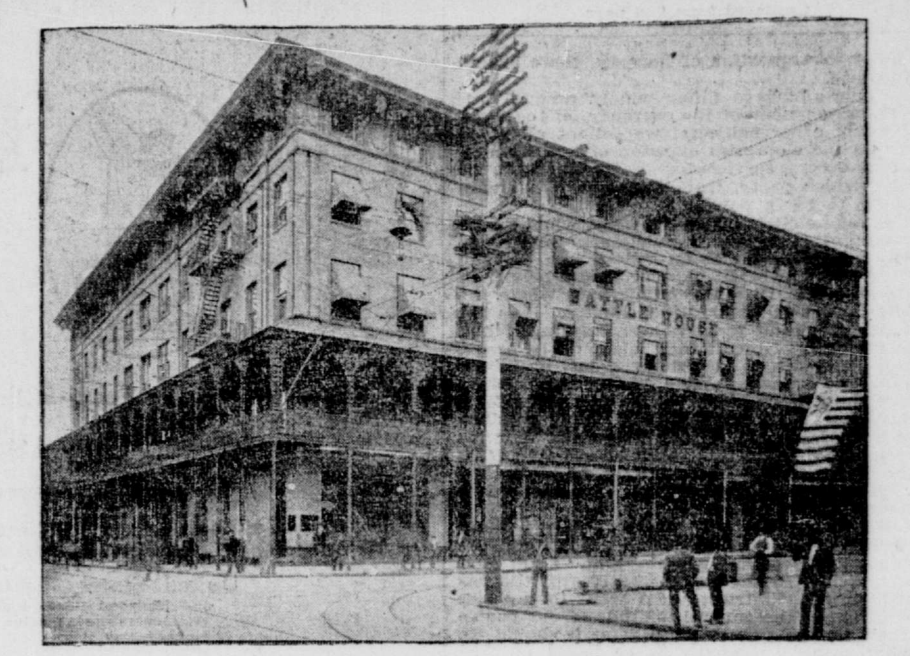
THE "BATTLE HOUSE," AT MOBILE, ALA.

A famous Southern hostlery, which was burned down yesterday morning.



NO CONSTRUCTIVE RECESS.

Opinion of the Senate Committee on the Judiciary.

[FROM THE TRIBUNE BUREAU.]

Washington, Feb. 13.—In the opinion of leading members of the Senate Committee on the Judiciary there is no such thing as a "constructive recess." No formal poll of the committee has been made, but it is manifest that the legal opinion on this subject, prepared by Senator Spooner and submitted to the committee two weeks ago, will be adopted. The report will be made in response to a resolution introduced by Senator Tillman, requesting the Committee on the Judiciary to render an opinion to the Senate as to whether or not there was such a thing as a constructive recess between a special session of Congress and a regular session, which convened by law as the special session expired. The inquiry was understood to have been made because Dr. Crum, having been nominated as Collector of the Port of Charleston, S. C., and having failed of confirmation at the special session of Congress held in the fall of 1903, was reappointed by the President in the supposititious moment of time which elapsed between the two sessions of Congress. It was explained that this supposititious moment had been construed by the legal advisers of the President as a "constructive recess."

No particular importance attaches to the decision of the Senate committee, except as settling a mooted question concerning which the legal lights of the administration and the legal authorities in the Judiciary Committee have entertained opposite views.

The Judiciary Committee referred the question to a sub-committee, consisting of Senators McComas, Nelson, Spooner, Bacon and Blackburn. Three members of the committee have submitted opinions to the full committee, and the full committee will doubtless adopt the report prepared by Senator Spooner, which declares that there was, within the meaning of the Constitution, no recess between the special and regular sessions of Congress in which appointments could properly be made, and that, therefore, the civil and military appointees who profited by the Attorney General's decision to the contrary were not legally in office between the convening of the regular session and the date of their respective confirmations.

That the report was not adopted this morning was due solely to the absence of the chairman, Senator Platt, of Connecticut.

AMEND INDIAN BILL.

New Provisions for Allotment of Lands and Funds.

Washington, Feb. 13.—The sub-committee of the Senate Committee on Indian Affairs has completed the Indian Appropriation bill, and it will be submitted, probably to-morrow, to the full committee. The bill as passed by the House is materially amended by the sub-committee. A large number of appropriations, many of which have been in former Indian bills as reported, but have not passed both houses, are inserted.

For the removal of intruders and placing allottees in the Five Civilized Tribes in undisputed possession of their allotments, $25,000 is appropriated. It is provided also that all unsold lots, disposition of which is now required at public auction, shall be offered for sale and disposed of by the Secretary of the Interior for the best obtainable price, and so as best to subserve the interests of the several tribes.

The bill as passed by the House provided for the removal of all restrictions on the alienation of lands of all allottees of any of the Five Civilized Tribes, except as to minors and as to homesteads. The sub-committee has stricken out this provision and substituted one which declares that the homestead of the allottee shall remain inalienable, and that other lands of the allottees shall remain inalienable for twenty-one years after the date of the deeds for such lands. The Secretary of the Interior is required within six months from the passage of the bill to appraise the lands of the allottees. When this is done the lands will be subject to purchase in tracts not exceeding eighty acres to any one purchaser, who shall live on the land continuously for five years and make the usual improvements required under such conditions.

The leasing of any land in the Indian Territory, except for oil and mineral purposes, is absolutely prohibited. The Secretary of the Interior is directed to vacate and cancel all leases heretofore made when he is satisfied they were procured by fraud or for an inadequate consideration. To execute these and other provisions relating thereto, $50,000 is appropriated.

All mineral lands within the boundaries of Indian reservations are declared to be open for location and development, in the same manner as other mineral lands of the United States, where entry may be enforced without infringing on the vested rights of any Indian tribe or any individual Indian.

An amendment was adopted removing all restrictions on lands of adopted full blood adult white allottees of the Quapaw agency.

The provision in the House bill for the division of the unexpended balance of the funds arising from the judgment of the Court of Claims in favor of the New-York Indians was stricken out.

The committee eliminated the House provision extending the time for opening the unallotted lands to public entry on the Uintah reservation in Utah, which had been fixed by law for March 10, 1905. The committee, however, prescribes conditions under which the lands shall be allotted.

New legislation is provided in relation to the Five Civilized Tribes with respect to the manner of selling improvements to other citizens of such tribes and participation in the distribution of tribal property.

The committee has provided that all persons who have purchased lands on the Umatilla reservation shall receive patent therefor on submitting proof that the untimbered lands are incapable of any profitable use other than for grazing purposes.

It is provided that any electric railway, light or power company in Indian Territory shall have the right of locating and owning dams across non-navigable streams, as well as of locating other property for the purpose of obtaining water for the manufacture of light, power and heat. Provision is made for the payment to the Kaw Indians of $155,976 in full settlement of their claims against the United States.

The Secretary of the Interior is required to make an investigation as to the practicability of providing a water supply for irrigation purposes on the reservation of the Southern Utes, in Colorado.

ADDICKS BOLT RUMOR.

Report That Eight Men Will Leave Him This Week.

[BY TELEGRAPH TO THE TRIBUNE.]

Dover, Del., Feb. 13.—The Senatorship situation took a change to-day when it was persistently reported that eight of the Union Republian Assemblymen would bolt Addicks this week and vote for T. Coleman Dupont, of the Dupont Powder Company. The reported agreement was reached after conferences this morning. This will be the first desertion from Addicks since 1895. The men who may break away are Senators Simeon S. Pennewill and A. B. Lingo, and Representatives John T. Vandenburg, A. R. Benson, R. D. Lingo, jr., Harry V. Lyons, Charles W. Messick and Timothy E. Townsend.

It is reported that ex-Secretary of State Caleb R. Layton, who has bolted Addicks, is taking a hand in the movement. Governor Lea to-day appointed Representative Vandenburg, one of the eight who will break, as an aide-de-camp on his staff with the rank of colonel. This will help along the anti-Addicks plans. The Governor's object is said to be to get Vandenburg away from Addicks permanently and at the same time help his own organization. The legislator-colonel is from Bridgeville.

The eight votes for T. Coleman Dupont, and the nine votes for Colonel Dupont will make a total anti-Addicks strength of seventeen, three more than the Addicks total. This would control a joint caucus, but it is understood that the Addicks men will refuse to go into any more caucuses or conferences on the ground that they held one caucus and selected Addicks.

It is stated that the Regulars will continue voting for Colonel Dupont. Their position will be that as the dissatisfied Union Republicans have gone this far, they can proceed a step further and vote for their regular nominee. Should the eight men again return to the Addicks fold, however, it is not improbable that the Regulars would take up T. Coleman Dupont, in order to win them back.

The ballot for Senator in joint session to-day was again futile.

TRIAL OF JUDGE SWAYNE.

Senate Hears Ten Witnesses on Charge of Non-Residence.

Washington, Feb. 13.—The Senate heard ten witnesses in the Swayne impeachment trial to-day, and devoted the remainder of its time to consideration of the Agricultural Appropriation bill. The greater portion of the debate on the appropriation bill was based on an amendment suggested by Mr. Bacon, providing for semi-monthly reports on the condition of the cotton crop, which was amended so as to cover the last five months of the year and adopted.

The statements of most of the witnesses in the Swayne case bore on the residence of Judge Swayne, and the prosecution closed on that point. The witnesses were George P. Wentworth, clerk in the office of the District Attorney in Pensacola; A. C. Blount, jr., Charles M. Coston and John S. Beard, attorneys at Pensacola; William M. Potter, formerly clerk of the District Court at Pensacola; Joseph C. Keyser, of Pensacola, and Mrs. Hattie S. Northup, who keeps a boarding house at Pensacola, at which Judge Swayne spent part of the time while there. All testified that it had been Judge Swayne's habit to remain in Pensacola only while court was in session—about a month each year—and that generally he gave directions to have documents sent to him at Guyencourt, Del.

Mr. Olmsted said when these witnesses were excused that they might be discharged if the respondent did not intend to raise the question as to Judge Swayne's character, but in that event it was desired to have them remain in the city. No response was made, and the witnesses were ordered to remain.

The other three witnesses of the day were Elza Davis, a Pensacola lawyer; R. A. Sublet, ticket agent of the Louisville and Nashville road at Pensacola, and J. O. Jennings, a conductor on that road. They were introduced to testify on the charge that Swayne had certified to greater expenses on the occasions of his trips to Texas than he actually had paid. Mr. Jennings testified that the judge carried an annual pass on the railroad. In connection with Jennings's testimony Mr. Olmsted explained that he did not mean to raise the question of Judge Swayne's right to ride on a pass, but he considered it important when the government was asked to pay for the transportation.

PORTER'S WORK INDORSED

President Recommends Monuments to Paul Jones and John Barry.

Washington, Feb. 13.—President Roosevelt, in transmitting to Congress the report of Ambassador Porter concerning the efforts to find the remains of John Paul Jones, urges the erection of monuments for both Paul Jones and John Barry "to emphasize the value set by our people upon the achievements of the naval commanders in our War of Independence." The President indorses the work of Ambassador Porter and asks Congress to appropriate the $35,000 needed to conduct the search for John Paul Jones's body in the abandoned Cemetery of St. Louis in Paris, where it is believed to have been buried in 1792. The President's communication follows:

For a number of years efforts have been made to confirm the historic statement that the remains of Admiral John Paul Jones were interred in a certain piece of ground in the city of Paris then owned by the government and used at the time as a burial place for foreign Protestants. These efforts have at last resulted in documentary proof that John Paul Jones was buried on July 20, 1792, between 8 and 9 o'clock p. m., in the now abandoned Cemetery of St. Louis, in the northeastern section of Paris. About five hundred bodies were interred there, and the body of the admiral probably was among the last hundred buried. It was incased in a leaden coffin calculated to withstand the ravages of time. The cemetery was about 210 feet long by 120 feet wide. Since its disuse as a burial place the soil has been filled to a level and covered almost completely by buildings, most of them of an inferior class.

The American Ambassador in Paris, being satisfied that it is practicable to discover and identify the remains of John Paul Jones, has, after prolonged negotiations with the present holders of the property and the tenants thereof, secured from them options which give him the right to dig in all parts of the property during the period of three months for the purpose of making necessary excavations and searches, upon condition of a stated compensation for the damage and annoyance caused by the work. The actual search is to be conducted by the chief engineer of the municipal department of Paris having charge of subterranean works, at a cost which has been carefully estimated. The Ambassador gives the entire cost of the work, including the options, compensation, cost of excavating and caring for the remains, as not exceeding 180,000 francs, or $35,000, on the supposition that the body may not be found until the whole area has been searched. If discovered earlier the expenses would be proportionately less.

The great interest which our people feel in the story of Paul Jones's life, the national sense of gratitude for the great service done by him toward the achievement of independence and the sentiment of mingled distress and regret felt because the body of one of our greatest heroes lies forgotten and unmarked in foreign soil lead me to approve the Ambassador's suggestion that Congress should take advantage of this unexpected opportunity to do proper honor to the memory of Paul Jones and appropriate the sum of $35,000, or so much thereof as may be necessary for the purposes above described, to be expended under direction of the Secretary of State. The report of Ambassador Porter, with the plans and photographs of the property, is annexed hereto.

In addition to the foregoing recommendation I urge that Congress emphasize the value set by our people on the achievements of the naval commanders in our War of Independence by providing for the erection of appropriate monuments of two, at least, of those who now lie in undistinguished graves—John Paul Jones and John Barry. These two men hold unique positions in the history of the birth of our navy. Their services were of the highest moment to the young Republic in the days when it remained to be determined whether or not she should win out in her struggle for independence. It is eminently fitting that these services should now be commemorated in suitable manner.

HAD MET SOME OF THEM.

From Puck.

"Did you ever hear any of the great orators?"

"Young feller, I've not only heerd th' most of 'em, but I've shuck hands weth William J. Bryan an' Dave Hill."

SUPPRESSION OF VICE IN PHILADELPHIA.

GRAND JURY CHARGES FAILURE TO HEAD OF POLICE FORCE—MAYOR'S HANDS TIED.

[BY TELEGRAPH TO THE TRIBUNE.]

It is, therefore, with regret that this grand jury is led to believe that the responsibility for the increase and continuance of the social evil in Philadelphia, contrary to all law and public opinion, lies immediately with the Director of Public Safety.—(Presentment of Philadelphia County Grand Jury.)

Philadelphia, Feb. 13.—About the head of this Director of Public Safety, David J. Smyth, is now raging a storm of moral reform, such as in its character and effects has never before been seen in the staid City of Brotherly Love. He is assailed from all sides by ministers and associations of all kinds, who, in resolutions, have demanded of Mayor Weaver that he remove this official, who controls the police force.

With a bland smile and a pleasant word, Director Smyth, the protégé of the organization leaders who forced him upon the Mayor as the price of the latter's election, does not deign to reply to the mass of facts that have been unearthed and whose publication threatens the life of the machine organization itself. He thinks that he holds the key to the situation, and that there is no power strong enough to oust him. Erstwhile member of the legislature and Assistant District Attorney of the city, this man has advanced by rapid steps in the confidence of the machine leaders until now he stands at the head of an organization which is as powerful as it seems to be impervious to all assaults.

Sitting in the Mayoralty chair, his superior in law but not in fact, is John Weaver, who was nominated and elected by the machine in the belief that he, too, would be their humble servant. But they calculated without their host. His adherents were quick to perceive his change of front, and the Mayor, who is an Englishman by birth, now finds himself in the Mayoralty chair deserted, without friends and advisers, checkmated at every step, a pygmy arrayed against the giant politics. For the Mayor is not a graduate of the political school, and he lacks that experience which would dictate to him the measures that would make him feared, if not respected, by his opponents. Unlike his Director of Public Safety, he has not advanced step by step up the political ladder, but he emerged from comparative political obscurity to take the place of District Attorney, which he vacated only a few months later to become chief executive of a city of a million and a quarter population. As one public official expressed it the other day, "He's not 'next.'"

Standing out in contrast to these two men is D. Clarence Gibboney, secretary of the Law and Order Society, an organization composed of purity loving citizens who have for years supplied the funds necessary to carry on an intermittent war against vice. With a corps of only fifty men he has been steadily but surely getting to the root of the matter, gaining a familiarity with the methods and the personality of the vice system which is now standing him in good stead.

Sometimes in person and again through his agents, he has conducted raids in the shadow of the "Tenderloin" police stations, exposing the laxity and inefficiency of the police in these districts to such an extent that Mayor Weaver, in the hope of staying the mighty wave of public protest, has transferred bodily the police of the "Tenderloin" districts to stations embracing the fashionable residence region, bringing those men into the districts embracing the "Tenderloin." Such a thing was unprecedented, and it has resulted in a demoralization in the police force which it will take months to overcome.

But Secretary Gibboney does not rest with making raids. Himself a member of the bar, he follows his work to its conclusion by pressing the cases in court, and by his presentation of evidence of an unmistakable character he is every day securing convictions.

Where the three thousand policemen and two hundred odd detectives failed, Secretary Gibboney, with his small staff, has succeeded so well that those who have basked under the protection of the police in years past are now fleeing from the city lest they, too, should follow in the footsteps of those who have fallen into his hands.

Every mail brings a letter threatening his life, but, disregarding all thought of personal injury and spurning to carry a weapon for his protection, Secretary Gibboney has continued to carry on his work in the "Tenderloin" until, at the present time, he is the man most feared by the purveyors of vice in the city.

Time and again the Mayor has ordered a "clean-up." His lieutenants have reported to him that their districts were clean and, acting on this, the Mayor has announced publicly that the city is "closed tight." And lo! the same day Secretary Gibboney has started out, and in the course of a few hours filled every cell in the big prisoners' room in City Hall with offenders against the moral code.

In a little dingy office on the second floor of a building in Walnut-st., in which Secretary Gibboney has only desk room, this man who has brought on the crisis continues to direct his work. He is an Iowan by birth, and the bulldog determination of the Westerner is in every line of his face and every move of his lank, bony frame. He knows no mode of action but complete eradication, no principle but a firm determination to "clean up" the town.

The grand jury's findings were presented to Judge Audenried, sitting in the Court of Common Pleas, who received the document without extending the usual thanks to the body for their work and curtly ordered the court crier to dismiss the eighteen men from further service.

Some further excerpts from the presentment besides the one at the head of this article, which precipitated the present crisis, follow:

The grand jury also learns and believes to be true that the patrolmen on these beats have regularly reported the most of these houses as violating the law. These reports were made to their superior officers, the lieutenants of their districts, and very few, if any, arrests have followed, with the exception of an occasional raid, from which very few indictments were obtained on account of insufficient evidence. We have reason to believe from evidence produced that the reports of the lieutenants of these districts concerning the existence of these houses in their districts have been made to the Superintendent of Police, and have been at the disposal of the Director of Public Safety. It has also been declared before us that the Director of Public Safety has had his personal attention called to these abuses and proofs of their existence have been offered him for his use. . . .

We have reason to believe and to know that in almost every case where a patrolman or other officer of the Department of Public Safety has ordered a house to be closed the order has been sufficient in most cases to accomplish the result, showing plainly that the Police Department has easily within its power the means to close every disorderly house in the city of Philadelphia if it exercises its authority. . . .

The testimony given to the grand jury on oath in connection with the bills formally brought before it reveals a condition of affairs which would bring the blush of shame to any respectable citizen, and make him feel that the fair name of Philadelphia has been disgraced and humiliated by those who allow the continuance of such conditions of affairs. . . . The grand jury cannot but believe from the evidence it has heard that vice flourishes and increases because it is protected or countenanced by those high in authority and leaders in certain wards and political clubs.

The publication of this document brought a storm of protest from all quarters. Scathing sermons denouncing the Director of Public Safety and calling on the Mayor to dismiss him were preached from scores of pulpits, but all to no effect.

Seeking vainly for a solution of the problem, the Mayor called into conference with him a number of the most prominent clergymen of the city, including Archbishop Ryan, the Rev. Floyd Tomkins, Bishop Mackay-Smith, the Rev. Stephen W. Dana and others. It was fruitless. The ministers refused to take any part in any purification scheme, asserting that as ministers of the Gospel they could not have personal knowledge of violations of the law, and could not therefore know anything of the evil, except what they read in the public prints. They told the Mayor frankly that it was his duty and not theirs to suppress the evils complained of.

For a time he remained silent, and then he came forward with a plan, the features of which were the uprooting of disorderly houses and the arrest and prosecution of all frequenters as being equally guilty under the law. The Supreme Court of Pennsylvania has decided that a frequenter of such places can be prosecuted as an "aider and abettor" of the evil. This decision was heralded broadcast as the final solution, but so far nothing has been done by the police.

Meanwhile Secretary Gibboney is prosecuting his work with unceasing vigor, and only a few days ago "Barney" Pilnick and his wife were sentenced to four and two years, respectively, in the County Prison, after having been convicted on evidence produced by Gibboney of conducting establishments in which the law was flagrantly violated.

This, together with other recent convictions for the same offence, has sent a shiver up the backs of many men in this city. The men who in years past have become rich through this infamous traffic are leaving the city, one by one, because they dread the relentless vigor with which Secretary Gibboney has pursued them. To secure evidence of this traffic, evidence upon which a conviction can be secured, is admittedly the hardest of all vice crusade work, but the truest test of success is results, and Secretary Gibboney has obtained them under the very eyes of the police themselves.

The personnel of the Philadelphia police has much to do with the continuance of vicious conditions in Philadelphia. That there are honest men on the force is conceded by every one, but in many cases "graft" and the example set by his superiors have proved too much for the average patrolman, who sees his lieutenant receiving a salary of $1,800 a year from the city and $20,000 a year from the proprietors of illegal resorts.

The policeman "fixes" the special officer, the special officer "fixes" the sergeant and so it goes upward to the lieutenant. How far it really does go is known to only a few. That the recent shiftings of the police of one district to another will prove in the main ineffective is illustrated by the statement of one policeman, who was brought in from Germantown to cover a beat in Noble-st., one of the worst streets in the entire Tenderloin.

"Have you been up to the Blank?" was asked of him by the officer who had formerly covered the beat.

"No," he answered. "Show me the place. They're not very generous out in Germantown and I want to show them down here that they have no lenient master to deal with now. I'm out for the goods."

Then, again, the other side is illustrated in the person of Lieutenant Frank Callahan, formerly in charge of the notorious 8th District, but who is now in command of the 11th District, one of the cleanest in the entire city. There is no better policeman, no more efficient officer, in the entire police department. About a year ago he was assigned to the 8th District and he received orders, presumably from "the front," to clean up his district. He went to work with a will, and within forty-eight hours every illegal resort had been closed. And then, by the devious ways that are known only to politicians, word was brought to him that unless he ceased his activity he would be "broken." That meant that a charge would be trumped up against him, that he would be tried by a packed police court and that he would be discharged. Facing dismissal or compliance, he accepted the latter alternative, and, with his hands virtually tied, he was forced for six months prior to his transfer to the 11th District to witness all sorts of vice flourishing practically under his nose without being able to take effective steps against it.

That is what is meant when, in the presentment of the grand jury, it was said, "the increase and continuance of the social evil in Philadelphia . . . lies immediately with the Director of Public Safety." He is the responsible head of the police, and without his support the rank and file can do nothing.

MOBILE HOTEL BURNED.

Historic Battle House Destroyed—Damage $400,000.

Mobile, Feb. 13.—The fire which destroyed the Battle House, Mobile's historic hotel; the Commercial Hotel, and several adjoining buildings, was brought under control at daylight to-day. The total loss is about $400,000. There was no loss of life, but Fire Chief Price and Fireman McMahon were injured by falling bricks.

The Battle House loss is placed at $300,000; insurance one-half. The loss on the Commercial Hotel, which adjoins the Battle House, in Royal-st., is $30,000, and that on the Graham Printing Company $30,000. There were several smaller losses. Many offices on St. Francis-st., opposite the Battle House, were flooded. The origin of the fire has not been ascertained.

"POLITICS," SAYS PASTOR.

Resigns from Bethesda Church, Declaring It Disrupted.

Declaring that the Bethesda Congregational Church, at Ralph-ave. and Chauncey-st., Brooklyn, was disrupted, and relating much of the inside history of the trouble that has been rending the congregation for several months, the Rev. Dr. Charles Herald, the pastor, read his resignation on Sunday. If accepted, it is to take effect on June 30, when Dr. Herald will have completed his seventeenth year as pastor of the church. Many of his friends are trying to persuade him to withdraw his resignation. The resignation and the statement were read at both the morning and evening services, and came as a surprise. Considerable excitement followed the announcement in the morning, and it is reported that one good old woman became so excited that she struck one of the trustees, who is an opponent of the pastor. In beginning his statement in the morning Dr. Herald said, in part:

I have always thought I was an upright, honest, truthful man, but I have been called a name which I do not like to mention—it means perverter. I have been called another word, which means purloiner of another's property. I have been accused of many things. Anger and malice and misinterpretation and misjudgment are walking hand in hand through our midst, and this beloved church, which for more than twenty years has borne such prolific fruit, is being devastated by the little foxes.

The question resolves itself into a very simple matter. Is this organization to be carried on on the lines of a political organization, with leaders and bosses and midnight meetings and questionable election ammunition, or is it to be carried forward as a Christian church, with the Master as its head and the pastor as its overseer and guide? It is for the members to decide.

FIGHT FIRE IN FURS.

Wealthy Larchmont Volunteer Firemen Save C. O. Iselin's Greenhouses.

A fire discovered at 10 a. m. yesterday destroyed the farmhouse and stables of C. Oliver Iselin at New-Rochelle. The greenhouses which adjoined the farmhouse were saved by the wealthy Larchmont volunteer firemen, who turned out in their furs, with Chief Frank Hardy at their head, and fought the flames.

The fire was not at All View, the yachtsman's big country mansion where he entertained Sir Thomas Lipton, Lord Dunraven and others, but half a mile further up the Boston Post Road, on the dividing line of New-Rochelle and Larchmont. The blaze started in the kitchen of the farmhouse, where servants are living, and the high wind quickly carried the flames to the stables and greenhouses. The Larchmont firemen made a quick run and arrived in time to save the horses, vehicles (including Mr. Iselin's new $5,000 coach) and greenhouses containing half an acre of flowers and plants. The cause of the fire is not known.

Mr. Iselin and his family are at Aiken, S. C. The firemen placed the loss at about $3,000.

PORTO RICANS NOT HOSTILE.

San Juan, P. R., Feb. 13.—The House of Delegates last week unanimously adopted the following resolutions:

First—To protest against the false accounts published by the press of the United States attributing to the House sentiments of hostility toward the American people.

Second—To declare that the House of Delegates of Porto Rico is inspired with a fundamental sentiment of adherence to the people of the United States, and with the most cherished ideal of preserving the personality of the Porto Rican people and promoting their welfare.

A LOW-PRICED COCOA IS NOT THE CHEAPEST—"IF QUALITY COUNTS IT'S Huyler's YOU WANT."

OUR ONLY STYLE CAN YOUR GROCER SELLS IT.

KNOWN ALL OVER THE WORLD FOR ITS PURITY, QUALITY AND FLAVOR.