

BONAPARTE TO TILLMAN

AN ANSWER TO SPEECH.

Accuracy of Assertions Denied— Senator's Statement in Reply.

Washington, Jan. 12.—Attorney General Bonaparte to-night issued a statement replying to that part of the speech of Senator Tillman, delivered yesterday, in which he declared that the resolution in regard to the Oregon land grants, introduced by him in the Senate on January 21, 1908, had been prepared by the Attorney General, and that his interest in the matter had been aroused by a desire to purchase some of the timber land.

Senator Tillman late to-night replied to the Attorney General's statement.

The full text of the Attorney General's statement is as follows: There are two passages in the remarks of Senator Tillman, published in to-day's Congressional Record, which demand notice from me. He says (Record P. 734):

It might be well to inquire whether or not the Attorney General had been ordered not to convey the law of Congress passed last April—which I will call the "Tillman-Bonaparte law"—ordering suits to be brought in regard to the Oregon land grants. My culpability is of such enormity and magnitude in contemplation of the purchase of 1440 acres of land in other parts of the State that it may be found that it is not an error in the eyes of the public to call it a "Tillman-Bonaparte law."

On September 4, 1908, suit was brought by the United States of America in the Circuit Court of the United States for the District of Oregon against the Oregon & California Railroad Company, the Southern Pacific Company, the Union Trust Company, individually and as trustee, Stephen T. Geage, individually and as trustee, and a large number of individual defendants, the purpose of the suit being to enforce the law and declare and enforce a forfeiture of the public lands claimed by the railroads under Mr. Harriman's control, by virtue of the original grant to the Oregon & California Railroad. It has been brought in accordance with the directions of the joint resolution to which Senator Tillman refers; was instituted as soon as practicable after the passage of the said resolution, and the fact of its institution has been published and could have been verified by any one, through inquiry at this department, for more than four months.

Senator Tillman says, in another part of his speech (Record, P. 732): In my conversation with the Attorney General in regard to the resolution which I introduced, and which he himself prepared, after we had talked over the whole land situation, I distinctly remember telling him that my interest in the matter had been aroused by a desire to purchase some of the timber land, and that my coming to him was due to the fact that I had discovered upon investigation that I could not buy it through any agency whatsoever; that I could not buy it even by a lawsuit, because I was advised by very able lawyers in the West, among them the Hon. George Turner, of Washington, that in attacking the holders of the land grants no one would have any standing in court except the grantor, the government itself.

Another version of conversation. Senator Tillman called upon me at the Department of Justice a few days before the introduction by him of the resolution which I see by the Record he presented to the Senate on January 21, 1908. Our interview occurred, therefore, a little less than three weeks before his letter of February 14 to Messrs. Reeder and Watkins, in which he requested them to "hold in reserve" for him "eight of the best quarter sections," and probably a little more than three weeks before his statement in the Senate that he had not bought any land anywhere in the West, or undertaken to buy any. He told me he wished information as to the status of the lands embraced in these Oregon grants because he had heard so much complaint about the conduct of the corporations claiming them during his recent journey through the States of the Pacific slope. He criticized, with great severity, the policy of granting the public domain to such corporations, and mentioned that on some occasions he had seen a proposed land grant of this character. He had said to certain of his colleagues: "You may as well give them what they want now; you have given them pretty much everything else."

He said, according to my recollection, that the lands had become of great value and many persons wished to purchase them, and added that he would have been glad to do so himself if he could; but he never told me a word of any connection on his part with an arrangement to acquire some part of these lands, nor that he intended, expected or desired at that time to make any such purchase. As stated by him, his reason for making these inquiries was that he might better discharge his public duties, and I was totally ignorant until I saw the document introduced by the President to Senator Hale that Senator Tillman at the time of his conversation with me had any private interest, whether actual or in expectation, in connection with the subject of our conversation.

During this conversation I explained to him that it would be impracticable to compel the corporations claiming these lands to sell any particular portion of them to any particular person, although of course, if a purchase agreement could be established a forfeiture of rights under the grant the lands might become afterward open to entry on the same terms as any other portion of the public domain. He expressed a word of his purpose to secure some part of the lands in question, through arrangements with Messrs. Reeder and Watkins or otherwise, this forfeiture might tend to promote his individual interest, but I had no reason to credit him with any such purpose, and I dealt with him throughout as asking the information and advice I could give him, or that he might fulfill his duty as a public officer.

SENATOR TILLMAN'S REPLY. Senator Tillman's statement in reply to Mr. Bonaparte is as follows: I have hastily read the statement issued by the Attorney General, and so far as I gather the import of the statement is that there is a discrepancy between us, but rather one of memory. The Attorney General says:

According to my recollection, the Senator stated that the lands had become of great value and many persons wished to purchase them, and added that he would have been glad to do so himself if he could; but he never told me a word of any connection on his part with an arrangement to acquire some part of these lands, or that he intended, expected or desired at that time to make any such purchase.

Further on the Attorney General says: I was totally ignorant until I saw the document transmitted to Senator Hale that Senator Tillman at the time of his conversation with me had any private interest, whether actual or in expectation, in connection with the subject of our conversation.

Mr. Bonaparte uses the word "arrangement," and nothing that has ever come out in this controversy justifies that word, not even the letter of February 15. But I feel very sure that I mentioned the valuable character of the land and that my interest in the matter had been first aroused because I wanted to purchase it, and told him so. As to the Attorney General's statement about my private interests, whether actual or in expectation, it being confined solely to the desire that I might get some of the land if the government should cancel the patents; but that was so important and practical that it amounted to nothing. It was my public duty to secure the cancellation of the patents, if possible, after which it was my private right to buy some of it if I chose. As there were 2,100,000 acres in the two grants in question and I only wanted 1,440, the relative interests are easy to see.

The Attorney General in the opening part of his statement gives the list of parties and corporations against whom suit has been brought, but I fail to see anything about any suit being instituted to recover the land granted to the State of Oregon to aid in the construction of a military wagon road from the navigable waters of Coos Bay to Roseburg. These lands were the ones in which I was interested and about which I spoke to the Attorney General, and they were incorporated both in the resolution which he drew and in the joint resolution which he introduced. Has or has not the Attorney General obeyed the act of Congress, as I inquired in my speech on Monday, and if not, why not? The Attorney General mentions the suits against various companies and individuals to recover the railroad lands which are subject to entry by actual settlers only; the military grant permitted and directed the sale to "purchasers." I have never contemplated the purchase of any railroad land, because I had no idea of becoming an actual settler in Oregon or of attempting to have any bogus transactions such as have brought so many people into trouble. If the Attorney General is ready to swear that I never told him my interest was excited by the information I had sought was due to my desire to purchase the railroad lands, I am equally ready to swear that I did and leave the people of the country to believe which ever one of us they choose. Speaking of railroad lands, his statement is absolutely correct in every particular; speaking of military road lands, my statement is absolutely correct.

Answering a reference by Senator Tillman in his speech yesterday to an incident of several years ago, when Mrs. Minor Morris was ejected from the White House, Secretary Loeb to-day made public letters from Mrs. Morris's son, L. H. Highleyman, of St. Louis, and Francis J. A. Darr, of Somerset, N. J., bearing on Mrs. Morris's actions. The letter from Mr. Darr addressed to the President under date of September 21 says: "I am writing you my own account of a great mistake I made three years ago. This refers to Mr. Darr's belief, expressed at that time, that Mrs. Morris had suffered great wrong in her ejection."

The letter from Mr. Highleyman referring to Mrs. Morris says: "I can only hope that she will do nothing rash in Washington; however, every moment I expect something to happen."

METHOD OF PROCEDURE UNCERTAIN. Much interest was manifested by Senators to-day in the procedure that will be adopted to dispose of the charges made by the President against Senator Tillman. Mr. Tillman insists that he shall be convicted or cleared of wrong doing. Conferences were held to-day to determine the best course of procedure, but no plan was agreed upon.

It was emphatically denied at the White House to-day that the President contemplated a veto of the supply bill appropriation bill if it failed to contain provisions suitable to him in regard to the Secret Service.

Many people are sending me material in regard to Roosevelt's dark and crooked ways, and am preparing a speech in which I will try to redeem my promise made yesterday," said Senator Tillman to-day. He said he did not know how soon he would be able to deliver this speech, but he would make it before the President retired from office. Mr. Tillman to-day received a telegram from Henry Watterson congratulating him, and saying, "You have certainly met every requirement of public duty and private honor."

Columbia, S. C., Jan. 12.—The Legislature of South Carolina to-day unanimously adopted resolutions commending Senator Tillman and condemning what the resolutions term the "vindictive and sensational methods of the President of the United States in his reckless and malicious attacks."

KNOX OUTLINES POLICY.

Plans Under Secretary of State and Fourth Assistant.

Washington, Jan. 12.—Senator Knox introduced to-day a bill creating the office of Under Secretary of State and Fourth Assistant Secretary of State, and also providing for a private secretary, a clerk and a messenger. The salaries to be paid are \$10,000 to the Under Secretary, \$4,500 to the Fourth Assistant, and \$2,500, \$1,500 and \$1,000 respectively to the private secretary, clerk and messenger.

Mr. Knox also outlined his policy as Secretary of State, saying that he wants an Under Secretary to relieve him of much detail work now performed by the Secretary, such as receiving the ceremonial calls of diplomats, etc. He expects the ceremony to devote more time to appearing before the Committee on Foreign Relations than has hitherto been the custom of secretaries, with the exception of Mr. Root, and which he has accomplished only with difficulty and inconvenience. Mr. Knox also hopes to devote considerable time to the consideration of the larger problems of the foreign relations of the United States.

It is understood that in the reorganization of the Department of State a place will be made for Francis B. Loomis, former Assistant Secretary, and Mr. Loomis is expected to be named by legislation of the United States ready for delivery. Charles E. Barber, chief engraver of the mint, is in charge of the work, and is being assisted by George T. Morgan, whose skill was shown on the last medal issued by the bureau, that of the "Department of the Fleet," copies of which are now being distributed. Mr. Barber's bronze likeness may be bought by the public when it is finished for \$2. This price will be reduced if the director of the mint, Frank A. Leach, can put in operation a plan he has suggested to check the amount of production of the medals. He is of the opinion that if the medals of the President could be issued by the mint at \$1 each a great many copies of the work would be greatly increased. Mr. President Roosevelt has ordered the medal artists and the mint and through the country great incentive to improve their work by showing high regard for the art.

TO CONFER WITH WATCHORN.

Corporation Bureau Chief Will Also Talk with Man Who Made the Charges.

Washington, Jan. 12.—Herbert Knox Smith, chief of the bureau of corporations, who has received the notice of a resolution calling on the Secretary of Immigration at New York, whose nomination was withdrawn by the President on account of charges filed by Harry Campbell, will go to New York to confer with Mr. Watchorn, who is in charge of the charges against Mr. Campbell. Mr. Smith is in a voluminous mass of bills and letters in the hands of Mr. Smith. Mr. Smith thinks he will complete his work on the case the latter part of next week.

ASKS FRANK FOR MRS. CLEVELAND.

Washington, Jan. 12.—A bill to extend the franking privilege to Mrs. Grover Cleveland was to-day introduced in the Senate by Senator Penrose, of Pennsylvania.

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ATTACK BY FORAKER

BROWNSVILLE UP AGAIN.

Senator Lodge Defends Course of President in Matter.

Washington, Jan. 12.—Practically the entire day of the Senate was devoted to a consideration of the Brownsville affair, Senator Foraker obtaining the adoption of a new resolution and denouncing the course of the administration, and Senator Lodge replying briefly but effectively to the strictures of the Senator from Ohio and substantially refuting most of his contentions. At the close of the debate Mr. Foraker, although promising a further speech in reply to the former summing up of the case by Mr. Lodge, sought to have a day fixed for a vote, but without success.

The Senate leaders regard it as possible that before adjournment a resolution will be framed and adopted whereby the Secretary of War will be empowered to appoint a board to hear any evidence which any of the discharged soldiers care to present, which board, if satisfied of their innocence, shall have the power to reinstate them in the army. It is a safe prediction that only a measure which leaves it to the executive branch of the government to appoint the reviewing board and to determine the guilt or innocence of the soldiers can pass, while it is by no means impossible that Mr. Foraker's opposition to such a measure will prevent the enactment of any legislation.

Senator Foraker, in his speech to-day, began by ignoring the obvious distinction between a conviction that some of the soldiers of the 25th Infantry did the shooting and a conviction as to which individuals were guilty, and assuming that there was no difference, he sought to establish inconsistency and insincerity on the part of the President because, having declared his conviction that the shooting was done by the soldiers, he took further steps to ascertain which individuals were guilty.

Mr. Foraker denounced in vehement terms the course of the President in seeking to ascertain what individuals were guilty, saying of him: "It does not lessen the gravity of his offense that he appears to be imperceptibly to him, or, if not so, he has become utterly oblivious to all the restraints of law, decency and propriety in his mad pursuit of these helpless victims of his ill-considered action."

He further declared the employment of the detectives to be "iniquitous and infamous." Senator Lodge, replying briefly to Mr. Foraker, indulged in gentle sarcasm, saying apropos of the employment by three railroads of one of the detectives in the case: "Railroads are soulless corporations. They are not yet sufficiently advanced to realize that it is 'iniquitous and infamous' to use detectives for the discovery of crime. In fact, these soulless corporations do not even refrain from employing detectives from fear of hurting the feelings of those whom they believe to have engaged in crime."

By a series of letters from discharged soldiers and others Mr. Foraker sought to prove the worthlessness of the evidence gathered by the detectives, and succeeded in shaking the confidence of Senators in their testimony. He dealt without mercy with the charges of Herbert J. Brown, one of the special detectives employed by the War Department, and of their work he said: "The whole work in which they have been engaged is the result of a plot and a conspiracy blacker and more damnable than anything that has been charged against the soldiers themselves, even if the worst that has been said should prove to be the truth; for, atrocious and indefensible as is the crime of murder, more atrocious and indefensible still is a cold, scheming, calculating plot and conspiracy to fasten the crime of murder on an innocent man."

CALLS DETECTIVE WORK "PLOT."

By a long series of legal decisions Mr. Foraker sought to establish the unduped proposition that the confessions obtained by the detectives in their preliminary work would be inadmissible in court of justice, and with a wealth of denunciation he condemned the methods employed to ferret out the culprits.

Mr. Lodge, replying to this part of Mr. Foraker's argument, pointed out that while not pleasant, the methods of detectives were everywhere regarded as essential to the detection and prevention of crime, and cited the fact that, in the case of Mr. Foraker and indicted by postoffice inspectors to detect mail thieves, and usually proved successful. "Even unpleasantry is less objectionable than a constant pilfering of the mails," added Mr. Lodge.

The Senator from Ohio sought to establish the contention that the funds spent in endeavoring to locate the guilty murderers were illegitimate, inasmuch as the appropriation made in 1898, and the Constitution, in enumerating the powers of Congress, stipulates that the Congress shall have the power "to raise and support armies, but no appropriation to be used shall be for a longer term than two years."

Mr. Foraker's contention, which was ably expressed, assumed a considerable verisimilitude until subjected to a keen analysis by Senator Lodge, who pointed out that the expression in the Constitution dealt with raising armies, and not with a continuous appropriation such as in the case of the statute, and which was to be in the language of the statute, "to be expended for the purpose of raising and supporting armies, but no appropriation to be used shall be for a longer term than two years."

Finally Mr. Foraker sought to establish the illegality of the War Department's course in employing detectives because of the statute, which prohibits the employment of Pinkerton or other detective agencies by the Government.

Mr. Lodge, by citing the debate attending this enactment, which took place in 1893, about the time of the Homestead riots, showed that the intent of the law was not to prohibit the use of detectives in their proper functions, the detection of crime, but as an armed force, as was done at Homestead. Mr. Lodge quoted Representative O'Neill, of Pennsylvania, who was in charge of the bill, as saying in the debate: "No one objects to the use of the Pinkerton men in their legitimate use, for detecting crime, but only as armed forces."

In the opinion of the absent members of the Senate the reply of Mr. Foraker, for, as they said, "Mr. Foraker never succeeded in establishing that the statute forbade the employment of detectives for such work as the detection of murderers."

Senator Foraker obtained the adoption, without objection, of a resolution calling on the Secretary of War for a complete accounting of the emergency fund of \$2,000,000, appropriated in 1898, before he began his speech.

After Mr. Lodge had closed, Senator Clapp said that he did not share in the view of Mr. Foraker that the fund had been illegally used, and many Senators indicated their intention of discussing the Brownsville question at an later date.

WEEKS HAS FOREST BILL.

Washington, Jan. 12.—With the belief that the Appalachian and White Mountain forest reserve has practically finished the framing of a substitute measure, which, he thinks, will be acceptable to both bodies, this bill provides for the annual appropriation of \$2,000,000 for the purpose of buying and maintaining forest reserves in these States and insuring protection of lands of this character, which have fire protection for the establishment of a commission, a Senator and a Representative of War, the Secretary of the Interior, the Secretary of Agriculture, a Senator and a Representative, to expend the appropriation and to decide on all questions relating to the reserve. It is framed to expeditiously to the appropriation and to serve the same purpose.

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BRING ELECTORAL VOTES. Vice-President Gets Pennsylvania and New Jersey Ballots. Democrats Have Not Decided Whether to Frame Measure. Washington, Jan. 12.—After a long period of inactivity the minority members of the Ways and Means Committee had a meeting this afternoon to discuss the course to be pursued by the Democrats in connection with the new tariff bill. A three-hour session failed to produce any specific action, and when the meeting was over Representative Champ Clark, the minority leader, said the only decision reached was that the minority should make an effort to obtain more information and to ascertain the sentiment of Democrats generally in regard to the framing of a minority measure.

SECRET SERVICE INQUIRY. Senate Committee Puts Expert Investigators on President's Information. Washington, Jan. 12.—The special committee appointed by the Senate to investigate President Roosevelt's reference to Congress and the Secret Service will not be ready to begin its work for several days. The information sent in the hands of the President has been placed in the hands of an expert to be indicated to Senator Hale and in the mean time Senators Hemenway and Clay will examine the data submitted and endeavor to formulate a programme. Organization of the work of investigating the various secret operatives by a select committee of the House was postponed to-day, because of the inability of Chairman Olmstead to give attention to the matter.

WEEKS HAS FOREST BILL. Thinks Substitute for Appalachian Measure Will Pass. Washington, Jan. 12.—With the belief that the Appalachian and White Mountain forest reserve has practically finished the framing of a substitute measure, which, he thinks, will be acceptable to both bodies, this bill provides for the annual appropriation of \$2,000,000 for the purpose of buying and maintaining forest reserves in these States and insuring protection of lands of this character, which have fire protection for the establishment of a commission, a Senator and a Representative of War, the Secretary of the Interior, the Secretary of Agriculture, a Senator and a Representative, to expend the appropriation and to decide on all questions relating to the reserve. It is framed to expeditiously to the appropriation and to serve the same purpose.

WARM IN SPEAKER'S ROOM. Washington, Jan. 12.—A match dropped into a bunch of newspapers on the floor in Speaker Cannon's room just as a caller was leaving to-day caused a blaze to spring up that made it exceedingly warm in the Speaker's quarters for a brief time. Secretary Busby smothered the flames. B. F. YOAKUM'S CHAUFFEUR ARRESTED. Twenty members of Traffic Squad C were sent out on bicycles last night to look after the violators of the speed laws on Fifth avenue, and by midnight they had made twenty-one arrests.

Art Exhibitions and Sales. TO-MORROW (THURSDAY) & FRIDAY EVENINGS PROMPTLY AT 8:15 O'CLOCK IN THE Fifth Ave. Art Galleries, "SILO BUILDING," 546 Fifth Ave., Cor. 45th St. Mr. James F. Silo, Auctioneer. The Collection of Old Masters FORMED BY Sir Robert Waycott OF DEVON, ENGLAND, with Additions from the Notable Sales of William Butlin, Esq., OF DURTIN HOUSE, DURTON, NORTHAMPTON, AND Marchese Francesco Rinuccini, OF FLORENCE, ITALY, under the direction of H. S. DE SOUHAM, EXPERT, Paris and New York. ENTIRE COLLECTION NOW ON EXHIBITION.

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GOMPERS PROTEST IN NEW FORM. Local No. 496, of the International Brotherhood of Machinists, came out yesterday with a protest in a new form against the sentencing of President Gompers, Vice-President Mitchell and Secretary Morrison to terms of imprisonment for contempt of court. The protest was in the form of resolutions declaring that the issues involved were brought forward by the association of employers to distract the public attention from the eight-hour movement. One of the resolutions calls on President Roosevelt to urge Congress to pass a national eight-hour law, covering all the mechanical industries of the country, as the best means of bringing about industrial peace.

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