

SAYS REMOVE BINGHAM JUSTICE GAYNOR WRITES LETTER TO MAYOR

Declares Commissioner Refuses to Stop "Persecution" of Boy by Police Force.

Justice William J. Gaynor, of the Supreme Court, has sent a letter to Mayor McClellan asking that Police Commissioner Bingham be removed from office.

The specific case which Justice Gaynor cites is that of a boy who, he says, has been persecuted by the police, arrested over and over again on trumped-up charges.

Commissioner Bingham later visited Headquarters at night and gave out his correspondence with Justice Gaynor regarding the boy in question.

Justice Gaynor's letter to the Mayor reads: I had written a letter to the Governor of the state to get redress for the scandalous behavior of the police.

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MUST PAY SEMI-MONTHLY

Supreme Court Justice Says Railroads Must Obey New State Law.

Kington, N. Y., June 1.—Justice Betts, of the Supreme Court, to-day refused to issue an injunction restraining the enforcement of a state law recently passed which requires railroads to pay their employees semi-monthly.

The proceedings were brought by the New York Central, which maintained that the law was unconstitutional on the ground that it tended to impair the right of contract between employer and employee and was a restriction on interstate commerce.

The New York Central Railroad has more than forty-one thousand employees who are affected by the statute. In denying the injunction Justice Betts said:

The plaintiff has neglected to keep its methods of paying employees abreast of improvements which it has undeniably affected in carrying on its business and serving the interests of its own.

He added that the Legislature may also have taken into consideration the rights and needs of storekeepers who supply the employees and have to wait for their money.

HARVARD MEN DROPPED

Two Young Men Who Disturbed the Peace Permitted "to Withdraw."

Cambridge, Mass., June 1.—Following their conviction in the District Court to-day of disturbing the peace, John W. Cutler, of Brookline, and Sydney M. Fish, of New York, students at Harvard University, were permitted "to withdraw from the university" by the governing board of the institution.

The charge, which resulted in a fine of \$10 in the local court, arose from a disturbance in the college yard at 3 o'clock this morning. Two police officers arrested the students.

Cutler is twenty-one years old, a senior, and was quarterback of last year's football team. He is on the class day committee and expected to take a prominent part in the festivities. His brother is captain of the varsity crew.

Fish is at present on parole as the result of an escapade about this time last year. He was suspended from the crew, of which he was a member, after he had admitted taking a book surreptitiously from the college library.

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MRS. MEYER A SUICIDE

WIFE OF BREWER ELUDES MAID'S SURVEILLANCE

Found on Floor of Her Bedroom with Gas Tube in Mouth—Had Been in Ill Health.

Mrs. Geesina Meyer, wife of Charles Meyer, vice-president of the Bernheimer & Schwartz Brewing Company, committed suicide last night by inhaling gas in a room on the second floor of the four story brownstone house which the family occupies at No. 220 West 137th street.

Mrs. Meyer had been in ill health for some time and for four or five months had been suffering from melancholia. Dr. William Wolf, of No. 205 West 137th street, had been attending her, and had warned Mr. Meyer and other members of the family to keep Mrs. Meyer under observation on account of the state of her health.

On the pretext of taking a bath Mrs. Meyer went to her bedroom, on the second floor, attached a gas tube to the fixture of the chandelier in the centre of the apartment and then turned on the gas. Her maid became alarmed when she received no summons from her mistress and went in search of her.

Discovering that Mrs. Meyer had not been to the bathroom, the maid hastened to her bedroom. As she drew near she detected the odor of escaping gas. Opening the door she saw Mrs. Meyer lying upon the floor motionless, with the end of the gas filled tube wedged between her lips with a handkerchief.

Dr. Wolf was summoned, but upon his arrival he pronounced Mrs. Meyer dead. He said that in her weakened condition a few inhalations of the gas must have killed her. Mrs. Meyer was forty-seven years old.

The first police officer who was called when it was reported from the coroner's office. A patrolman from the West 125th street station went to the house and reported that every effort had been made to conceal the details. Otto L. Schloboch, of No. 833 Sixth avenue, said that Mrs. Meyer's brother shot himself about eight years ago.

LANDIS NOT WORRIED

Reads Mr. Harriman's Criticism—Roads Did It, Says Sims.

Chicago, June 1.—When Judge Keneaw M. Landis, of the United States Court, picked up his newspaper at breakfast this morning his eyes fell upon an interview with E. H. Harriman, and as he glanced down the column he was interested to read that Mr. Harriman had laid the financial panic of 1907, in part at least, at his door.

Having read what Mr. Harriman had to say about his \$20,000,000 fine against the Standard Oil Company, Judge Landis was asked what he thought about Mr. Harriman. He replied: "I am not at all concerned about what any one says in opposition to the enforcement of the criminal law."

About the same time, District Attorney Edward W. Sims, who prosecuted the Standard Oil case for the government, produced from his papers bulletin No. 10, of the Illinois Manufacturers' Association. "That is my answer to Mr. Harriman," he said.

Bulletin No. 10 is a publication purporting to show that the railroads themselves were the real instigators of the panic by unwarranted watering of capital. The Burlington and the Rock Island are pointed to as the two examples.

CARDINAL WEDS ELOPERS

New York Newspaper Man Finally Obtains Consent of Parent.

Baltimore, June 1.—Senora Mercedes Ruiz, of Washington, daughter of the late Dr. Ricardo Ruiz, a Cuban, and James Tyrone Kelly, a New York newspaper man, figured in an elopement to-day which ended with Cardinal Gibbons's blessing. Senora Ruiz objected to the wedding. The man and woman went to Baltimore, where the Cardinal refused to marry them. While they were pleading with him Senora Ruiz and her other daughter arrived from Washington, and called upon the Cardinal on the telephone to stop the marriage. Mr. Kelly hurried to the hotel where Senora Ruiz was staying, and on the way to the Cardinal's residence persuaded her to consent to the marriage. The ceremony was performed in the reception room of the Cardinal's home.

HITCH IN PISGAH FOREST LEASE

G. W. Vanderbilt Asks Chicago Men to Confer with His Attorneys Here.

Asheville, N. C., June 1.—George W. Vanderbilt is said to question the action of the head of his forestry department, Dr. C. A. Schenck, in executing the lease which Dr. Schenck made in April in the name of Mr. Vanderbilt with H. F. Addicks, of this city, for the fishing and hunting privileges on a tract of ten acres on eighty thousand acres of his Pisgah forest, at \$5,000 a year. He has requested James A. Pugh and J. M. Childs, of Chicago, to whom Mr. Addicks assigned the lease, to confer with his attorneys in New York.

Mr. Vanderbilt went to New York last week to confer with his counsel. The Chicago men plan a club of several hundred members.

A BALTIMORE LOAN REFUSED

New York Bankers Contend That Authorization Was Irregular.

Baltimore, June 1.—To the surprise of the Baltimore Finance Commissioners, the New York bankers, Lawrence Barnum & Co., have refused to take \$1,700,000 of the city stock conduit loan, which they bought at \$106 a share at public bidding. It is contended by the bankers that the ordinance authorizing submission of the conduit loan to the people for ratification was passed by the City Councils in an irregular manner. The technicality is raised that the ordinance was passed in two sessions instead of being read on three different days in each branch, as provided in the city charter. Mr. Poe, City Solicitor, says that the Council's action was perfectly regular, and will take the case to the State Court of Appeals.

COLONNAD FOR ROCKEFELLER HOUSE

Classic Effect Planned, with Possibly a Temple or Chapel Adjoining.

John D. Rockefeller is having plans drawn for the erection of an arbor and colonnade to enhance the beauty of the site of his new home, in the Pocantico Hills, at Tarrytown, N. Y. This project will cost many thousands of dollars. The contract has been awarded to the Thompson-Starr Company. There was a report yesterday that the colonnade would border a small building which would closely resemble a Grecian temple. It gave rise to another rumor, to the effect that Mr. Rockefeller intended to build a chapel on his Tarrytown estate.

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HEINZE DIRECTOR HELD

COUNSEL MAY JOIN HIM IN TOMBS TO-DAY

Disappearance of United Copper Co. Books To Be Brought Officially to Jerome's Notice.

Judge Lacombe sent George Baglin, vice-president and director of F. Augustus Heinz's United Copper Company, to the Tombs yesterday for contempt of court. Mr. Baglin had told the grand jury a short time before court opened that he had heard Arthur P. Heinz, Sanford Robinson, of counsel for F. Augustus Heinz, and Tracy Buckinham, the transfer clerk, now said to be in Canada, arrange to remove the books.

If the grand jury minutes bear out the statement of Mr. Robinson's testimony before that body made to the court, he will be sent this morning to join Mr. Baglin. Before the court closed for the day Judge Lacombe requested Henry A. Wise, the United States Attorney, to communicate the facts in connection with the disappearance of the United Copper Company's books to District Attorney Jerome, so that the latter may take action.

Mr. Wise began his hunt for the books last week. He charged that one of the ledgers had been mutilated and that the remainder, although being used by court officers, had been spirited away. Judge Lacombe gave the directors, Sanford Robinson, William J. Curtis, Chester Glass, George Baglin and Horace G. Abel, until yesterday to find the volumes.

Judge Lacombe, who had been away over the holiday, opened court at 3:30 o'clock. Just before that time Mr. Wise, at the head of the grand jury, entered. Counsel for the directors, among them John B. Stanchfield, Edward Lauterbach, A. Jarecki and Joseph Cotton, were on hand. Addressing the Court Mr. Wise said:

None of the gentlemen has produced the United Copper Company books, but I have evidence, taken before the grand jury, that reflects upon a member of the bar heretofore in good standing.

George Baglin, vice-president of the company, testified that he heard on May 19 a discussion between Sanford Robinson and Arthur P. Heinz, director of the company, that two empty trunks were brought into the offices of the company at the time, and that he, Mr. Baglin, was requested to leave the room.

Mr. Baglin departed and gave instruction to the janitor regarding the removal of the trunks. The books were not in the offices when Mr. Baglin returned several days later. It seems to me that there is nothing more to do than to lock him up until the books are produced.

HELD PENDING RETURN OF BOOKS

Judge Lacombe wanted to know whether that was after the subpoenas had been issued. Mr. Wise said it was. Then the judge said that if there was a statute under which somebody could be indicted for that proceeding it should be done. He then asked Mr. Wise to communicate the facts to Mr. Jerome, which Mr. Wise promised to do.

Mr. Baglin at first denied that he knew the books were to be taken out, but his memory was refreshed by Mr. Wise, whereupon he said that he did not see why he should be held responsible when he did not have charge of the books.

"Officers and directors of corporations," said the judge, "cannot stand around idly while others are plotting to remove the corporation property. I shall commit you to the custody of the United States marshal until the books are forthcoming."

Mr. Baglin was in the Tombs fifteen minutes later. Before the court took a recess to give Mr. Wise an opportunity to examine Mr. Robinson before the grand jury, counsel for the directors made an appearance, and A. Jarecki, for Mr. Curtis, explained that the latter was in court at Saratoga, and then said that the directors and stockholders would meet to-day, but that the directors probably would not be directors the day after.

When court reconvened Mr. Wise said that Mr. Robinson had refused to testify regarding the conversation, pleading that he and Arthur P. Heinz were counsel for the company and as such their conversation was privileged. The United States attorney said that Arthur P. Heinz had been a member of a brokerage firm and interested in a knitting goods concern. He might be a stockholder, and Mr. Robinson said that Mr. Heinz was a member of the New York bar.

"It is a most marvelous proposition, this," Mr. Wise said warmly. "There is no proof that Mr. Heinz is a member of the bar, and he has never earned a dollar practicing law in this city, and yet to evade a court order he is made a counsel."

REFUSED TO TESTIFY

Mr. Wise had to repeat to the court that Mr. Robinson had refused to testify, and then he and his counsel were summoned to the bar. Mr. Cotton said that his client had not been subpoenaed, whereupon Mr. Wise stated that Mr. Robinson knew that Frederick Eckstein, the former assistant secretary and treasurer, was under subpoena.

Mr. Cotton said that there was no reason he knew of why the books should have been taken out of the jurisdiction of the court. Then Judge Lacombe, leaning over and addressing Mr. Robinson, said:

Members of the bar who make themselves directors of corporations should bear in mind that when their action as directors is challenged they cannot shield themselves for their acts as directors by pleading the privilege as counsel. You stand here now as a director in collusion to spirit these books away. If your counsel cannot controvert the testimony given here, I shall not have the slightest hesitancy in committing you for contempt.

"Under his oath as a lawyer, my client could not do otherwise," answered Mr. Cotton. "No oath gives the right to conspire to violate the law or disregard the order of the court," retorted Mr. Wise. "Substantially your client advised contempt of court in the removal of the books, and the day the books were taken he knew that officers of the court were examining them, and then in addition there is the significance of requesting Mr. Baglin to leave the room."

Upon Mr. Cotton's request he is permitted to see the receipt of the minutes of the grand jury and the Court's desire to look over a copy also, the case went over until this morning. Before adjourning court Judge Lacombe said that if the minutes bore out the United States Attorney's recollection of the testimony Mr. Robinson would be sent to keep Mr. Baglin company.

COSTS \$100 TO SWEAR IN TELEPHONE

Omaha, June 1.—The Omaha City Council has passed an ordinance imposing a fine of \$100 for the offence of swearing into a telephone.

KING ALFONSO INJURED

Thrown from Horse While Playing Polo—Ankle Sprained.

Madrid, June 1.—King Alfonso, while playing polo to-day, fell from his horse. His ankle was badly sprained.

MARRIES HER CHAUFFEUR

Heroine of Boxer Uprising with Former Husband Got \$450,000.

San Francisco, June 1.—Anna L. McCartney, who as Mrs. August Chamot received a decoration from the French government for heroic acts at the time of the Boxer rebellion in China, was married to-day to her former chauffeur, August Rheinhardt. She obtained a divorce from Chamot two years ago, with the privilege of resuming her maiden name.

Chamot was an inspector for the Chinese government in Peking, as well as the keeper of a foreign hotel. When the legations were besieged Chamot had the only stock of European provisions in the capital. He furnished food to all Europeans and cooked for the sick. His wife, who was a crack shot with the rifle, took her place on the walls with the men and killed a number of Boxers who tried to scale the walls. After the uprising the Chamots received \$450,000 from the allies, as well as many jewels and curios. Chamot was made a mandarin.

SOLDIERS FIGHT FIRE

Bucket Brigade Carried Water a Quarter of a Mile from Ocean.

Portland, Me., June 1.—A combined force of five hundred regular soldiers from the garrison at Fort McKinley, under command of Colonel Charles L. Phillips; a boatload of men from the revenue cutter Woodbury, under Lieutenant Henry Ulke, and fifty men of the Portland Fire Department on the fireboat apparently have succeeded in saving a dozen of the finest summer houses on Great Diamond Island, Casco Bay, from the flames, after a fight of five hours.

The 23d and 154th companies, coast artillery, formed a bucket brigade of two hundred men and brought water from the ocean, nearly a quarter of a mile, to the fire. The 24th company formed a hook and ladder brigade, and the 37th and 90th companies used hand hose carts. Five of the cottages still in the fire district are guarded by one hundred men.

CENTRAL TO BUY SITE

Winthrop Property for Greater Station Enlargement.

The greater Grand Central site is to be enlarged. To obtain that object the New York Central Railroad has virtually completed negotiations to purchase the Winthrop estate property, which has a frontage of 200-100 feet in Deane Place and 150 feet in both 42d and 43d streets. It adjoins the home of the New York Society for the Relief of the Ruptured and Crippled, which occupies a large plot at the northwest corner of 42d street and Lexington avenue.

The estate premises will be used, it is said, for furnishing proper terminal facilities for the passenger service of the New Haven Railroad. Plans were filed recently for a twelve story office and loft structure to be built on the site, but the present deal indicates that such a project was only a tentative one. According to a report about \$1,500,000 is involved in the transaction.

The New York Central has been a large buyer of real estate in recent years. It now owns, besides its old station site and yards, all of the property on the westerly side of Lexington avenue from 42d to 50th streets, with the exception of the site occupied by the New York Society for the Relief of the Ruptured and Crippled. It also controls a large area of land fronting on Madison avenue and parallel to its train yards, between 45th and 48th streets.

SON IS UNRELENTING

Young Man Who Had Mother Arrested Has No Sympathy for Her.

Taunton, Mass., June 1.—Leman Briggs, who had his mother arrested in Roxbury last Friday, charged with embezzling two bonds worth \$1,000 each, said to-day: "Let her stay in jail. I have no sympathy for her. She squandered nearly all of the \$45,000 which my father willed me by plunging in the stock market and in backing inventions. During the last few years my mother has spent over \$100,000, and now she has nothing to show for it."

Mrs. Briggs is still in the county jail here, unable to furnish bonds for her release until the hearing on Thursday. Although she was one of the wealthiest women in Taunton a few years ago, she was not able to secure \$1,000 bail. Her former friends seem to have no sympathy for her.

ROCKEFELLER'S TURN TO LAUGH

Former Assessor, Who Raised His Taxes, Protests Against Assessment.

John D. Rockefeller did not protest against his increased assessment when the assessors of North Tarrytown heard grievances yesterday, but Mr. J. Martin, who as assessor increased Mr. Rockefeller's assessment a few hundred thousand dollars five years ago, asked the assessors to reduce his assessment on a recently purchased property in Washington street, North Tarrytown.

The total amount of Mr. Rockefeller's assessment at Pocantico Hills this year is \$45,800, an increase of \$10,000 over last year's figures. Through a representative he said that he was satisfied and would not protest. Mr. Rockefeller had trouble with the assessors, and Mr. Martin was a member of the board and urged a big assessment on the Rockefeller property. Mr. Rockefeller then brought clerical proceedings and had the court fix the assessment.

TWO MEN DROWNED WHILE FISHING

One a Son of Ex-Governor Garcelon of Maine—Boy Saved by Father.

South Yarmouth, Mass., June 1.—While Edward L. Garcelon, a retired state broker of Boston, was fishing with William Kenney, Jr., of this village, and a boy, George O'Brien, Jr., on Folsom's Upper Pond to-day their boat was upset by a squall and the men were drowned.

The boy was saved by his father, who lives near by. The elder O'Brien heard the shouts of the party and made an effort to save all three, but the men were too heavy for him to help, and they were drowned.

Garcelon was a son of the late Alonzo Garcelon, once Governor of Maine, and a brother of State Representative William F. Garcelon, of Newton.

BRETTON WOODS HOTELS, WHITE MTS., N. H.

Representatives at 1189 E. 57th St., Tel. 4743 Mad—Advt.

MR. LODGE EXPLAINS

COTTON SCHEDULES

HOLDS SENATE IN CLOSE ATTENTION

Says Republican Party Did Not Promise Revision Downward—Mr. Root Defends Appraisers.

Washington, June 1.—One of the most notable contributions to the tariff debates of this Congress was furnished to-day when Senator Lodge addressed the Senate on the schedule relating to cotton manufactures. For more than an hour the Massachusetts Senator held the close attention of his colleagues. He was in splendid form, and his clear cut, analytical and logical explanation of one of the most intricate tariff schedules was in striking contrast to the "home consumption" oratory which has wearied the Senate and the country and delayed progress on the bill. Few interruptions marked the speech, and the fact that Mr. Lodge was not diverted from an orderly presentation of his argument contributed materially to the effectiveness of his address.

In beginning his speech Mr. Lodge said that he preferred not to yield to interruptions, but would be glad to answer questions at the close of his remarks. He desired to have a semblance of continuity in his remarks instead of "a rivulet of argument meandering through a meadow of pleasant but wholly irrelevant conversation." The cotton schedule, according to Mr. Lodge, was a fair example of a proper revision of the tariff. He declared that his former statement that the Republican party was not promised "downward revision" was an exact truth. The Massachusetts Senator then proceeded to review the work of the Chicago convention, reading from the platform the speech of Senator Burrows, the temporary chairman of the convention, and the acceptance speeches of President Taft and Vice-President Sherman to show that the official utterances of the Republican party at the beginning of the campaign did not commit the party to a revision downward.

WORK OF COMMITTEE MISREPRESENTED

Revision, Mr. Lodge said, meant going over the whole subject, reviewing it and making changes in improper rates and leaving untouched rates which were protective and proper. It was undoubtedly true that most people expected there would be more reductions than increases, and as a matter of fact the revision in both the House and the Senate bills was a downward revision. Asserting that the work of the Finance Committee had been misrepresented, the Massachusetts Senator said that that committee's bill only made 3 1/2 reductions from the Dingley law and only thirty-three increases, practically all the increases being on luxuries and agricultural products. He called attention to the fact that many reductions had been made since the bill was reported to the Senate, mentioning those made yesterday on salt as an example. Little attention was paid to these reductions, the Massachusetts Senator said, but when the committee attempted to cure a misleading classification by imposing a proper rate they were charged with neglecting the pledges of the Republican party.

"When the Finance Committee took up the cotton schedule," Mr. Lodge continued, "we found goods of the highest value paying the lowest rates of duty. Goods of the lowest value were paying the highest rates and goods of the same value were paying different rates. This was due to technical defects in the wording of the law and we sought to correct them."

INTERRUPTION BY MR. ALDRICH

Mr. Lodge then went on to point out why specific rates were substituted for ad valorem ones in many cases, and Mr. Aldrich interrupted with the statement that specific rates on cotton goods were imposed in every tariff bill since 1861 and were in the tariff laws of every commercial nation of the world. After pointing out the average rates in the cotton schedule were 38 per cent when the Dingley law was passed and that they had been materially lowered by construction the Massachusetts Senator reiterated his assertion that the Finance Committee had rearranged the rates, but had not increased them.

Referring to Mr. Dooliver's charge that certain amendments had been suggested by cotton manufacturers, Mr. Lodge said he thought it just as proper to take into consideration the recommendations of American business men as to follow the wishes of the importers who desired to break down the protective system.

When the Massachusetts Senator began his explanation of the process of mercerization he offered for inspection various exhibits of mercerized and unmercerized cotton cloth. Senators from all parts of the chamber gathered around his desk to examine the exhibits and to ask questions concerning them. Mr. Lodge called attention to "the extremely pretty" patterns, and Mr. Aldrich observed that practically no mercerized cloth was manufactured in the United States prior to the enactment of the Dingley law. Mr. Lodge furnished elaborate tables of statistics, showing that the cost of mercerization ranges from 2 1/2 to 12 cents a yard. The additional duty on mercerized cloth is 1 cent a square yard, "a very reasonable duty," Mr. Lodge asserted. He then went on to show that under the Dingley act mercerized cloth was unfairly valued, saying that this was the reason certain importers protested so vigorously against the pending paragraph.

"NO TRUST," SAYS SENATOR LODGE

Taking up the charge that the cotton manufacturers are making exorbitant profits, Mr. Lodge said that the net increase in wages in the cotton mills was 22 1/2 per cent since the enactment of the Dingley law. "There is no trust or combination in the cotton manufacturing business in this country," he said. "On the contrary, there is a very sharp competition." He was amazed, he said, when a statement was made in the Senate alleging that gigantic profits were made by cotton manufacturers. He had procured the official figures, and they showed a very different condition of affairs. It was unfair to take one or two cotton mills and say, because their profits were large, that the same condition prevailed throughout the entire industry. From the official statistics of Massachusetts Mr. Lodge read figures showing that in the last ten years thirty-two of the Fall River mills had made an average annual profit of 6 per cent.

In the same period ten New Bedford mills had made an average annual profit of 10.45 per cent. Mr. Lodge said these were not exorbitant, were not even great profits, when compared with those made in English cotton mills. In Lancashire sixty-eight mills made a profit last year of 15.18 per cent and a profit of 33.96 per cent in 1907.

Mr. Lodge called attention to the strictness