



MR. TAFT FRAMING RAILROAD POLICY

AMENDMENTS TO LAW DISCUSSED.

Doubts Advisability of Making Roads Sell Holdings in Competitors.

Washington, Nov. 24.—The President made known to a number of his advisers at a conference at the White House this afternoon the fact that he has authorized the most important amendments to the Des Moines speech in his Des Moines speech to compel railroads to sell or otherwise dispose of the stock of competing lines which they already possess. He is convinced of the advisability of prohibiting railroads from acquiring further holdings in competing roads, but he has come to doubt the advisability of seeking to compel the roads to dispose of such holdings as they may possess at the time his proposed recommendation is enacted into law. In other words, he doubts the advisability of making such a provision retroactive. A further incident of the conference, to which Attorney General Wickham, Postmaster General Hitchcock, Chairman Knapp and Franklin K. Lane, of the Interstate Commerce Commission; Representative Mann, chairman of the House Interstate Commerce Committee, and District Attorney Sims, of Chicago, took part, was the declaration of Mr. Mann that he believed most of the amendments which will be advocated by the President could be handled by his committee, not as a blanket measure, but as individual bills, each constituting "an act to amend" the existing law. STOCK AND BOND SUPERVISION. The method by which a provision conferring on the Interstate Commerce Commission authority to supervise all further issues of stocks and bonds can be framed within the limitations imposed by the constitution was discussed at length. It was in connection with this point that the President expressed his doubt as to the advisability of going as far as he proposed in his Des Moines speech. All the phases of the legislation advocated by him at Des Moines were gone over, and the President urged the Attorney General to complete in time for use in the preparation of the annual message the report on this class of legislation of the committee of which Mr. Wickham is the chairman. That committee, it will be recalled, was created by the President early in this administration, and is composed of the Attorney General, the Secretary of Commerce and Labor, the Solicitor General, Chairman Knapp, Commissioner Prouty and Representative Townsend. The proposed interstate commerce court was among the subjects discussed today. President Taft believes that one of the great defects of the interstate commerce law is the delay entailed by litigation in the courts over an order of the commission. In favoring an interstate commerce court he is backed by nearly every member of the Cabinet and by members of the commission. The President believes that another change in the interstate commerce law should give to the commission the power to hear and entertain complaints against unjust classification of merchandise for transportation. It is perfectly clear, he declares, that by including in the same class articles which ought to pay different rates the railroad can commit exactly the same kind of injustice as it would by imposing an exorbitant rate on any one class. The President will recommend that the power of the commission be extended to include not only the fixing of rates, after complaint, but also the readjustment of classification if it proves on complaint to be unjust. To give the commission power to initiate complaints of its own is another of the important changes in the law to which the President and his advisers are devoting considerable attention. The President believes that this authority must be given to the commission in order to make its work truly effective. He is not in favor of letting down the bars entirely, however, and giving the commission absolute power to fix rates in advance and on its own initiative, and without complaint filed and investigation made. It is the desire of the administration to proceed cautiously along this line in a way which eventually will accomplish its purpose without too drastic or radical action. It is proposed that the Interstate Commerce Commission shall be authorized to suspend for thirty days the carrying into effect of a new rate classification, providing complaint is made that the new rates are unjust. It is argued that in this way the shipper will have equal rights with the railroads, which were permitted to take appeals from orders of the commission. POOLING OF RATES. A subject which has given the President and his advisers much concern is the proposal to permit railroads to pool rates. The President takes the position that railroads should be permitted to agree on traffic rates that shall not "exactly be pooling contracts, but shall constitute agreements as to rates, provided always that such agreements shall receive the approval of the Interstate Commerce Commission. In this way the operation of the anti-trust law against traffic agreements between railroads will be abolished, and for absolute prohibition will be substituted a requirement that such agreements shall meet the approval of a properly constituted tribunal. A delegation of coal operators and a representative of the miners' union called on the President to-day to urge that the railroads be permitted to pool rates as a means of providing against "shortages in the future and to enable quicker transportation of coal.

HELD BY RAILROADS. Many Waterway Terminals Already Taken.

Washington, Nov. 24.—The question of terminals in connection with the improvement of the great waterways of the country will be discussed in a report which is one of a series about to be issued by the Bureau of Corporations. It is reported that the data gathered in the course of the investigation will present some startling statements, but the facts are kept confidential, and rumors as to what the report will develop cannot be confirmed in the absence of Commissioner Herbert Knox Smith. It is said, however, it may be found that, despite the many millions of dollars of expense which might be incurred in improving the channels of the Mississippi River and its tributaries, the waterfronts of the cities to be benefited by such work already are owned by the railroads, mostly competitors for water traffic.

TICKETS TO COURT. Twenty-five Cents Price at Philadelphia Trial.

Philadelphia, Nov. 24.—Graft implicating minor attaches of the county criminal court in this city, in which a murder trial is in progress, was unearthed to-day, when it was found that tickets entitling the holders to admission to the courtroom were being sold for 25 cents each. Harris Rosenzweig is being tried for the killing of Harry Victor, a cigar merchant by whom he was employed, and nearly all the witnesses connected with the case have little knowledge of the English language. James Robinson, janitor of the courtroom, was arrested first, and later George Birrell, colored, another janitor, was called upon for an explanation of his share in the business. Birrell said that nearly all of the minor court attaches were involved in the selling of the tickets, including two policemen who were stationed at the door. After the trial they were to meet and divide the profits. Judge Wilbank ordered that the matter be laid before the board of judges for their action.

CONVICT SWINDLERS. Jurors Find Labaree and Emanuel Guilty.

After a trial which occupied eleven days a jury in the Criminal Branch of the United States Circuit Court late last night found J. Walter Labaree and George W. Emanuel guilty of using the mails in connection with an extensive scheme to defraud investors in Mexican mining stocks. Craunston Thomas, who was tried jointly with Labaree and Emanuel, was found not guilty and discharged. The jury, which was out nearly eleven hours, spent most of the time considering the part Thomas had taken in the business affairs of the brokerage firm of George W. Emanuel & Co., which is alleged to have realized more than \$150,000 through the Mexican mining swindle. Judge Hand remanded Labaree and Emanuel to the Tombs until Tuesday, when they will be arraigned for sentence.

P. R. R. COAL TRIAL BEGINS. Court Takes Club Member from Office to Fill Jury.

Philadelphia, Nov. 24.—Drastic measures were again taken to-day to obtain a jury in the suit of eleven bituminous coal companies against the Pennsylvania Railroad Company to recover damages aggregating \$1,900,000 for alleged coal discrimination. Last Monday the jury panel was exhausted, and the unusual method of sending court officers into office buildings and other places to impress citizens for service was put in force. In this way the jury box was finally filled, but to-day when the case was called counsel for the coal companies objected to one of the jurors and he was excused. Judge Holland directed that Monday's procedure be again resorted to. Three men were quickly brought in, James Kerr, a member of the Union League, who was found in an office building, was selected to complete the jury and the case was begun.

ODD TRANSPLANTING OF TISSUE. Flesh from Abdominal Wall Set Around Artificial Eye.

Cleveland, Nov. 24.—The successful transplanting of fatty tissue from the abdominal wall to the eye socket of Peter Rothberg, a patient at the City Hospital, was announced to-night by Dr. A. E. Bershoff. The operation, according to local surgeons, is the first of its kind recorded. Dr. Bershoff, assisted by Drs. Mark O. Houston and H. J. Leo, performed the operation in private a week ago, and to-day, they announce, conclusive proof was obtained that the tissue had remained in its normal and healthy function. The tissue was used as the base for the setting of an artificial eye. This eye is now susceptible to precisely the same control as to movement as the living eye, it is said by Dr. Bershoff.

KNIFE FOR DR. BULL'S SON. He Will Be Operated on for Appendicitis Soon.

Newport, R. I., Nov. 24.—William T. Bull, fourteen years old, son of the late Dr. William T. Bull, the famous surgeon, is to be operated on for appendicitis on Friday or Saturday. He is in good health and is expected to recover. The boy was taken ill late last week and brought here from his school to his mother's villa, near Newport. A consultation of surgeons from Boston was held, and as it was observed that there was no immediate danger, it was decided to put off the operation.

CANAL REFERENDUM CARRIED. New York City Vote Saves Plan—Majority of About 15,000.

Ithaca, N. Y., Nov. 24.—The barge canal proposition, voted on at the last election, which authorized the Legislature to expend \$7,000,000 for connecting Lakes Cayuga and Seneca with the barge canal system, was carried by a majority of about 15,000, according to returns given out here to-night by James T. Newman, of the barge canal committee. The committee's reports show that the vote in Brooklyn and Manhattan easily overcame the adverse majority reported in the upstate counties.

LORDS WAVERING. ROSEBERY'S SPEECH AGAINST BUDGET.

Upper House Warned That Action Imperils Its Existence—Campaign Plans.

[By French Cable to The Tribune.] London, Nov. 24.—After an interval of dulness the debate in the Lords was raised to-day to a high level. It was not Lord Salisbury's speech which changed the atmosphere, for that was controversial and aggressive without being persuasive or statesmanlike, nor was it the Archbishop of Canterbury's cautious and timorous contribution to the debate, but he virtually announced that politics had become too hot for the prelates, and that they were forced to run to cover. The oratory came with Lord Rosebery, whose melodious voice delighted the peeresses and rang through the gilded chamber in condemnation of a budget which was poisoning the sources of national supremacy, destroying public confidence and spreading over the nation like a miasma or fog. Lord Rosebery had burned his bridges behind him, and created a profound impression, especially as he had recently been with the King at Balmoral, Windsor and Sandringham, yet he warned the Lords in solemn tones that they were risking the existence of an unreformed house when they were challenging Radicalism to the supreme test of an appeal to the country. Lord Milner, without having Lord Rosebery's oratorical gifts, also made a strong speech against the budget, reinforcing Lord Revelstoke's powerful argument as a practical financier. It is now generally conceded that the King's efforts to bring about a compromise between the houses have failed, and that the ministers will not attempt to save any portion of the budget by an agreement with the Lords, but will drop all new taxes absolutely and not try to enforce the collection of the tea duty, the income tax or other imposts. They will hold the Lords responsible for the confusion and chaos caused in the Treasury and justify their conduct by the necessity of standing by the principle that the Commons alone have the right to regulate the supply and order of taxation. If the Lords were allowed to cut out the land and licensing sections they would establish a precedent for making over as well as holding up the budget. The ministers have hardened their hearts and have decided that there shall be no negotiations, no proposals for an indemnity bill for taxes overpaid and no compromise of the principle of exclusive power over the national purse by the representative house. The constitutional struggle will begin as soon as the session can be wound up. Winston Spencer Churchill will open at once a vigorous canvass in Lancashire, and the Prime Minister will give the signal for a fierce conflict over the abolition of the veto power of the Lords in financial and other legislation. It will be the most embittered canvass in the memory of the present generation. L. N. F.

SHERMAN ACT TEST. WM. ROCKEFELLER ON OIL DECISION.

Believes Country Needs Decision on Trusts from the Highest Court.

William Rockefeller said yesterday that no matter what the decision of the United States Supreme Court on the appeal from the findings of the Circuit Court might be, there would be no unwillingness on the part of the Standard Oil Company to comply fully not only with the letter but also with the spirit of the law. Mr. Rockefeller is one of the largest shareholders in the company and is a vice-president and a director. He concurred in the opinion of Mortimer F. Elliot, the general counsel, that there would be an appeal. "It seems to me desirable not only for my own interests and those of my associates, but also for the public at large and for all other great business ventures, that the Sherman act should be finally set beyond contention as interpreted by the Supreme Court of the United States," Mr. Rockefeller said. "Undoubtedly our case will be appealed, and for the foregoing reason, I am not a lawyer and cannot discuss the decree of the Circuit Court, but Mr. Elliot has said that an appeal will be taken. The matter is entirely in the hands of the counsel of the company." It was said by one of the directors of the company yesterday that Moritz Rosenthal, who prepared and was one of those who argued the case for the company, had spent only a brief time in this city and had then sailed for Europe. It was said that he had gone on legal business not connected with the company's appeal. There was an all-day conference at the company's offices, No. 25 Broadway, yesterday, attended by directors and counsel. It was said that the appeal was under consideration.

WOMAN ATTACKED. Beaten Over the Head with a Potato Masher.

Mrs. Ellen Sullivan, proprietress of a boarding house, the Helene, No. 17 East 31st street, was enticed to the cellar of her house last and there beaten on the head with a wooden potato masher by a man who, according to the police, she had hired as a porter yesterday morning. The assailant fled when the cries of Mrs. Sullivan brought a number of boarders to her aid, but he was captured after a chase of a number of blocks. The prisoner acted in such an irrational manner after his arrest that he was hurried to Bellevue Hospital, but when the police found two bags in the basement arway they had their doubts as to the reality of the man's raving, and concluded that a robbery had been planned. Mrs. Sullivan was removed to the New York Hospital. She was suffering from three scalp wounds and a possible fracture of the skull. At Bellevue the prisoner, believed by the police to be Edward Kane, of Everett, Mass., a medical student, was placed in the prison ward, a charge of felonious assault having been made against him.

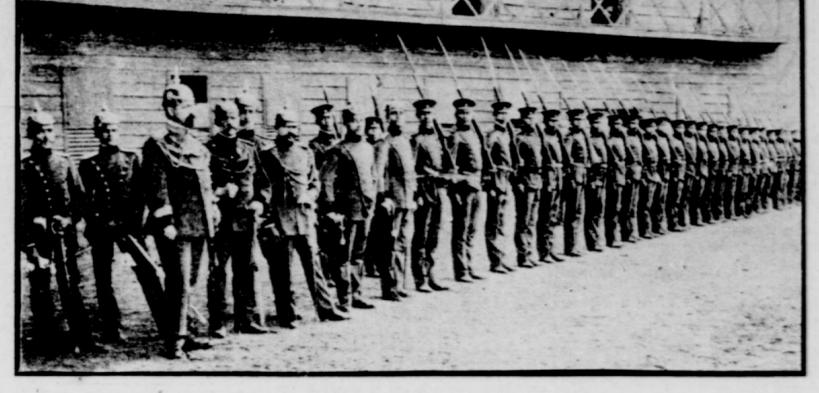
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CUPID'S DAY IN CHICAGO. Chicago, Nov. 24.—Cupid will be a chief celebrant in Chicago's Thanksgiving to-morrow. According to the clerk of the Cook County marriage license bureau more than one thousand persons will be married on the holiday.

CUT BY FALLING GLASS. At about the same time Hester Kostaky, of No. 109 St. Mark's Place, and her companion, Gertrude Golden, of the same address, both seamstresses, were struck by broken glass and falling flower pots from the upper story of the building at No. 201 2d street. Miss Kostaky received a scalp wound and Miss Golden was cut about the face and hand.

THE CADETS OF THE NICARAGUA MILITARY ACADEMY AT DRILL.



President Zelaya's army is commanded by officers who received their training at this institution.

TO TEST REBATE LAW. Important Case Brought in Pennsylvania.

[By Telegraph to The Tribune.] Pittsburgh, Nov. 24.—Whether persons demanding and receiving rebates of insurance agents do not invalidate their own policies by so doing is a question that the New York Life Insurance Company is asking the courts of Pennsylvania to determine. In conjunction with the Pittsburgh Life Underwriters the New York Life has caused the arrest of Bernard Horvitz, one of its own agents, charging him with violation of the insurance rebate laws, which carries a penalty of \$500, fine and barring the agent, if convicted, from soliciting insurance for three years inside the state. Horvitz is charged with giving a business man a rebate of \$31.10 on a \$10,000 policy premium. The insured man attempted suicide two days after receiving the policy.

TAFT'S BILL OF FARE. Pie, Turkey and 'Possum Today—Butt Would Dodge Pie.

Washington, Nov. 24.—With the fifty-pound mince pie presented by the bakers of New York, an enormous turkey sent by Horace Vose, of Westley, R. I., and a twenty-six pound 'possum, reported to be the largest that ever came out of Georgia, President Taft will be confronted, gastronomically speaking, with rather an exacting Thanksgiving Day. The President is said to have ruled that his military aid, Captain Archibald W. Butt, shall assist in eating the pie, and Captain Butt is trying to have the order amended to bring the General Staff to his assistance. The President's family, with the exception of his son Robert, who remains at New Haven, will dine with him in the White House.

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A HOLIDAY IN WHITE. DEATH AND DAMAGE IN STORMS WAKE.

High Wind Accompanies Season's First Snow—Liners Delayed. Thanksgiving Day promises to be crisp and clear in most sections of the country, according to the Weather Bureau. According to the weather sharps, the temperatures generally will be a little above the seasonable average, except in the lower lake region and the Atlantic and Gulf States. Clearing weather has followed the Atlantic coast storm in the coast states, but a disturbance is expected in the upper Mississippi Valley. Elsewhere in the eastern half of the country the weather will be generally fair on Thanksgiving Day, the forecaster says. New York will have a "white" Thanksgiving. At midnight last night more than an inch of snow had fallen, and the white flakes were still coming down thick and fast. Traffic on the rivers and in the city streets was already beginning to feel the effects of the young blizzard, the first of the winter. The storm, which seemed to be general along the Atlantic coast, struck the city early. There was a high wind at first, accompanied by rain and sleet. One life was the penalty. The victim was Moritz Blum, an orthodox Jew, sixty-eight years old, who went up on the roof of his home in Stanton street to pray. He lifted the scuttle and was about to begin his orisons when the scuttle was blown down upon him, and he died an hour later in Gouverneur Hospital from a fractured skull. The wind began at sixteen miles an hour from the northeast, and by 11 a. m. shifted to the north and put on a speed of thirty-six miles an hour. If the average taxicab had travelled as fast through the city the driver would have been arrested for speeding. Insecure signs and lame fences went down before the blow, and advertisers who thought their paper posters were getting business for them had to admit later that the wind had caused an "error" and the business was mere "suggestion." Many big horses fell as they struggled over the pavements.

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CAPTURED THEM IN COSTA RICA. CANNON AND GROCE TORTURED.

Zelaya's Troops Crossed Frontier to Take Them—Forty Shot at Corinto.

Panama, Nov. 24.—A Nicaraguan revolutionist who has just arrived here from Bluefields reports that Cannon and Groce, the Americans who were executed by the Zelaya government, were simply taking bearing sights from a height in Costa Rica, and were not in Nicaragua when they were captured. They were with only three soldiers of the revolution when Zelaya's troops crossed the frontier and put them under arrest. Cannon and Groce were then taken to an old fort named El Castillo, on the Colorado River, where, according to the story of the revolutionist, they were tortured, being shot within twenty-four hours after their capture. A prominent Nicaraguan here, in answer to a message which he sent to Dr. Julian Irujo, Minister General, has received a reply from that official that President Zelaya is thinking of resigning his office because of threatened American intervention.

NO DEMAND YET. State Department Wants To Be Sure of Its Grounds.

[From The Tribune Bureau.] Washington, Nov. 24.—Actuated by a determination to ascertain beyond peradventure all the facts connected with the capture and execution of the two Americans, Cannon and Groce, by the Nicaraguan government, before taking final action, the administration is still refraining from submitting any demand to the Zelaya government. The circumstantial evidence in the case is strongly prejudicial to the supposition that Zelaya acted with anything approximating proper regard for the laws of civilized warfare, and the officials of this government make no attempt to conceal their indignation. There is no lack of realization, however, of the importance of absolute certainty as to the facts on which to base a demand for reparation. Such a demand, if made, as now seems highly probable, will be in terms which admit of no doubt of the firmness and determination of the United States. This government will not raise its steps, and for that reason it is more taking than that it be sure of its ground before formulating its demands. Any disposition, however, to attribute to stupidity the caution with which the administration is proceeding is based on wholly erroneous premises. There are two points on which the evidence thus far is deemed circumstantial, and action will be deferred until they have been clearly established. The Department of State is now taking the necessary steps to ascertain beyond all question, first, whether Cannon and Groce were actually members of Estrada's army, and second, whether they were planting mines under the orders of General Estrada or one of his officers. The fact that General Estrada has telegraphed his condolences to the parents of Groce is regarded as clearly indicating that the two men were attached to his forces, and a communication from the American Consul at Managua seems to confirm that indication. Nevertheless, the department desires additional and more explicit evidence on these points before proceeding officially. HAS AMPLE FORCE. The proceedings of the department have not yet advanced to a point where \$100,000, or any other amount, has been asked as proper indemnity to be demanded from Zelaya. Neither is it true that preparations to shell Nicaraguan ports by the Atlantic fleet or to mobilize a large force of five thousand marines on Nicaraguan soil are being made. The Nicaraguan ports have not sufficient depth of water to accommodate American battleships, and most of the reports regarding the use of the marine corps grow out of the normal exchange of marines between this country and the Panama Canal Zone, where the present force has completed its tour of duty and will soon be relieved by detachments sent from the United States. This does not mean, however, that the United States will not be prepared to back up with ample force such demands as it may propose to make, but rather that the administration sees no occasion to load and train its 12-inch rifles to blow a pirate ship out of water. With the facts established the United States will present to President Zelaya such demands as they may warrant, and if he exhibits in the future as much