ATTACK ON NEAR INSURGENTS

KITCHIN OF NORTH CAROLINA BRANDS THEM AS INGRATES.

He Characterizes Them as Men Who Have Been Elevated to High Places by the Speaker Only to Turn Against Him in the Hour of Need—Uncle Joe Pleased.

WASHINGTON, Feb. 25.—The so-called "near" insurgents of the House of Representatives, the men who are supposed to denounce Speaker Cannon without stint in their home districts and tamely do his bidding here in Washington, were bitterly attacked on the floor of the House this afternoon by Claude Kitchin, a Democrat of North Carolina, who is recognized as one of the best debaters in the lower branch of Congress. The speech aroused more enthusiasm in the House than any that has been delivered this session. Mr. Kitchin held the close attention of both Republicans and Democrats for two hours.

Mr. Kitchin characterized the near insurgents as men who have been elevated to high places by the Speaker only to turn against him in the hour of his need.

"Brutus when he assassinated Cæsar," said Mr. Kitchin, "promised the Roman people a better than Cæsar. These former friends of the Speaker in the assassination of that gentleman do not make a promise of anything but some one weaker than the Speaker. I have some pride in the intellectuality of this body and in the courage of it, and if this House must have a Republican as Speaker then I as a member and a Democrat prefer to see Mr. Cannon in the chair. I myself had rather see a giant there than a weakling. I would rather see a lion there than a fox."

"Cowards" was another of Mr. Kitchin's characterizations of the "near insurgents." He tried hard to get some of them to rise to the bait and attempt an explanation. He was particularly rough on Taylor, Cole and other members from Ohio, but all of them managed to keep their tempers very well until Mr. Foster of Vermont, with his face red and hands trembling, jumped to his feet at the conclusion of Mr. Kitchin's speech and attempted a reply. Mr. Foster didn't have the sympathy of either the regular Republicans, the real insurgents or the Democrats, as was apparent from the rather jeering remarks that greeted his attempt. But he would have been all right if he hadn't committed himself to the statement that the Republicans of New England are against Mr. Cannon.

Then up bobbed Mr. Rainey of Illinois with a suave query as to what points of difference existed between Mr. Cannon and the Republicans of New England. While the Vermont member was spluttering in an effort to frame a suitable reply Mr. Rainey gently suggested that he file "a bill of particulars." Then the chairman's hammer fell with the simultaneous suggestion that "the gentleman's time has expired."

Mr. Foster sank into his seat with gratitude written all over his countenance. But Mr. Rainey did not abandon the chase. He suggested that the House grant unanimous consent to Mr. Foster to file his explanation. When the chairman of the committee of the whole mentioned that this was out of order Mr. Rainey turned to Mr. Weeks of Massachusetts, in control of the time on the Republican side, and asked him to give Mr. Foster five minutes in which to reply.

Mr. Weeks looked at Mr. Foster's unresponsive back—they both come from New England, but Weeks is a regular of regulars and Foster a near insurgent—grinned, and suggested that he would give the time if Mr. Foster would ask for it. But Mr. Foster didn't. He just sat in his seat and tried to look pleasant and unconcerned. So Mr. Rainey sat down, the House chuckled and the incident was closed.

But Mr. Foster was only one of many near insurgents mentioned by Mr. Kitchin. He said there were also on this "honor roll," as he ironically put it, the names of Representatives Townsend, Ames, Barclay, Barnard, Bennett, Cassidy, Cox, Cole, Crumpacker, Davidson, Dickson, Hanna, Henry, Gillett, Hubbard, Johnson of Ohio, Lafean, Loud, McKinlay, McLaughlin, Moon, Moore, Nye, Prince and Scott.

"Those I have mentioned," said Mr. Kitchin with a grin, "ought to go ahead like men and hold assassinators and take the Speaker's head off at once. It is absolutely cruel to let him have this long, hard, tortured, lingering death; why even the cruel Macbeth, in pondering the murder of Duncan, said: 'If it were done when 'tis done, then 'twere well it were done quickly.' I commend to you conspirators, you near insurgents, the humanity of murderous Macbeth.

"Let these Ohio friends of mine and my friends on this 'honor roll' get up in this House and point out one single measure that the Speaker has ever advocated that they did not advocate. Let them mention one single policy that the Speaker ever pursued in which they have not sustained him. Let them name one measure that the Speaker has ever opposed that they did not oppose. These near insurgents can play Victor Murdock and Norris and Cooper back yonder behind the curtains, but they cannot play the part before us who know their records. They can put on the Murdock wig and the Norris mustache and the paint and powder, but they cannot strut the stage before us to save their lives. We know their records and we know they are acting.

"So, Uncle Joe has got to go, has he? You men who have been elevated by him are pressing that sad retrospect to his lips. I don't know how the Speaker feels about it, but these words of the poet come to my mind:

"The wretch whom gratitude once fails to bind to truth,
To honor, to virtue, let him lay no claim,
But stand confessed before the world, the brute disguised in man."

"I reckon the Speaker has sometimes repeated that. I can understand how an ordinary Republican can go and leave Uncle Joe under stress of circumstances for the good of the G. O. P., but these gentlemen whom he has taken out of the ordinary and lifted into chairmanships of committees, how these men can turn their backs on him I cannot understand. I have forgotten which one of Milton's works this is in, but I will bet that the Speaker can tell me, that says:

Swinish gluttony ne'er looks to heaven
Amidst his gorgeous feast
But with besotted, base ingratitude,
Crams and crams, and then turns and blasphemes his feeder.

"After feeding at the hands of the Speaker's generosity," Mr. Kitchin continued, "they turn in this way and I have no doubt that he repeats these words."

Mr. Kitchin said the near insurgents had blood in their eye until they went into caucus and that they then stretched out their hands and demanded to be tied good and tight, so that they could go back to their constituents and say: "I had to stand by the caucus." He scornfully referred to the fact that "no Republican has had the nerve or the gratitude to say one defending word for the Speaker—except the Speaker himself."

Speaker Cannon occupied a seat on the floor during Mr. Kitchin's speech and grinned most of the time. At its conclusion he left the chamber wearing a smile that wouldn't come off. The regular Republicans seemed tickled too. The Democrats enjoyed the affair. The only members who seemed gloomy after everything was over were the men who had been the target of Kitchin's shots.

JUSTICE HARLAN CRITICISED.

President James of the University of Illinois Is the Critic.

WASHINGTON, Feb. 25.—It isn't often that the actions of a Justice of the Supreme Court of the United States are publicly criticised before a committee of Congress. Yet that is what happened this morning when Edmund J. James, president of the University of Illinois, took Justice Harlan of the highest court in the land severely to task for his activities before the House Committee on Agriculture in behalf of the Boutell bill to extend Federal aid, under the Morrill act, to George Washington University of the District of Columbia.

"At the hearing given by this committee on December 10, 1909," said President James, "I noticed that Mr. Justice Harlan of the Supreme Court of the United States argued for this bill. If I a mcorrectly informed, Justice Harlan has been on the payroll of the George Washington University for many years at a salary of from $2,000 to $3,000 a year.

"It does not seem to me that it is quite the proper thing for a Justice of the Supreme Court to urge upon Congress, among whose members are many men who practise in his court and may be beholden to him for favors, that they should make appropriations for the benefit of a private institution on whose payroll the Justice has been for the better part of a generation."

Dr. Richard D. Harlan, son of Justice Harlan, who is also connected with the university, defended his father at the conclusion of President James's attack.

"I won't say anything about the remarks made by Dr. James about my honored father," he said, "except to say that at the close of his life, when he is approaching fourscore years, I am sure the people here in Washington have no idea that he is actuated by any other motive than that of simple justice for the District of Columbia."

LONGWORTH FOR GOVERNOR.

Ohio Republicans May Name Him to Run Against Gov. Harmon.

WASHINGTON, Feb. 25.—Representative Nicholas Longworth of Ohio, son-in-law of former President Roosevelt, may be the Republican candidate for Governor of Ohio. According to Ohiians who are in touch with the situation in the Buckeye State the honor of making the fight against the Democratic incumbent, Judson Harmon, lies among three men: James Rudolph Garfield, former Secretary of the Interior; Representative Longworth and Warren G. Harding of Marion. Mr. Garfield has declared openly his willingness to accept the nomination, and to-day friends of Mr. Longworth made it known that while he is not ready to make announcement of his willingness to enter the contest he is willing just the same. Leaders among the Ohio Congress delegation are of the opinion that the nomination will go either to Mr. Garfield or Representative Longworth, although Mr. Harding is conceded to be running a good third.

Mr. Garfield, it is known, has had the backing of Senator Burton and many other prominent Ohio politicians. He is not regarded, however, as being so "strong" with the White House as Mr. Longworth. Mr. Longworth is said to have made himself fairly solid with Ohio leaders by speeches he has made back home recently, which were most favorably received.

The fact that he is a son-in-law of Col. Roosevelt too would have some weight with the leaders, who have talked at times of having the Colonel mix up in the coming struggle in Ohio.

HEIKE GETS WRIT OF ERROR.

Stay of Proceedings Also Granted by Judge Lurton of Supreme Court.

WASHINGTON, Feb. 25.—Judge Lurton of the Supreme Court to-day granted a writ of error to Charles R. Heike, the employee of the American Sugar Refining Company, who was indicted for complicity in the sugar frauds at New York but pleaded immunity by reason of having been compelled to testify before the Grand Jury that was investigating the matter. With the writ of error went an order for the stay of proceedings in the prosecution of Heike's case until the question of immunity is passed upon by the Supreme Court.

As the case would not be reached in regular turn for a year or more it is not improbable that the Government may ask the Court to advance it for hearing at the present term.

Nominations by the President.

WASHINGTON, Feb. 25.—President Taft sent to the Senate to-day the following nominations:

To be United States Marshal for the Western District of Virginia, Robert A. Fulsiller of Virginia.

To be United States Attorney for the Eastern District of North Carolina, Herbert F. Seawell of North Carolina.

To be Surveyor of Customs in the District of San Francisco, Edward F. Woodward of California.

To be Commissioner of Immigration at port of Baltimore, Md., Louis T. Weis of Maryland.

To be Postmasters—Connecticut: Joseph R. Sperry, Warehouse Point; New Jersey, Olin D. Sicklin, Springfield; New York: John Dwyer, Hudson Falls (late Sandy Hill), George H. Brown, Kinderhook; Melvin J. Esmay, Schenevus; Stout Mills, Warwick; Ellwood Valentin, Glen Cove. Pennsylvania: Joseph L. Roberts, Sharon; George Sowash, Irwin; Nathan Tanner, Lansford.

Medical Director Ames Relieved

WASHINGTON, Feb. 25.—Medical Director Howard E. Ames was relieved to-day of command of the Naval Hospital at the Boston yard and ordered to his home to await further orders. This is preliminary to sending Dr. Ames to a new field of duty. He preferred the charges recently against Passed Assistant Paymaster George P. Auld and Surgeon Aussey H. Robnett in the case which attracted so much attention recently.

American Warship Wanted at Liberia.

WASHINGTON, Feb. 25.—Liberia is in need of both financial and political assistance, according to a despatch received to-day at the State Department from George W. Ellis, Chargé d'Affaires of the American Legation at Monrovia. Mr. Ellis asked that an American war vessel be sent to the Liberian coast.

Movements of Naval Vessels.

WASHINGTON, Feb. 25.—The cruiser Birmingham has arrived at Sewall Point, the collier Justin at San Diego and the gunboat Vicksburg at Mare Island.

The collier Sterling has sailed from Newport News for Portsmouth, N. H.

Army and Navy Orders.

WASHINGTON, Feb. 25.—These army orders were issued to-day:

First Lieut. George M. Peck, from Fifty-fourth Company to Fifth Company, Coast Artillery.

First Lieut. Edward W. Wildrick, from Fiftieth Company, Coast Artillery, to Fifty-fourth Company.

Capt. Frank Tompkins, Eleventh Cavalry, from treatment at general hospital, Hot Springs, Ark., to his station.

Capt. John G. Workizer, Second Infantry, to Walter Reed General Hospital, Washington, D. C.

Lieut.-Col. William R. Abercrombie, Twenty-fifth Infantry, retired on his own application.

First Lieut. Jesse F. Truax, Medical Reserve Corps, now on leave, from Fort Ward, Washington, and to his home.

These navy orders were issued:

Lieut. T. K. Taylor, from the California to home and one month's leave.

Lieut. C. P. Huff, from the Glacier to training station, San Francisco.

Ensigns C. M. Austin and F. P. Rogers, from the Dolphin to duty as attaches, Tokio.

Medical Director H. K. Ames, from command of Naval Hospital, Boston, to home and wait orders.

Surgeon F. W. Fielder, to Washington, D. C.

Ensign R. W. Cabanlas, from the Rainbow to treatment at Naval Hospital, Canacao.

Commander C. M. Kneppper, to command the Monterey and Mohican.

RAILROAD BILL REPORTED

ADMINISTRATION MEASURE NOW ON SENATE CALENDAR.

It Creates a Court of Commerce and Amends the Interstate Commerce Law—Clapp and Cummins Publish a Statement in Opposition to the Bill.

WASHINGTON, Feb. 25.—The Administration bill for the creation of a court of commerce and amending the interstate commerce law was acted upon favorably to-day by the Senate Committee on Interstate Commerce, was later reported to the Senate and now has a position on the calendar. There is practically no change in the measure as amended by Attorney-General Wickersham.

On the question of reporting the bill out of the committee the vote was six to four, with two Republicans, Senators Clapp of Minnesota and Cummins of Iowa, voting with the two Democrats present, Senators Hughes of Colorado and Newlands of Nevada. The supporters of the Administration bill who will subscribe to the majority report in favor of the measure were Senators Elkins of West Virginia, Cullom of Illinois, Aldrich of Rhode Island, Kean of New Jersey, Crane of Massachusetts and Nixon of Nevada. There were three absentees, Senators Tillman of South Carolina, Foster of Louisiana and Taylor of Tennessee. Senator Tillman is ill, but had Senators Foster and Taylor been present the vote would have been a tie, making it impossible to report the bill from committee. It is said by friends of Senators Taylor and Foster that they did not expect a vote to-day and that the Republicans took the minority by surprise in forcing a vote in committee.

The minority Senators present made no protest against reporting the bill to-day and contented themselves with the adoption of a motion that any member might have the right to present a dissenting report. Senator Elkins will not file the majority report in favor of the bill until the latter part of next week. The minority may submit two reports, one by the Democrats and the other by the insurgent Republican members of the committee, Senators Clapp and Cummins.

The Democrats of the committee have not held a meeting and until they do so their attitude toward the measure will not be known. There is no understanding between the Democrats and Senators Clapp and Cummins. The two insurgent Senators will submit a minority report of their own, taking exception to many features of the bill. This they expect to have ready to-morrow. They made public a statement of their position following the meeting of the committee to-day in which they said:

We are opposed to the creation of a court of commerce as wholly unnecessary. First, because of the few cases that would arise under it, and second, because we believe it unwise to create a court to try railway cases alone in view of the influences that would surround it. In three and a half years only twenty-six cases of which it would have jurisdiction have arisen, and under the decisions of the Supreme Court it would have still fewer unless the bill itself should give it enlarged jurisdiction.

The bill repeals the provision of the anti-trust law dealing with the subject of rate agreements between railroads, and we shall oppose the measure on that account. We shall insist that the Republican platform shall be carried into the bill and that no agreement shall go into effect until approved by the commission.

We believe that the proposition to change the law so that all suits brought to set aside the orders of the Interstate Commerce Commission shall be brought against the United States and given over to the Department of Justice, excluding the commission and interested parties from any participation in the conduct of the suits, will most seriously impair the efficiency of the interstate commerce law and will oppose the change.

The bill gives the proposed commerce court discretion to set aside the anti trust laws so as to permit the purchase of competing lines. We do not consider this a wise step and shall use our endeavors to have it eliminated from the bill.

The Democrats will not subscribe to the report of Senator Cummins and Clapp, and it is possible that they may waive the filing of a minority report and content themselves with the submission of amendments when the bill is brought up for consideration in the Senate.

It has been agreed by the Senate leaders to take the railway bill up for consideration following the vote on the postal savings bank bill next Thursday.

Things look rather gloomy for the Administration railroad bill which is now being considered in executive session by the House Committee on Interstate and Foreign Commerce. Chairman Mann is opposed to the commerce court feature and other provisions of the bill, and it is understood that he is backed by representatives Stevens of Minnesota, Stafford of Wisconsin and the entire Democratic strength of the committee. It is even said that several other Republicans may join with this strength in opposition to the bill. If this is the case the measure, in its present shape is doomed.

It will be ten days or two weeks before the committee which is considering the measure by sections, is ready to report. The President had several members of the House Committee at the White House to-day and urged them to get together in favor of the bill.

TO CHANGE INAUGURATION DAY.

House Judiciary Committee Acts Favorably on the Henry Resolution.

WASHINGTON, Feb. 25.—The House Committee on the Judiciary acted unanimously to-day in favor of the resolution introduced by Representative Henry of Texas proposing to change the date of the inauguration of the President from March 4 to the last Thursday in April. The committee also tentatively agreed on another resolution offered by Mr. Henry providing that Congress shall have the power to determine how successors to the President-elect and Vice-President-elect shall be chosen in the event of the death of either between election day and inauguration day.

Mr. Henry called attention to the fact that the Constitution now makes no provision for filling the office of President and Vice-President in case of the death of a President-elect or Vice-President-elect. His resolution would amend the Constitution and correct that hiatus.

The change of date resolution also is in the form of a proposed constitutional amendment and must be ratified by the legislatures of three-fourths of the States before becoming effective.

CHAMORRO BEATEN.

Washington Hears Nicaraguan Revolutionists Were Defeated.

WASHINGTON, Feb. 25.—The State Department was informed to-day that the insurgent army under Gen. Chamorro was disastrously defeated in a recent battle with the Government troops. The insurgents retreated after suffering some losses. It is estimated, the despatch added, that ten soldiers were killed and 200 were wounded on both sides.

Resigns as Secretary of State of Porto Rico

WASHINGTON, Feb. 25.—George Cabot Ward of New York, Secretary of State of Porto Rico, has resigned, to take effect on April 1. His resignation has been accepted by President Taft. He has been in the insular service since December 13, 1903, when he was appointed Auditor. On August 25 last he was appointed Secretary of State.

"WORLD" LIBEL CASE APPEALED

The Government Takes It Up to the United States Supreme Court.

WASHINGTON, Feb. 25.—Announcement was made to-day that the United States has appealed from the decision of Judge Hough of the United States Circuit Court quashing the indictment against the New York *World* for the alleged libelling of Theodore Roosevelt, William H. Taft, Charles P. Taft, Douglas Robinson and William Nelson Cromwell in connection with the purchase of the Panama Canal Zone.

The announcement was made by Attorney-General Wickersham following the regular meeting of the Cabinet. He had telegraphed instructions, he said, to United States District Attorney Wise of New York to appeal the case at once.

The *World* has insisted editorially that the case be appealed, and as there really has been no interpretation by the Supreme Court of the act of Congress under which the action was instituted the Government decided to appeal.

Mr. Wickersham said that while he might ask the Supreme Court to expedite the case he thought it doubtful if it would do so. He was of the opinion that the Government had a good case against the *World*, if it had any case at all, and said that he intended to argue it before the Supreme Court with all the vigor and ability he possessed, not because it was against a newspaper but because it was a legal proposition in which he was intensely interested.

United States Attorney Henry A. Wise and Stuart McNamara, special assistant to the United States Attorney-General, who assisted Mr. Wise in the *World* Panama libel case, confirmed yesterday the statement that Attorney-General Wickersham had ordered the case appealed directly to the United States Supreme Court. When the case was called for trial a month ago before Judge Hough in the United States Circuit Court the indictment was thrown out on the ground of lack of jurisdiction. It is on this question and the interpretation of the law that the appeal will be taken. The appeal papers have been prepared and will be forwarded to Washington at once. Yesterday was the last day in which the appeal could be taken.

PLEA OF COLD STORAGE MEN.

They Ask for Federal Supervision to Protect Their Interests.

WASHINGTON, Feb. 25.—Representatives of some of the largest cold storage interests in the country will call upon Congress to take the business under Federal supervision. There has been such a hullabaloo recently about the use of cold storage plants to corner food products and so many bills have been popping up in the State Legislatures that the cold storage people fear the millions invested in the business will be jeopardized unless some action is taken looking toward Federal supervision.

Representatives of cold storage plants from every large city east of Chicago met at the New Willard Hotel to-night and decided on this course. The resolutions adopted read in part as follows:

"That national legislation and supervision based on adequate investigation by Federal authorities as to its effect on prices of food products and the public health and which would safeguard the interests of the public in an intelligent and logical manner would receive the hearty cooperation of all the cold storage warehouse men."

One of the cold storage men said after the meeting: "We are going to ask Congress to place the cold storage warehouse business under Federal supervision for two reasons. It will aid us and also it will be a public benefit. Such supervision will tend to disabuse the public mind of some curiously inaccurate impressions."

RUSSIAN PROTEST IN HAND.

State Department Hears Objections to Zizikar-Aigun Railroad.

WASHINGTON, Feb. 25.—Secretary Knox has now received a communication from the Russian Government setting forth its objections to the proposed construction of the Zizkar-Aigun Railroad, a concession for which has been obtained by British and American bankers. The Russian Government suggested that a trans-Mongolian railroad be built further westward, crossing the trans-Siberian road at Baikal.

It is believed, however, that the protest from Russia will not have much influence on the proposed road. The project has the diplomatic support of Great Britain and the United States. China has approved the concession. As one phase of his scheme for the neutralization of Manchurian railways Secretary Knox invited the Powers to participate in the financing and construction of the proposed road. Replies from the other countries concerned have not been received.

MAY NOT APPOINT BUGHER.

President Wavering Under the Objections of the New York Delegation.

WASHINGTON, Feb. 25.—Because the New York Congress delegation has objected to the nomination of Frederick H. Bugher, Deputy Commissioner of Police of New York, to succeed Gen. James S. Clarkson as Surveyor of the Port of New York President Taft, it was said to-night, is wavering in his decision to appoint Bugher. The President, it was made known a few days ago, had reached a decision to name Mr. Bugher, but the members of the New York delegation have been objecting strenuously since. The appointment of Mr. Bugher is said to be indorsed by John R. McLean, the publisher, to whom Bugher is related.

Among the candidates being urged by the New York delegation is Richard Parr, the man who is credited with unearthing the sugar frauds in the New York Custom House. The report says that Parr is entirely acceptable to Collector Loeb.

TWO FEDERAL GRAND JURIES.

Senate Passes a Bill Permitting Their Employment in New York.

WASHINGTON, Feb. 25.—The Senate passed to-day a bill permitting the employment of two Grand Juries in the Federal courts of the Southern and Eastern districts of New York. In explaining the demand for such legislation Senator Depew said that following the numerous indictments resulting from the sugar scandals the criminal dockets had been greatly congested. He said it was not an uncommon practice in the New York State courts to empanel two Grand Juries and that the bill proposed by him would greatly expedite the trial of criminal cases. Under the bill a District Attorney can petition a Federal Judge in the two New York districts for two Grand Juries.

The Senate also passed a bill indorsed by the New York Bar Association equalizing the terms of court in the State.

BUMPED VANDERBILT'S AUTO.

Court Holds It to Be a Case for Damages and Releases Offending Driver.

Henry Hess, a chauffeur in the employ of the Keaton Taxicab Company of 182 East Seventy-third street, while driving down Fifth avenue yesterday bumped into W. K. Vanderbilt's automobile, which was drawn up near the curb waiting for Mrs. William K. Vanderbilt at her home, 666 Fifth avenue.

The collision smashed the mud guard of the standing machine and did some other slight injury. John O'Toole caused Hess's arrest and appeared as complainant against him in the Yorkville police court.

Magistrate Harris decided that the case properly belonged in the civil court and discharged the prisoner.

GLAVIS LOCATED LAND CLAIMS

EMPLOYED BY A SEATTLE TIMBER MERCHANT TO DO IT.

This Was After He Had Left Government Service, but It Leaves Him Open to Charge He Makes Against Ballinger—Testimony Corroborative of Glavis.

WASHINGTON, Feb. 25.—Louis R. Glavis has been engaged in locating claims on timber lands in the State of Washington since leaving the Government service, according to testimony given to-day before the Ballinger-Pinchot investigating committee. Among the charges made by Glavis against Secretary Ballinger was one that his activity as counsel for the Cunningham claimants after his retirement as Commissioner of the General Land Office was improper. J. J. Ventrees, counsel for Secretary Ballinger, evidently intends to show that Glavis's attempt to locate timber claims was an analogous case.

W. W. Barr, a timber merchant of Seattle, was the witness who gave this testimony. He said that after Glavis had been dismissed from the Government service by order of President Taft he had engaged him to locate the lands with the understanding that his compensation was to be a half interest in the claims. Thus far, he said, he had not been able to get title to the lands located by Glavis. Barr was still on the witness stand under cross-examination by Mr. Ventrees when adjournment was taken until to-morrow.

With the exception of the testimony of Barr relating to the timber lands the testimony given by the three witnesses examined to-day was all corroborative of that heretofore given by Glavis. The witnesses were Horace T. Jones, special agent of the Land Office, who had investigated the Alaska coal cases; James Kennedy, a mining expert who had made a field examination of the coal lands, and Barr.

Although Kennedy was called ostensibly as an expert on the value of the Alaska coal lands Mr. Brandeis's principal object was to have him testify on the charge that Glavis had secreted certain important Land Office papers in a box which had been stored in the Federal Building in Seattle. This box, according to evidence already introduced, was broken open by Chief of Field Division Christensen, Glavis's successor, and in it were found the missing papers.

Kennedy testified that the box had been shipped from the home of Glavis in Portland to Seattle and that it contained miscellaneous articles owned by Glavis. At Seattle it was carried to the Grand Jury room in the Federal Building, where, he said, it was opened. Five days after Glavis was removed from office, Kennedy said, he saw the box again, and it was still partly open and half filled with books, papers and other articles. A week or ten days later he saw the box again, and it was still open. The first he heard of the Government agents breaking it open and finding the missing letters in it was when he read the testimony before the joint investigating committee.

When Barr was called to the stand he testified that he too saw the box a short time after Glavis had been dismissed from the Government service and that at that time the box was open and in the condition described by Kenzedy.

Barr related a telephone conversation between Glavis and Christensen, his successor, relating to the papers of the Land Office, of which Glavis had had charge. Barr said he listened to the conversation on an extension telephone and heard Glavis ask Christensen if all the papers of the office had been accounted for and heard Christensen reply that they had been.

Jones, who was on the witness stand through the morning session and during a part of the afternoon, created something of a sensation by declaring that the hearings at which the preliminary evidence in the Alaska coal cases was produced were conducted in an incompetent manner. He said that James Sheridan, who was the trial lawyer for the Land Office, had been graduated from a law school only a year and a half before he took charge of the cases and that he conducted his side of the case in such a manner that the lawyers for the coal claimants knew at the outset the entire evidence in possession of the Government.

Charles Steele and Stephen Birch, representatives of the Morgan-Guggenheim syndicate, who gave interesting testimony on Alaska before the Senate Committee on Territories a week ago in connection with the Cunningham coal cases, were to-day subpœnaed to appear before the Ballinger-Pinchot investigating committee.

Uncle Sam Must Pay This City $1 for Gutter Bridge.

WASHINGTON, Feb. 25.—The city of New York is to be $1 richer through a decision by the Comptroller of the Treasury given out to-day. The Comptroller says the United States will have to pay $1 demanded by New York for the gutter bridge which the life saving service runs from the sidewalk in front of its warehouse in Washington street, Manhattan, to the roadway. Although the United States never pays taxes the Comptroller held that the assessment of $1 for this gutter bridge was properly made under police regulations.

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MARTIN WANTS TO GET OUT.

Kings County Lawyer Applies Here for a Writ of Habeas Corpus.

Joseph Martin, the lawyer who was indicted in Kings county last October on the charge of filing a false judgment for a fee of more than $150,000 and of feloniously removing the record after it had attracted some publicity, appealed to Supreme Court Justice FitzGerald yesterday for his formal release from the Raymond street jail in Brooklyn, where he was locked up on an order of arrest obtained by Dennis Sheehan. Martin, who has been in jail for several months, declared that he ought to be let out because his health is failing.

A. G. Todd, counsel for the plaintiff, declared that Martin collected $8,500 that belonged to Sheehan in 1892 and has never turned any of it over. He said that Sheehan lost his fortune through Martin and has had to live in a small room, while Martin and his family enjoyed every luxury. He said it cost $750 to serve Martin in the case on which he was arrested. Detectives were engaged to pose as street cleaning men and search the ashes from the Martin house with the hope of finding his address. They finally found a torn letter in the ashcan and by piecing it together they got track of him. He was served by a barber who was shaving him. The Court reserved decision.

FOR CHRYSTIE STREET HOUSE.

Pledges of $3,500 to Provide Permanent Home for the Society.

Pledges amounting to $3,500 were given at a meeting at 120 Madison avenue in the interest of the Chrystie Street House, which affords a temporary home, practical aid and human ties to boys and young men between the ages of 16 and 30.

Charles Wisner, chairman of the board of directors, said that money is needed for a permanent house. The lease on the present quarters, which will expire on May 1, 1911, has a clause obligating removal in sixty days in case the property is sold.

The audience at yesterday's meeting included Judge Robert J. Wilkin of the Brooklyn Court of Special Sessions, who is promoting a movement for a similar house in Brooklyn, and Dr. David Blaustein, formerly the head of the Educational Alliance and now of the Jewish Institute of Chicago.

Letters of commendation were read from Judges James T. Malone and Otto Rosalsky of General Sessions, Rabbi Stephen S. Wise and the Rev. Robert S. W. Wood.

STOLE VANDERBILT'S TOOLS

To Do a Burglary Job at a Long Island Summer Hotel.

Levying on the tool house on the estate of William K. Vanderbilt, Jr., at Success Lake, L. I., for crowbars and axes, burglars on Thursday night made a raid on Berger's Inn. The inn is owned by Martin Berger, who is also the proprietor of the Casino at Newport. It was opened last summer and was closed for the season late in the fall.

The burglars pried open a back door and are supposed to have got away with a lot of valuable pictures and silverware. The constabulary of the Great Neck region say that an automobile was used to carry away the loot. They have located a garage near the old Vanderbilt cup race course where it was said an automobile was hired, and they have a good description of the strangers who hired it.

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