WHITE IS NOW CHIEF JUSTICE

PRESIDENT NOMINATES AND SENATE CONFIRMS.

Nominations of Associate Justices and Judges of the Commerce Court Reported to Senate Judiciary Committee and to Be Sworn in This Morning.

WASHINGTON, Dec. 12.—President Taft [illegible] nomination of Associate Justice Edward Douglass White of Louisiana to be Chief Justice of the Supreme Court to succeed Fuller, to-day and within an hour the nomination had been confirmed and the President had directed the drawing of the Chief Justice's commission. He will [illegible] to-morrow morning.

The President also sent in the names of [illegible] Lamar of Augusta, Ga., a [illegible] and former Chief Justice of the Supreme Court of that State, and Judge [illegible] Lovanior of the Eighth Judicial Circuit, Republicans, to be Associate Justices. These nominations were referred to the Senate Judiciary Committee in regular form and everything points to approval and confirmation of them.

The new Commerce Court Judges and the two new members of the Interstate Commerce Commission were laid before the Senate as given in THE SUN to-day with one exception. At almost the last minute the President made one change in his Commerce Court slate, substituting John F. Carland, United States District Judge of South Dakota, for United States District Judge Arthur C. Denison of Michigan. Judge Denison wired to the President declining the appointment. He prefers remaining as a District Judge to going out on the circuit, as he would be obliged to do at the expiration of his two years' service on the Commerce Court. Judge Carland is a Democrat, having been appointed United States District Judge by Grover Cleveland. Judge Denison on the other hand is a Republican and the G. O. P. accordingly loses one place on the Commerce Court by the change.

The Commerce Court and Interstate Commerce Commission nominations also were referred to the Judiciary Committee. No opposition to them is expected, unless possibly to that of Chairman Knapp for Presiding Judge of the Commerce Court. Several of the Senate insurgents were incensed recently at a speech which Judge Knapp delivered in New York city. They thought it indicated bias in favor of the railroads in the increased rate investigation. The chances are, however, that no objection will be made to any of the President's appointees and that all will be confirmed without unnecessary delay.

The Senate acted quickly on the nomination of Associate Justice White as a special mark of honor to him as having at one time been a member of that body. That fact coupled also with the circumstance that he had already been passed upon favorably when he was appointed to the court, [illegible] in the Senate's opinion the necessity of referring his name to a committee.

The Senate was in executive session [illegible] about fifteen minutes in considering Justice White's nomination. Senator [illegible], veteran Republican leader, moved that his nomination be immediately confirmed. He characterized Associate Justice White as "a great Senator, a great and a great Judge."

There was anxiety in the Senate when Senator Heyburn, Republican, of Idaho, got on his feet. His well known feeling toward Confederate Veterans led many to believe that he was going to oppose Justice White's nomination on that ground. Senator Heyburn, however, merely voiced his belief that a Chief Justice should not be selected from members of the Supreme Court. He thought that it opened the way to an undesirable element of ambition on the highest bench. His feeling on the subject, however, did not carry him to the extent of objecting to Justice White's confirmation.

Several Senators who had known Justice White when he was in that body informed him of the quick action that had been taken upon his name. When Justice White resumed his place on the bench his eyes were moist and there were other evidences of his deep feeling. During the recess of the Court the new Chief Justice issued this statement:

> The President and Senate have indeed honored me, the one by nominating me and the other by confirming me without reference as Chief Justice that is to preside over the sessions of the court and to be its spokesman in matters of administration. I am deeply grateful, not only to the President and the Senate for the confidence thus reposed in me, but also to all those, whether lawyers or laymen and whether in public or private life, who without solicitation or knowledge on my part, may have recommended or suggested that nomination.
>
> Human nature would be wanting if a sense of personal gratification was not felt at the indication thus afforded of the belief entertained by the President, the Senate and others, that during the many years I have taken part in the work of the court there has been at least honest and painstaking effort to do my duty toward the country.
>
> Of course with the sense of personal gratification at the honor which the selection implies comes the consciousness that new and increased administrative duties and responsibilities will follow, and I pray that Divine Providence may give me the strength not unworthily to perform them. Far as to possible consequences, the fear from my deficiencies, however, is at once dispelled by the knowledge that I shall after all continue to be only a member of the court, simply sharing its burdens with my brethren, whose sustaining influence and kindly support will be ever mine to the end, as it has always been in the past.

Justice White's associates on the bench congratulated him heartily. Associate Justice Charles E. Hughes, who was regarded as slated for advancement to the Chief Justiceship, had this to say of White's appointment: "I hold this honorable appointment. I hold it in the highest esteem and it is in every way fitting." When Justice White's nomination had been read several Senators noticed what they thought was a mistake in the name of Justice as sent to the President. The nomination read:

> White, Edward Douglass, of Louisiana, to be Associate Justice of the United States, vice Melville W. Fuller, deceased.

The Senators began to dig into the law books and found that the Statutes of the United States provide that the division of the Supreme Court of the United States, the Chief Justice of the United States and Associate Justices, any six of them, shall constitute a quorum. Some of the Senators were of the opinion that the President in appointing a Justice of the Supreme Court of the United States had made a nomination for an office that did not exist in law. It was contended that the nomination should read for the "Chief Justice of the United States."

A good deal of informal discussion followed. It was discovered that the statutes in another section spoke of the Chief Justice of the Supreme Court of the United States." This was the section providing for his salary. Several members of the Senate still maintained, however, that the nomination ought to have been as designated in the original statute. The records show that nominations for Chief Justices have been sent to the Senate both as "Chief Justice of the United States" and as "Chief Justice of the Supreme Court of the United States." One report had it that Chief Justice White's commission had been sent to the Supreme Court made out in the form in which the nomination was sent to the Senate and later had been recalled to be changed. This, however, was not verified.

Republicans in the Senate, regulars as well as insurgents, were pleased with Justice White's appointment. It is almost certain that some of the regulars in the Senate urged the appointment of Justice White in preference to that of Justice Hughes, notwithstanding the fact that Justice White is a Democrat. The insurgents preferred Justice White to Mr. Hughes because of the latter's stand against the income tax amendment when he was Governor of New York State. Many Republicans on the House side, however, were inclined to grumble over the fact that Mr. Taft had given this high appointment to a Democrat. They did not blame him for refusing to play politics in making his judicial appointments, but they contended that there are men in the Republican party who might have been called upon. These Republicans were inclined to believe that this view of the appointment would be taken by "machine men" all over the country. They acknowledged, however, that there would be many who would take the other view and admire the President for his independence in this matter.

SHIPPERS PLEASED.

Also Progressive Republicans Over Change in Commerce Commission.

WASHINGTON, Dec. 12.—The action of President Taft in transferring Chairman Knapp of the Interstate Commerce Commission to the Court of Commerce and failing to reappoint Commissioner Cockrill has pleased the shipping interests and apparently has not gratified the attorneys representing the railroads. Chairman Knapp in the recent taking of testimony in the rate advance cases, aroused the criticism of the shippers by making a speech in New York which they construed as favoring the proposed increases. Commissioner Cockrill has always been considered as an extremely conservative commissioner.

The appointment of B. H. Meyer, now chairman of the Railroad Commission of Wisconsin, to succeed Chairman Knapp has been received with acclaim by the progressive Republicans. The naming of C. C. McChord of Kentucky at one time a member of the Kentucky Railroad Commission, to succeed Commissioner Cockrill, also is hailed by the shipping interests with considerable satisfaction. Prof. Meyer was appointed to the Wisconsin State Railroad Commission by LaFollette, when he was Governor of that State.

Insurgents in the Senate are pleased at the prospect of the new lineup of the commission. They say the new commission will be progressive.

The selection of a chairman of the Commission to succeed Mr. Knapp has aroused considerable speculation. The chairman is chosen by the Commission itself. If the vote is on party lines Commissioner Clark, who is a Republican, will probably be elected. If the selection is made on the basis of seniority, Commissioner Clements, a Democrat, will be chosen, and if party lines and seniority rules are ignored, Commissioner Lane, a Democratic member, probably will be selected, as he is popular with his associates and is regarded as one of the ablest of the Commissioners.

Both Chairman Knapp and Commissioner Cockrill sat in the taking of testimony in the pending railroad rate advance cases and there has been some speculation as to whether their elimination from the commission before these cases are disposed of would cause complications. Officials of the commission declare that successors to both Chairman Knapp and Commissioner Cockrill can with propriety sit in these cases. They say that Messrs. Meyer and McChord will have before them a full record of the testimony taken and in addition, if confirmed by that time, will hear the final arguments, which begin on January 9. They will also have opportunity to examine and study the briefs which will be filed by both the attorneys representing the railroads and those representing the shippers. The idea is scouted that the action of the President in breaking the alignment of the commission at this time when these cases are only half finished may necessitate a rehearing.

These cases are considered the most important ever brought before the commission as they involve an increase in rates by practically every carrier east of the Mississippi River and north of the Ohio and Potomac rivers to the Atlantic seaboard and also by a large number of Western trunk lines.

Bankers Charged With Embezzlement.

LINCOLN, Neb., Dec. 12.—Albert D. Wolfe, cashier, and Lawrence H. Daft, assistant cashier, of the First National Bank of Greenwood, Neb., were arrested here tonight on the charge of embezzling and misapplying funds of the bank to the amount of $23,000. Both waived preliminary examination and are held in $10,000. Wolfe belongs to a wealthy family.

Army and Navy Orders.

WASHINGTON, Dec. 12.—These army orders were issued to-day:

Major Edward [illegible], retired, to Simpson College, Indianola, Ia., as professor of military science and tactics.

[illegible] Coast Artillery to Walla Walla, Wash., [illegible] Washington [illegible] Department.

First Lieut. Donald D. Mengel, Medical Reserve Corps, from Fort Wadsworth, Washington, to Fort Worden, Washington, [illegible].

Lieut. Col. [illegible], Ordnance Department, from Bridgeport, Conn., to South Bethlehem, Pa.

First Lieut. Charles C. Benner, Medical Corps, from Fort Thomas, Kentucky, to Fort Shafter, Hawaii.

Lieut. Col. H. S. Bishop, Fifteenth Cavalry, from General Hospital, Hot Springs, Ark., to Fort [illegible].

Capt. Charles R. Howland, Twenty-first Infantry, from Fort Washington, D. C., to Manila.

[illegible] were issued.

Mustered out: [illegible] Corporal [illegible] Troop [illegible].

Assistant Engineer N. M. Smith, from [illegible] to the Pacific Coast.

The Seagoers.

[illegible] the North German Lloyd [illegible] Kaiser Wilhelm der Grosse, for Plymouth, Cherbourg and Bremen.

[illegible] Mr. and Mrs. [illegible] Mr. and Mrs. H. Clapham [illegible] Jr. and Mrs. H. Clapham, Mr. and Mrs. [illegible], Mr. and Mrs. [illegible] Chester, Colonel [illegible], William Lindgren, Mr. and Mrs. [illegible] Hugo, Mrs. J. W. Van Dyke and C. J. Baker.

TOPICS OF HOTEL CORRIDORS

GOV. SANDERS ON THE COMING PANAMA EXPOSITION.

He Refuses to Admit That San Francisco Is on the Map When That Subject Comes Up. Ex-Congressman Willett on Prohibition Down in Alabama.

Gov. J. Y. Sanders of Louisiana, who declined a Senatorial toga in Washington recently to give his spare time to the development of an exposition in New Orleans to celebrate the opening of the Panama Canal, arrived at the Waldorf yesterday. He said it was not by intention that his visit to New York coincides with that of the newly elected Governor of California, who has been here for a week or so intermittently with a lot of Californians who are firmly convinced that San Francisco is the only place for an exposition in 1915.

"The fact is," said Gov. Sanders yesterday, "we do not recognize that New Orleans has any contestant for the honor. I did not know the Governor-elect of California was here."

"Will New Orleans have an exposition if San Francisco gets the official recognition of Congress?"

"We have not considered any such possibility," the Governor replied. "We are sure of holding the Panama exposition ourselves."

If you are a woman and have a small pet dog and you are calling on a friend who is stopping at a hotel it might be wise not to let your dog make too free with the articles on the desk. Witness what happened yesterday at the Wolcott. A woman carrying a little "papillon," mostly white, stood by the hotel counter while she waited to learn whether a friend was "at home." Doggy grew restless.

"Does darling wish to walk upon the counter?" said doggie's mistress. "Then him shall." There!

The room clerk looked on apprehensively, but his not to make reply, and he held his peace. Doggie made straight for a big ink well and poked his slender aristocratic nose into its dark, mysterious depths. He spluttered, yelped and turned toward his owner a very black face. Those about gulped down their feelings and tried to look concerned. It will take that ink weeks to disappear.

J. J. Willett, formerly a member of Congress, came up from Anniston, Ala., yesterday and reported that that burg had grown 40 per cent. in the last ten years and that five new industries, employing from 50 to 250 men each, had moved to the town within the last year.

"Local option is the big question that will come up before the Alabama Legislature when it meets next month," said Mr. Willett at the Holland House yesterday. "Emmet O'Neal has just been elected Governor on a local option platform and it is up to him to have that enacted into a law. The large cities, like Birmingham, Montgomery and Mobile, have been much dissatisfied with Statewide prohibition. The law has not been enforced in those three cities and in Mobile no attempt has been made to carry it out. In the rural counties and small towns sentiment is overwhelmingly in favor of prohibition, and they will probably remain under that law.

When Comte Jean de Moneean of Brussels came into the St. Regis followed by a man carrying a violoncello the clerks were apprehensive. Amateur musicians are usually regarded with such a feeling at the average New York hotel because of the feelings of other visitors. Finally after some parleying the Count agreed to confine his practising to where and when the hotel might desire, so every morning he fiddles for an hour in one of the private dining rooms.

"Look at that!" said the hotel clerk pointing at a nurse who was going out with four or five small children to give them an airing. "Do you know that it is now the custom for women living in hotels never to go out upon the street with their small children? The mothers take the dogs out with them whenever they go, but they always prefer to entrust their children to nurses and governesses."

The manufacturer from the West who expressed himself upon his arrival here last week as anticipating of all sorts of labor troubles has experienced a change of heart since he has been here and is now feeling very cheerful over the outlook.

"I find that legislation has been going on over the country to such an extent that it is a thing like hard to get labor. Discontent is no more. The business has begun to pick up. Merchants had sold goods to such an extent that they had gone to their jobbers and jobbers had sent in orders are coming in. Everybody here is doing a very good business."

"The number of persons who take apartments permanently in hotels is great in the increase," said the room clerk at one of the bigger hotels yesterday. "With us the number is from 10 to 15 per cent. bigger than last year. Of course the servant question is responsible. Why, the other day I had a woman come here from Detroit who begged me to put her room in another part of the building than that occupied by servants of Eastern people. She said she would send her out for her meals because she didn't want her to mix with Eastern servants and imbibe high-falutin notions about wages.

"The valets and maids we get here are far more difficult to deal with than their masters and mistresses. Most of them insist upon having baths and turn up their noses at anything else. It has happened at times that the servants' rooms were all occupied and we had to put a valet or a maid into a room with a bath, a regular guest room, charging the regular servant rate. The result is that every 'gentleman's gentleman' that comes here now demands a 'bath' as his inalienable right."

Consuls Nominated.

WASHINGTON, Dec. 12.—The President sent to the Senate to-day the following nominations for the consular service:

Alexander Blake of Missouri to be consul-general at Tangier, Morocco.

William W. Winslow of New York to be consul at Naples, Italy.

[illegible] House of the District of Columbia to be consul at Lyons, France.

[illegible] of Michigan to be consul at Florence, Italy.

Marion Letcher of Georgia to be consul at Chihuahua, Mexico.

Hunter Sharp of North Carolina to be consul at Belfast, Ireland.

Edward D. Winslow of Illinois to be consul at Plauen, Germany.

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Silk Waistcoats, $3 to $7. White Gloves, $1.15, $1.40, $1

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UNION SQUARE, 14th Street, West of Broadway.

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We urge an early inspection of this display.

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CHARLTON SURRENDERED.

Warrant Delivered by the State Department to the Italian Embassy.

WASHINGTON, Dec. 12.—The warrant of surrender in the extradition case of Porter Charlton, who confessed to the murder of his wife at Lake Como, Italy, last June, was delivered by the State Department to the Italian Embassy to-day. The execution of the warrant will be delayed, however, pending the habeas corpus proceedings which have been instituted in Charlton's behalf.

Paul Charlton, law officer of the insular bureau of the War Department, returned to Washington to-day from New York, where he went to confer with his attorneys. Mr. Charlton declined to discuss his son's case.

Postmaster at Bronxville.

WASHINGTON, Dec. 12.—Samuel L. Riley has been appointed postmaster at Bronxville, N. Y.

MOUNT ST. VINCENT COLLEGE.

Sisters of Charity to Enlarge the Scope of the Riverdale Academy.

A petition of the Sisters of Charity of St. Vincent de Paul, which was granted by Supreme Court Justice Seabury yesterday shows that the Academy of Mount St. Vincent, at Riverdale, is to become a college and be empowered to give diplomas by affiliation with the University of the State of New York. The petition said that the Sisters of Charity of St. Vincent de Paul have decided to establish a college at Mount St. Vincent, but in order to get a charter from the Board of Regents the institution must have [illegible] of section.

The Sisters got permission to transfer to the Mount St. Vincent site of the property in West Forty-second street, New York, on which the Holy Cross Academy, which has been conducted as a branch of Mount St. Vincent. This will give the institution total real property worth $1,000,000, and there are personal assets of $500,000. The debts are $500,000.

Indigestion Cured

After suffering two years with indigestion Mrs. E. Stein says she has been entirely cured, and that both she and her sister highly recommend Duffy's Pure Malt Whiskey to all their friends on account of what it has done for them.

Mrs. E. Stein, of Greenwich, Wash. Co., N. Y., wrote as follows: "Both my sister and myself were advised to try Duffy's Pure Malt Whiskey after we had suffered two years with indigestion. After taking half a dozen bottles I can say I am entirely cured. Will never be without it. Both my sister, Miss L. Michaels, and myself highly recommend it to all our friends."

Few diseases inflict upon their victims greater suffering than do dyspepsia, indigestion and stomach troubles. If you have dyspepsia or indigestion in any form do not ruin your stomach with drugs; use

Duffy's Pure Malt Whiskey

It corrects defective digestion of the food, increases the appetite, strengthens the heart, gives force to the circulation, cures insomnia and brings restfulness to the brain and nervous forces. We have thousands of grateful patients who write us they have been cured after they were given up by their doctors.

If you wish to keep strong and vigorous and enjoy perfect health, take Duffy's Pure Malt Whiskey regularly, according to directions. Sold in SEALED BOTTLES ONLY by all druggists, grocers and dealers, or direct, $1.00 a large bottle. Refuse substitutes and imitations, they are impure and dangerous. Send for free booklet and doctor's advice.

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