

BALLINGER STAMPS GLAVIS STORY A LIE

Reviews Whole Case Before Congress Committee.

DECLARES JONES FALSIFIER

Secretary of Interior Takes a Fling at Former Secretary Garfield and Former Forester Pinchot, as He Denies Any Reprehensible Connection with the Alaskan Coal Claims.

Richard A. Ballinger, Secretary of the Interior, yesterday under oath, as a witness before the Congressional investigating committee, told the story of his official career and gave his version of the controversy over Alaskan coal claims and conservation policies.

He branded Louis R. Glavis, principal witness against him, as a deliberate and unqualified liar; belittled Horace T. Jones, another of the witnesses for the prosecution, raised an issue of veracity between former Secretary of the Interior James R. Garfield and himself, and took a fling at former Forester Gifford Pinchot as a man with whom another could not differ on a question of policy without being considered by him as criminal.

Mr. Ballinger was defiant and aggressive. He showed the effect of the severe nervous and physical strain under which he has been laboring for months, but at times he seemed buoyant, and there was a distinct note of pride in his voice as he told of his achievements as a lawyer and as the "reform" mayor of Seattle, and of the compliments that had been paid him by former President Roosevelt and others.

Enters Service Clean-handed.

Mr. Ballinger declared that he went into the office of Secretary of the Interior on March 6, 1898, absolutely free and untrammelled, and without an interest or connection to prejudice him in any official action he might be called upon to take.

"I burned all my bridges behind me," he said. "I dissolved my law firm, ended all corporation connections, and did not represent anybody interested in Alaskan coal claims. I did not have, nor have I ever had, any interest, directly or indirectly, in Alaska."

Mr. Ballinger said his relations with Mr. Garfield, whom he was succeeding, were altogether friendly, and he knew of no minor charges by Mr. Garfield because he was not being retained in the cabinet by President Taft. His relations with Mr. Pinchot were equally friendly, so far as he knew at the time.

His Cunningham connections. Relative to his official connection with the Cunningham cases, in which he had acted as counsel during the year intervening between his retirement as Commissioner of the General Land Office and his becoming Secretary of the Interior, Mr. Ballinger asserted vigorously that he had had no connection with those cases that disqualified him legally from passing upon them as an official of the government.

"Legally, morally, and ethically I was qualified to pass on the Cunningham claims," he said, "but I felt a delicacy about doing so, because of the fact that I had an incidental relation with Cunningham as legal adviser."

"Consequently I gave orders that nothing pertaining to those cases should ever be brought before me. They were turned over to Assistant Secretary Pierce, and to this day Mr. Pierce has never made a report to me as to any action bearing on the Cunningham claims."

Mr. Ballinger had by no means completed his direct testimony when the hour came for adjournment. He will continue on the stand to-day and it is possible that his cross-examination by Attorneys Brandeis and Pepper will not be begun until next week.

The announcement that the Secretary would be under the inquisitorial spotlight brought out one of the largest crowds that has attended the hearings.

Wife Among Spectators. Every available inch of space in the chamber was occupied and scores of would-be spectators were turned away. Women predominated in the crowd, prominent among them being Mrs. Ballinger, who was accompanied by Mrs. Wickensham, the wife of the Attorney General. Mrs. Pinchot, mother of former Forester Gifford Pinchot, was also present.

As related by him, Mr. Ballinger's initiation into the public service when he came to Washington in 1897 to become Land Commissioner was a characteristic welcome from former President Roosevelt.

"Mr. Roosevelt said to me: 'Glad you're here. Any man who can clean up Seattle as you did can clean up the Land Office,'" said Secretary Ballinger. "That was my initiation."

Mr. Ballinger told of the reluctance with which he had accepted the office of Commissioner of the Land Office. At first he declined the offer, but on receipt of telegrams from President Roosevelt, Mr. Garfield, urging him to reconsider, he finally did so. Mr. Ballinger read copies of these telegrams, the one from Mr. Roosevelt reading, in part:

"It is your duty to help me. You and Garfield will lift an immense burden from my shoulders."

Would Claim No Fees. On assuming his position, Mr. Ballinger said, he arranged with his law partners that he would have no interest in

any fees from any of their cases that might come before the Interior Department or Land Office.

Concerning his relations with the Cunningham claimants, he said he was acquainted with six or seven of the men, but did not know at the time of their interest in the coal claims.

He was emphatic and positive in his direct testimony, but nothing of a startling character was developed during the earlier part of the session. At one point he denounced as "a willful and deliberate lie" the testimony of L. R. Glavis, to the effect that he and Glavis, in December, 1907, had discussed the personnel of the groups of Alaskan coal claimants. Again Mr. Ballinger justified the clear listing of the Cunningham entries.

Questioned as to what he knew about H. K. Love and Horace T. Jones when he came in touch with them in an official way, Mr. Ballinger said his information relative to Love was favorable, but as to Jones, not altogether favorable. "I think my lack of confidence in Jones has been justified by his conduct during this investigation," said Mr. Ballinger.

Love has been before the committee as a witness for the defense, while Jones was one of the principal witnesses for the prosecution, supporting L. R. Glavis. Both were former special agents of the Land Office. Mr. Ballinger caused a ripple of laughter in speaking of Jones, by stating that he knew Jones had been "knocking" various people, among them his own brother-in-law.

His Valued Memorandum. Mr. Ballinger explained his views as to the best way of handling coal lands by referring to a memorandum on that question, which he prepared at the request of President Roosevelt. "When the President read it," said the witness, "he said to me: 'When Garfield and Pinchot see that they'll go up through the roof, but I guess the roof is strong enough to hold them.'"

For the afternoon session, continuing after the lunch, Mr. Ballinger raised an issue of veracity between former Secretary Garfield and himself. Mr. Garfield testified that he did not favor the Cole bill, which embodied the Ballinger plan of selling coal lands instead of leasing them, and that he had not authorized Mr. Ballinger's appearance before a committee of Congress in support of the bill. Mr. Ballinger said that Mr. Garfield, as shown by documentary evidence, had known all about the Cole bill and had approved it tacitly, if not directly.

Led up to the time of his retirement from the office of Land Commissioner, Mr. Ballinger suddenly raised his voice and addressed the committee earnestly.

Stamps Charges Malicious. He said: "The malicious attempts of certain malicious and malignant people to circulate throughout the country the charge that I carried any information that I did not have, is the most disgraceful foundation in fact. All the information that has been used in all fairness in any way I desired without possibility of prejudice to any interests of the United States. There was nothing pending at the time against any of these interests or a record which was in violation of the rights of these people (Cunningham claimants) to their patents, further than the unique protest of this man Glavis."

He stated no facts that could have warranted a public charge in holding up claims, except the suspicion that there might have been something which might have been investigated.

Secretary Ballinger said he left office voluntarily. In fact, he said, his retirement was a delightful voluntary. He then read a letter from former President Roosevelt expressing regret at his retirement.

"It was the frequent remark of the President," said Mr. Ballinger, "to mutual friends that he had secured a \$20,000 man for Land Commissioner for \$5,000. I was glad to go back and try to earn some of that \$20,000."

Mr. Ballinger read also a letter of regret at his retirement from Mr. Garfield. He started to read a letter he had written to Mr. Garfield shortly after his retirement to Seattle in March, 1898. The letter was addressed to "My Dear Jim." He read only the opening sentence, when his voice broke, and it was apparent that he was about to break down under the stress of emotion. Mr. Vertrees thereupon took the letter and read it while Mr. Ballinger recovered self-control. There was a reference in the first paragraph to Mr. Ballinger's mother, who is now aged and very feeble, and it was the thought of her that affected the Secretary.

Incidentally there was a reference in the letter to the Presidential sentiment as Mr. Ballinger had found it in the West in the spring of 1898. Mr. Ballinger stated that he heard a good deal of Hughes talk, but would get busy at once to build up the Taft sentiment.

Mr. Ballinger said he met Mr. Cunningham during the summer of 1898, and later Mr. Cunningham called upon him to ask his advice in connection with the affidavits he had given Glavis relative to the alleged or projected deal with the Moran-Guggenheim syndicate.

"The affidavit which I drew for Mr. Cunningham was a mere explanatory statement of facts as he gave them to me," said Mr. Ballinger.

This affidavit was taken East by Mr. Ballinger and laid before the then Secretary, Mr. Garfield, at the latter's home in Mentor, Ohio. Mr. Ballinger said he told Mr. Garfield all the connection he had with the case. Later, he said, he saw Mr. Garfield and Commissioner Dennett in Washington, and they told him that the Cunningham claimants could get their patents if they came in under the May 25, 1898, statute, but otherwise they could not get them. For this incidental service to Mr. Cunningham he received \$200 or \$250.

Mr. Ballinger explained changes he had made in the personnel of the Interior Department, and incidentally declared that former Forester Pinchot had practically dominated the public-land policy of the department through George W. Woodruff, who was Assistant Attorney General for the department.

PROPHETS OF EVIL.

The prophet comes to my humble door, and his eyes are sad and his head is sore. He says, "Gee whiz!" and he says, "By Heck! The world's a-going straight down to wreck! The wheat is dead and the corn won't grow, and the rain won't fall and hot winds will blow! The worst old drought that was ever known will hit this country and make it groan! Then the mills will close and the banks will fail, and we'll all rear up in the air and wail!" Then the prophet goes, and I am depressed, with a sinking feeling inside my vest, till the plain horse sense that I near forgot, resumes its sway in my dome of thought. These jaundiced seers with their gloomy views, and their awful dreams and their bugaboos, can know no more of the future's plans than a mermaid knows of Highland clans. The sun will shine and the rain will fall, and the vine will grow on the garden wall; the trees will bear 'neath their load of fruit; all things will come to the wise galoot who puts his faith where faith belongs, and fills the air with his cheery songs. (Copyright, 1910, by George Matthew Adams.) WALT MASON.

YESTERDAY IN CONGRESS.

(APRIL 29, 1910.)

SENATE.

The Senate, by a vote of 35 to 25, rejected the Commerce amendment to the railroad bill, giving the Interstate Commerce Commission power to control rate agreements between common carriers.

Senator Newlands, of Nevada, spoke in support of his amendment for the Federal incorporation of railroads. Senator Baileys, of California, moved to amend the Senate to reject the Senate amendment to the Interstate Commerce Commission power to control rate agreements between common carriers.

HOUSE. The railroad bill was again under consideration by the House yesterday. Several amendments were adopted. Mr. Madden, of Illinois, directing the Interstate Commerce Commission to make a physical valuation of railroads. The railroads have now succeeded in materially changing the character of the bill.

EXERCISES AT THE CAPITOL.

Statue of Pierpont for Statuary Hall to Be Accepted. Exercises incident to the acceptance of the statue of Francis H. Pierpont as the tribute to the nation from West Virginia, will be conducted at 10 o'clock this morning in Statuary Hall.

Gov. Glascock, of West Virginia, will accept the statue on behalf of the State, following which a poem in eulogy of Pierpont will be read by his granddaughter, Miss Frances Pierpont Switzer. There will be an address by Hon. John W. Mason.

At 1 o'clock this afternoon there will be exercises in the Senate, when addresses will be delivered by Senators Elkins, Dolliver, Heyburn, Oliver, and Scott. At 3 o'clock addresses will be delivered in the House of Representatives by Congressmen Hubbard, Gaines, and Sturgis, of West Virginia; Keifer, of Ohio; Payne, of New York, and McCall, of Massachusetts.

To-night Senator Elkins will entertain Gov. Glascock and the members of his party. Gov. Pierpont was the father of the idea of the separation of West Virginia from Virginia.

FURTHER COTTON QUIZ VOTED.

Wickersham Directed to Find Out More of Pool Transactions. By a resolution of Senator Smith, of South Carolina, which passed the Senate unanimously yesterday morning, the Attorney General is directed to inquire further into the alleged cotton corner, ascertaining the names of those who sold the cotton to Brown, Hayne, Scales, and others, who have been charged by the Department of Justice with violation of the Sherman anti-trust law. It was passed without debate.

Senator Smith made an extended speech on his resolution, in which he charged that the proceedings of the Attorney General against those who had bought cotton contracts was in the interests of the cotton bear.

"Every cent that cotton is depressed," he declared, "means a loss of \$40,000,000 to America."

PARCELS POST BILL HEARD.

Representatives Bennett and Foster Point Out Merits to Committee. Hearing on rural parcels post was resumed before the House post-office committee yesterday, and Representatives Bennett and Foster, authors of the bill, made addresses.

Mr. Foster said if the scheme were given a two-years' trial it would prove a paying proposition. Mr. Bennett said that a rural parcels post would not hurt local merchants, but would increase their trade.

W. F. Richardson, of Washington, representing the National Association of Retail Druggists, said that a rural parcels post system would increase the mail order business and ruin the small merchant. James L. Cowles, secretary of the postal progressive league, advocated the proposed legislation.

Havens Takes Oath. James S. Havens, of Rochester, was sworn in by Speaker Cannon yesterday as successor to the late Representative James Breck Perkins. There were not many Democrats on the floor at the time, but those on hand made up in noise what they lacked in numbers.

CONGRESS BRIEFS.

Representative Harrison, of New York, introduced a resolution authorizing the President to appoint a commission of seven to represent the United States at the ceremonies attending the 100th anniversary of the Mexican declaration of independence, to be held at Mexico City, September 16.

The election contests against Joseph F. O'Connell, of Massachusetts, and Albert E. Boggs, of Louisiana, were practically decided yesterday in their favor by the House Committee on Elections. O'Connell won by less than a dozen votes. Boggs, a Republican, contested Eads' seat.

Senator George Chamberlain, of Oregon, yesterday introduced a resolution directing Attorney General Wickersham to proceed at once to prosecute vigorously to final judgment and decree the suits already brought, and those directed by Congress to be brought, to forestall public land grants to the Oregon and California Railroad. The resolution was referred to the Judiciary Committee.

The Senate Committee on Privileges and Elections, which met yesterday for the second purpose of reporting on the various bills of political campaign expenditures, finally decided to turn over all bills to a subcommittee of three to be named by Senator Burrows, chairman. The subcommittee will be instructed to report a bill not later than May 7.

Ocean Steamships. New York, April 29.—Arrived out: La Touraine, at Havre; Oriole, at Gibraltar; Prins Frederik Wilhelms, at Bremen.

TEST VOTE GIVES LEAD TO REGULARS

Continued from Page One.

Beveridge rose to a parliamentary inquiry and tried to get some light on this particular affair. Senator Bailey rebuked him with the remark that he had not raised the parliamentary inquiry, and the incident of Senator Flint's pair was thereupon closed.

Four Had Not Voted.

But when the list of the names of Senators who were absent without being paired was read, it disclosed the names of four Democratic Senators who had failed to vote, and had not taken the precaution to arrange for pairs. Had these four Democrats been present and voted with their party colleagues, the Cummins amendment would have been defeated by but one majority.

There was some delay in getting an announcement from the chair of the pairs and absentees. Senator Clay had to renew his demand twice, and raise a question of order before he was able to get the announcement. Senator Frye, president pro tem, who was in the chair, demurred no disposition to refuse the demand, and explained that the delay was due to the difficulty in making up the list at the clerk's desk.

The following Democratic Senators were noted on the official record of the Senate as being absent and not paired: McEnery, of Louisiana; Clarke, of Arkansas; Bankhead, of Alabama, and Smith, of Maryland. Senator McEnery was in his seat in the Senate an hour before the vote was taken. The other Senators are absent from Washington.

Standing on the Test Vote.

The following is the vote as finally recorded on the Cummins amendment: Ayes—Racon, Bailey, Chamberlaine, Clay, Davis, Fletcher, Frazier, Gore, Johnston, Martin, Overman, Paynter, Perry, Purcell, Simmons, Smith (South Carolina), Stone, and Taylor (Democrats, eighteen); Nays—Bradley, Burrows, Burton, Carter, Clark (Wyoming), Crane, Crawford, Cullen, Curtis, Depew, Du Pont, Elkins, Frye, Gallinger, Guggenheim, Heyburn, Jones, Kean, Lodge, Nixon, Oliver, Pugh, Perkins, Pike, Root, Scott, Smith (Michigan), Smoot, Stephenson, Sutherland, and Warner (all Republicans, thirty-five).

Aldrich Leaves Before Vote. Senator Aldrich left Washington just before the vote was taken. He had been trying to hasten the roll call in order to enable him to leave for New York.

Senator La Follette made an impassioned speech. He replied to Senator Bailey's advice to the insurgents in his spirited way.

"Men may be tricked and fooled and their visions blurred here," said Mr. La Follette, "but out over this land, East as well as West, there is going on a mental process that cannot be diverted or belated by any cheap party appeal on either political side."

Immediately after the vote was taken Senator Cummins introduced another amendment to the same paragraph which provides that no increase of rates or no new classification which relates to an increase of rates, the result of an agreement between carriers, shall become effective until after it has been approved by the Interstate Commerce Commission.

This amendment will give rise to the same fight all over again, and Senator Cummins is hopeful of commanding a few more votes for that amendment than he got for the one which was lost.

URGE HEALTH BILL.

Advocates of Federal Bureau Before Committee. Nearly 100 representatives of insurance, public health, educational, and medical societies appeared before the Senate Committee on Public Health and National Quarantine yesterday in support of the bill by Senator Owen, of Oklahoma, creating a Federal health department.

The advocates of the bill declare that by co-ordinating all branches of the Federal public service relating to health and quarantine better results can be attained through effective quarantines and more harmony brought about in the literature sent out.

MONORAIL FOR ALASKA.

Seattle Syndicate Closes Deal with Louis Brennan, of London. London, April 29.—Louis Brennan's gyroscope monorail system is to undergo a practical test. A contract, signed to-day, grants the exclusive rights for the use of the system in Alaska to an American syndicate, headed by John Ballaine, of Seattle. New York bankers are backing the syndicate, which undertakes to build 100 miles of line within a year.

Mr. Brennan will complete two cars, orders for which were given to-day by Mr. Ballaine, who has seen the gyroscope car undergoing practical tests, in which it carried more than 100 passengers at the rate of twenty-six miles an hour.

HEARDS ISLAND ANNEXED.

Union Jack Hoisted by Party Aboard British Whaler. Durban, Africa, April 29.—Advises received here state that Heard's Island, in the South Indian Ocean, which was discovered by Capt. Heard, an American, in 1822, was annexed on behalf of Great Britain on March 24, by a party aboard the Durban whaler Mangora.

A cairn was erected supporting the Union Jack under which the declaration of annexation was signed.

MORE LENIENT WITH CITY AND SUBURBAN

Senate Committee Amends Extension Bill.

LOCAL MEASURES REPORTED

Car Company Relieved of Share in Cost of Monroe Street Bridge to Brookland—New System of Designating Squares and Parcels of Land in District Favored.

Much more favorable to the City and Suburban Railway Company than the House bill is the bill reported to the Senate yesterday by the District Committee, authorizing that company to extend its lines in Brookland. The bill, as it passed the House on April 11, was amended by Senator Gallinger's committee in several important particulars.

The bill authorizes the removal of existing tracks in Michigan avenue, and their extension in Monroe street by way of a bridge to Twelfth street, thence to Bunker Hill road, and thence to the District line. The provision in the House bill that the streets along the route of the extension should be dedicated by the railroad as public streets was stricken out of the bill as reported to the Senate. The House bill required the completion of the work in six months. The Senate bill fixes the time at nine. The House bill required that the work should be begun within one year from the passage of the act. The Senate bill fixes the time at one year from the opening and grading of the streets, and adds a penalty of \$25 a day for failure to complete the work after this period.

The House bill has a provision that the company should not use the bridge across Monroe street until it had paid to the Treasury of the United States one-sixth of the cost of the bridge, one-half to be credited to the United States and one-half to the District. This entire section was stricken from the Senate bill.

Reports of Births Required.

A favorable report was also ordered by the committee yesterday on the Gallinger bill requiring physicians and midwives to file reports of births within twenty-four hours following the date of the birth, together with certain information, to form a part of the official record of births. The bill specifically provides, however, that in the case of illegitimate children it shall not be necessary to indicate on the report any information whereby the identity of the father or mother shall be disclosed. The bill does not require that parents furnish to the health officer the given names of children born, but it provides that they may do so.

A favorable report was ordered on the Gallinger bill to amend the act relating to the designation of various parcels of land in the District for purposes of taxation. It provides that each square in the city shall bear a certain number or designation distinguishing it from every other square, and that each lot or parcel of land also shall have a distinctive mark. The bill carries an appropriation of \$8,000 to enable the Commissioners to carry out the provisions of the act.

The bill amending the law relating to the interment of bodies in the District by striking out the provision that under no circumstances should graves be opened in which had been buried bodies of persons who had died of cholera, leprosy, smallpox, scarlet fever, &c., and permitting the Commissioners to order the disinterment of bodies in abandoned cemeteries, was also favorably reported.

An adverse report was made on the bill to provide additional land for the Jackson School.

NEW YORK ASSURED OF BIG AERO MEET

Wright's Committee to Inspect Belmont Park. New York, April 29.—Wilbur Wright was in conference with the board of governors of the Aero Club of America to-day to discuss arrangements for the proposed international aviation meet to be held in this country beginning on October 22. No definite place was selected, although it is practically understood that it will be held in New York, if a sufficient sum is offered and all other conditions are favorable.

Mr. Wright, accompanied by a committee from the Aero Club, composed of L. L. Gillespie, Samuel Valentine, J. C. McCoy, Allan Hawley, and Dave Morris, will inspect grounds at Belmont Park to-morrow afternoon to judge of their suitability for the tournament, after which another meeting will be held, when it is probable a site will be determined. It is not known whether the Aero Corporation will take charge of the business part of the enterprise or whether an offer from a syndicate will be accepted should New York secure the meet.

It was also announced that a convention of the twenty affiliated clubs would be held here on May 23 to consider other meets to be arranged in different cities. At that time each delegate will report the amount his city could raise. The purpose is to ascertain how much money will be available in this country in order that foreign aviators may be informed of the inducements.

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STUDENTS HEAR MR. BRYCE. British Ambassador Says Practical Things Look After Themselves. Women Seem to Have Real Taste for Culture and Education, He Declares. Lawrence, Kans., April 29.—At the chapel exercises of the University of Kansas to-day James Bryce, Ambassador from Great Britain to the United States, was the speaker. He was introduced as "one of the world's greatest historians and parliamentarians."

DR. HILL GUEST AT MUNICH. American Ambassador Attends Dinner of Baron von Podewils. Berlin, April 29.—Dr. Hill, the American Ambassador, was present at a large dinner party at Munich to-night, given in his honor by Baron von Podewils, president of the Bavarian Ministry.

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