AT THE WHITE HOUSE

Probable Veto of a Power Plant Bill.

SEC. TAFT TO GIVE OPINION

Other Similar Bills Pending to Be Affected.

THE BOYCOTT IN CHINA

Dr. Peets' Opinion in Regard to It—To Go on Arctic Exdition.

President Roosevelt is about to veto a bill that has passed Congress, providing for the establishment of power plants to generate electricity at Muscle Shoals, Ala., one of the greatest power points in the world, said to be next to Niagara Falls in its great value in that direction. Representative Richardson of Alabama, in whose district Muscle Shoals is located, is trying hard to get the President to change his mind and hopes he will succeed in placing the matter in such a light as to win the favor of the President.

A similar bill was put through Congress four years ago, and the President at that time vetoed it. He affixed his veto before the Alabama people had opportunity to talk to him about it. The President takes the position that the bill would confer valuable privileges and franchises for which the government would not receive a cent, and he believes that these franchises should be paid for by the corporations that establish plants at the Shoals.

The President talked the matter over today with Representative Richardson, Secretary Taft, Gen. Mackenzie, chief of engineers, and Chairman Burton of the rivers and harbors committee. Mr. Burton is understood to hold the same position as the President. Secretary Taft has been asked for a legal opinion, and he must give it in the next few days, as the law will become operative through the failure of the President to sign unless he should see fit to veto.

In the event that the President again vetoes the bill he will fix a precedent that will affect a number of similar bills pending in Congress, and hereafter no bill can go through the White House unless it contains provisions that the government shall receive compensation for the power derived from navigable streams. The belief is pretty strong that the President will again veto the bill.

A Visitor From China.

Senator Brandegee of Connecticut called upon the President this morning and presented Rev. Lyman P. Peet, who for eighteen years has been at the head of Foochow College, China. Dr. Peet was a classmate of Senator Brandegee's at Yale, but instead of following the law, as his friend did, he selected the ministry, and was sent by the American board of the Congregational Church to China eighteen years ago. Speaking of the boycott in China, Dr. Peet said:

"Conditions in China in regard to the boycott seem to be getting worse and worse. There have been a number of riots and crimes committed. The officials pretend to show a desire to bring about peace and quiet, but secretly they are encouraging the boycott as much as possible.

"I think the United States immigration laws should be revised so as to be more liberal to the better class of Chinese. Of course, I do not advocate the admission of coolies, for they are not so desirable, but I contend that the United States could with benefit to itself admit the higher class of Chinese.

"The United States should, however, be absolutely firm in its dealings with China. Any display of generosity will be construed by the Chinese as fear. For instance, the report circulated about a year ago that the United States was going to return to China a large part of the indemnity was interpreted as fear on the part of this country.

"The firmer we act with China, the more friendly she will become."

To Go on Arctic Exploration.

Capt. Ejnar Mikkelsen, commander of the Anglo-American polar expedition, called at the White House, being officially presented to the President through the Danish minister, and personally introduced by Henry Edward Reed of New York. Capt. Mikkelsen explained to the President that he proposes to keep away from the north pole, and, with two companions, who are scientists, plunge into the wholly unexplored region of the Arctic ocean. Mikkelsen's partner in the undertaking is a young American, Ernest Leffingwell of Illinois. The expedition as an entirety is organized under the auspices of the Royal Geographical Society of England and an American magazine.

Senator Millard asked the President to promote Col. R. W. Hoyt of the 25th Infantry to be brigadier general. Colonel Hoyt is stationed with his regiment at Fort Niobrara, Nebraska, and is said to have a good record.

Elliott Durand of Chicago, representing the National Business League and National Association of Manufacturers, talked to the President today about the various measures pending in Congress in which his organizations are interested. These include consular reorganization, Chinese exclusion and railroad rates. Mr. Durand believes that the exclusion laws should be amended so as to be much broader and permit the entrance of Chinese laborers. "The farms of the country are suffering for want of labor," he said.

Repeal of Timber and Stone Act.

Chairman Lacey of the House public lands committee called upon the President. He said he had strong hope of the enactment of the bill for the repeal of the timber and stone act. This bill is now pending in the public lands committee. Last session a small majority of the committee was against the bill. Mr. Lacey said this morning that he would insist this session on a minority report, if necessary, in favor of the bill, thus insuring consideration of it on the floor.

Dined by the President.

President Roosevelt entertained at dinner at the White House last night in honor of the executive committee and officers of the republican national committee. The guests included Chairman George B. Cortelyou, Vice Chairman Harry S. New, Treasurer Cornelius N. Bliss, Senator Scott of West Virginia, Franklin Murphy of New Jersey, Charles F. Brooker, William L. Ward, R. B. Schneider, D. W. Mulvane, George A. Knight, Elmer Dover, Representative J. A. Tawney, First Assistant Postmaster General Hitchcock, William F. Stone, Justice Charles H. Duell of the District Supreme Court and L. A. Coolidge.

WHEREABOUTS OF THE DEWEY

The Big Floating Dry Dock Should Be Reported Today.

It is said at the Navy Department that the big floating dry dock Dewey now being towed to Subig bay, Luzon, should be reported from Gibraltar today unless the towing fleet has met with unexpected delays. Towing at the rate of 100 miles daily, the dock should have covered the distance from the point where it was last reported January 22 to the Rock by this date. However, it is recalled that twice the towing cables were broken before the last previous report, entailing some delay in each case to restore the connections. Besides there is a heavy adverse current emerging from the Straits of Gibraltar, which would add to the length of the voyage. The failure to hear from the dock by wireless telegraphy is ascribed to the fact that a different system from that installed on the dock is in place at Gibraltar, and the Brit- [illegible] are under contract not to [illegible] other plants.

GREENE-GAYNOR TRIAL

GILLETTE ON SAVANNAH CONDITIONS WHEN CARTER QUIT.

SAVANNAH, Ga., February 10.—Maj. Gillette resumed the stand in the federal court today and gave further evidence against Greene and Gaynor, who are charged with having defrauded the government out of some $2,000,000. Maj. Gillette described conditions as he had found them when he came to Savannah to succeed O. M. Carter in charge of the district. He made inspections of the work under construction of Greene and Gaynor, and it was what he then discovered that induced him to make the reports that resulted in the abrogation of the contracts, for the preferring of charges against Carter, his court-martial and conviction, and the present trial of the contractors.

In telling of the inspection he made of the mattresses Maj. Gillette said:

"It was more like climbing over a brush heap; branches sticking out in every direction. I could have gone on through it. Resemblance to facings was so slight that I could not tell what it was meant to be. One-twentieth of the area was air. There were some cases where butts of two or three big logs came in and made the area larger. There was no evidence of choking or anything like the rim facings.

The Mattress Incident.

"Taking the eight courses of mattresses they might have made one good course. I told the assistant engineer he could accept it as a mattress. I then found that that was supposed to be eight mattresses."

"Do you mean to say, major, that the government paid for eight mattresses where there was only one?" asked the court.

"That was the system of payment. The government never paid Greene and Gaynor for those mattresses at all."

A photograph of one of the mattresses that was being put in when Maj. Gillette arrived to succed Carter was exhibited.

How Uncle Sam Paid.

Maj. Gillette said that the government had been paying at the rate of $3,600 for something it could have secured in the open market for $400. That, he said, was what the work done by Greene and Gaynor under Carter amounted to. All the advertisements, specifications, contracts, etc., antedated the actual construction and eventual payment by Carter, he said, of the government's money to the contractors was but part of the scheme.

They were intended to confuse the main issue, to veil the real purpose, which was to make the government pay nine prices by shutting out competition and leaving no alternative to the acceptance of Greene and Gaynor, the contractors. "Without any authority Carter purchased a brush heap and paid for a properly constructed mattress of eight courses," said Maj. Gillette.

E. R. Conant, Brunswick, Ga., who was an inspector under Carter, identified certain tri-monthly reports upon the river and harbor work.

Contracts Were Disregarded.

Mr. Conant said that in contracts of 1892 and 1894 for Cumberland sound log mattresses were not put in, but brush mattresses, much cheaper than the logs, were used.

A letter from Carter to Col. Craighill, Corps of Engineers, of May 22, 1888, was read. In this Carter stated that he disapproved the use of log and brush near Fernandina, Fla. He stated that he would advise against the use of log and brush, and thought it should not be used save when it could not be helped.

Maj. Gillette explained that the teredo is extremely plentiful in Fernandina waters and exceedingly destructive to wood. The government's contention is that despite this knowledge and view of Carter, the latter, recommended logs and brush for use in the jetty work.

With Maj. Gillette still on the stand adjournment was taken until Monday.

PILOTS ON COASTING VESSELS.

House Committee Will Report the Littlefield Bill.

By a vote of eight to five the House committee on merchant marine and fisheries agreed today to make a favorable report on the Littlefield bill, which does away with compulsory pilotage on sailing vessels engaged in the coastwise trade.

The votes in favor of the bill were: Representatives Minor (Wis.), Greene (N. Y.), Fordney (Mich.), Wachter (Md.), Littlefield (Maine), Flack, (N. Y.), McDermott (N. J.), Humphrey (Wash.).

The negative votes were: Representatives Spight (Miss.), Sherley (Ky.), Patterson (N. C.), Goulden (N. Y.), Maynard (Va.).

The pairs were: Grosvenor (Ohio) and Birdsall (Iowa), Watson (Ind.) and Wilson (Ill.).

OCEAN STEAMSHIP MOVEMENTS.

NEW YORK, February 10.—Arrived: Philadelphia from Southampton, Lucania from Liverpool, La Savoie from Havre, Caronia from Genoa.

LIZARD, February 10.—Steamer New York from New York was reported by wireless telegraph 174 miles west at 6 a.m., and will probably reach Plymouth about 5 p.m. today.

QUEENSTOWN, February 10.—The Red Star line steamer Noordland, which left Liverpool February 8 for Philadelphia, arrived off this port today, but owing to the stormy weather prevailing, proceeded without embarking her passengers. The latter had a rough experience. They went out to the vicinity of Roches Point on a tender and there awaited the arrival of the Noordland, though a heavy sea was running. But after being badly tossed about, they were compelled to put back to Queenstown.

MURDER ON A TRAIN.

Italian Killed During Attempt to Arrest Robbers Suspected.

EXETER, N. H., February 10.—Two unknown men who boarded a Boston and Maine express train at Dover shot and mortally wounded an unknown Italian as he was starting to leave the train at Rockingham Junction today. The conductor of the train had attempted to arrest the men, having been notified by the Dover police they had robbed the Luddy & Currier shoe factory at Dover and that they were on the train. At the same moment the Italian started to leave the car and one of the alleged robbers fired five revolver shots at him, all of which took effect. The Italian died shortly afterward. In the confusion which followed the two men jumped from the car and disappeared in the woods.

The Dover police report that the safe of the Luddy factory was blown open, but that the robbers secured less than $15. Dover officers who heard the explosion saw the two men running in the direction of the factory and saw them jump aboard the train as it was pulling out of the station. The Dover officers telegraphed to Stockingham Junction to have the men arrested there. It was while this arrest was being attempted that the shooting occurred and the suspects escaped.

29 THINGS FOR SALE TODAY.

Pianos	Jewelry
Wall Paper	Shades
Furniture	Granite
Typewriters	Machinery
Incubator	Silks
Music Box	Gowns
Dental Outfit	Setters
Horn	Mining Stock

The above are advertised in today's Star. If you want to buy any miscellaneous article read the For Sale Miscellaneous Column.

If you have anything to sell advertise in The Star, Washington's Leading Newspaper.

FORAKER AMENDMENT

PROSPECTS OF ITS ADOPTION TO STATEHOOD BILL.

Senator Foraker's amendment to the statehood bill providing that the people of the territories of New Mexico and Arizona shall vote separately on the proposition to admit those two territories as one state is similar to the proposition made by Senator Foraker last year, and should it be accepted by the committee on territories there is no doubt that it would add a number of votes to the support of the statehood bill. The committee has not been inclined to accept this provision. There have been many reasons why they have refused to do so, but it is not at all certain that in the event of additional votes being needed that they will hold out against the Foraker amendment.

The Foraker measure provides that within thirty days after the approval of this act the governors of these territories shall proclaim a special election on the same general plan as the election for delegates to Congress. If it shall appear from the returns that a majority of the electors in each of these territories who voted at this special election favored the union of New Mexico and Arizona as one state, then a single state shall be formed, to be called the state of Arizona. But if in either of these territories a majority of the electors voting at such special election shall vote against the union, then this entire act shall be null and void, except that portion of it which provides for the expense incident to this special election.

This amendment is now pending before the Senate and will be in order when the statehood bill comes up for discussion. The bill itself is before the Senate, with a favorable report from the committee without important features of difference from the form in which it was passed by the House of Representatives.

It has been determined on the part of the friends of statehood not to make any concession of this sort unless it should prove to be absolutely necessary in order to pass the bill. They believe that such an amendment will introduce a question of doubt as to the ultimate result of the legislation, which they are convinced will have no beneficial result.

But on the other hand there are quite a number of senators who are determined not to vote for the bill unless this provision is inserted in it. They claim that it is only fair to submit this question, which is a matter of doubt to the people of these territories. Members of the committee generally express entire confidence in their ability to pass the bill without the votes of those who will resist it unless the Foraker amendment is inserted, but this view is not accepted by every one, and quite a body of senators are still of the opinion that unless the Foraker amendment is accepted it will not be possible to pass the statehood bill.

INSURANCE SCHEME PROBED.

Fraternal Societies Found Alleged Dead Man Alive.

VICTOR, Col., February 10.—J. C. McEachern, whose death was reported on January 22, and life insurance policies paid, was agrested at the home of his sister last night by City Marshal Naylor after a fight in which McEachren was wounded by a bullet. McEachern was reported to have been killed by the accidental discharge of giant powder, but investigation by fraternal societies in which he was insured disclosed that the body of Robert Speed, who was killed two days previously in a mine, had been unearthed, taken to the tunnel in which McEachern was working and blown to pieces with giant powder. The authorities were informed that McEachern was the victim of the blast and an old line life insurance company paid a policy on his life.

A deeper investigation by fraternal societies resulted in finding McEachern alive and his arrest followed.

Jack Cowley, who worked with McEachern, was also placed in jail. The treatment of the body of Robert Speed greatly incensed his friends and lynching was threatened. In order to better protect McEachern he has been removed to the county jail at Cripple Creek and a heavy guard placed around the prison.

Died From Fractured Skull.

Special Dispatch to The Star.

NORFOLK, Va., February 10.—Henry Hill, who was assaulted in Berkley, Wednesday, and had his skull fractured, died at St. Vincent's Hospital today. Coroner Knight and jury viewed the remains, and adjourned until Monday, when investigation will proceed.

Norfolk Blues Received Old Battle Flag

Special Dispatch to The Star.

NORFOLK, Va., February 10.—Gov. Swanson today delivered to the Norfolk Light Artillery Blues their captured "headquarters flag," which was among the confederate flags recently returned to the state by the general government. The flag will be formally presented to the blues on the occasion of their seventy-eighth anniversary banquet February 22, to be attended by Representative Lamb and others. The state authorities first refused to deliver the flag.

British Cup for American Sailors.

Special Dispatch to The Star.

LONDON, February 10.—The bluejackets of the British second cruiser squadron will shortly present the American Atlantic fleet with a handsome silver cup as a souvenir of the former's recent visit to the United States. The cup has been completed and will be exhibited on each of the British cruisers which participated in the visit before it is forwarded to America. It bears an inscription recalling with "grateful remembrance the many kindnesses, tokens of good-fellowship and wonderful entertainments given to their British cousins by their comrades across the sea." The design introduces the American and British flags crossed.

Failed to Get License.

Near the front of the dock in the Police Court this morning was a meek-looking Chinaman, Sam Wah. He had failed to procure a license for his hand laundry and the policeman had taken him to the station house last night. His friends got a license for him and he was released on his personal bonds today.

To Buy Philippine Coal Lands.

The House committee on insular affairs decided today to make a favorable report on the Hull bill appropriating $50,000 to purchase coal lands in the Island of Batan, Philippine Islands. A clause authorizing the Secretary of War to lease the land to a corporation for development of the coal was stricken out, and it will be determined later whether the United States shall develop the coal itself or sublet the land for development with a provision that coal shall be supplied to the government at a fixed price.

Alleged Counterfeiters Arrested.

The United States secret service has received a telegram announcing the arrest at San Francisco and Stockton, Cal., of John W. Needham, alias Strong, Ed. W. Douglas and John F. McKenzie on a charge of manufacturing counterfeit gold and silver coins.

Hearing on Cotton Statistics.

The House committee on agriculture has arranged a general hearing on cotton statistics beginning Thursday, February 15. The Department of Agriculture, census bureau, cotton manufacturers, planters and others interested in the cotton industry will be given an opportunity to be heard.

The Best Way.

"Hello, Central. Please give me The Star office, Main 2440."

"I want to put an advertisement in The Star for my pocketbook, which I lost."

"Certainly. The rate is one cent a word if inserted three days."

"It is not 12 o'clock yet. Will it be in tonight's Star."

"Yes, and if some honest person finds it you will surely get it back."

TALK OF COMPROMISE

Rumors as to Agreements on Railway Rate Bill.

THE HEARING IS RESUMED

Chairman Knapp Before the Senate Committee.

TRYING TO DEFINE A WORD

Considering the Meaning of "Transportation"—Providing for Review by the Courts.

With all sorts of compromises rumored, the Senate committee on interstate commerce today resumed consideration of railroad-rate bills under the agreement to meet daily until February 16, when a vote will be taken. The rupture in the committee yesterday, causing Senator Clapp to withdraw and Senators Dolliver and Aldrich to indulge in a heated controversy over the character of the amendments offered, was smoothed over temporarily, at least. Senator Clapp, however, was absent, and all the members involved participated in the discussions today.

The session of the committee continued until 5:30 p.m., when an adjournment was taken until Monday. The discussion was confined to section 1 and principally to the definition of the word "transportation."

Chairman Knapp of the interstate commerce commission was before the committee to explain his understanding of the word. He took the position that it was not ambiguous as had been claimed, as applied to common carriers, and that it did not include Pullman cars and express lines. No agreement was reached, a number of the senators, taking the position that it might include automobiles or other means of transportation not now intended to be regulated by the bill.

Review by the Courts.

The consideration of the bill yesterday was confined to section 1, which is not the rate-making section. Advocates of the bill insist that the provisions over which the real differences arise shall be taken up seriously.

This insistence had reference to the controversy of yesterday when Senator Dolliver took the committee to task for its levity in considering railroad rate legislation. The chief variance concerns the court features and involves the right of the railroads to have the rates fixed by the commission reviewed by the courts before they become operative.

Certain opponents of the House bill, who have been contending for a specific recognition of that right, have suggested another, and concededly a more moderate amendment. This provides that the courts may determine the lawfulness of a rate fixed by the commission, which would amount to a test proceeding and have a bearing on all subsequent orders of the commission.

In effect this would mean that after the constitutionality of the powers given the commission had been determined by the highest court nothing would stand in the way of the execution of further orders issued by the commission in accordance with this construction. The railroads, of course, would have the right of any litigant to contest orders which they believed to be unjust, but this would not obstruct the continuance of the orders on any ground except their lawfulness. Courts would review the reasonableness of rates in the manner permitted by the House bill.

Determination of Constitutionality.

How acceptable this proposed amendment will be to the majority of the opponents of the bill has not been ascertained, but Senator Aldrich is said to favor it.

It is a compromise only in that it provides for the determination of the constitutionality of the bill before its provisions are enforced. It is believed generally that if adopted it would result in the greatest legal contest in the history of the courts.

Some senators not on the committee regard the proposed compromise as decidedly radical rather than moderate. They contend that it would subject the law to defeat in the courts.

The danger of having the legislation depend on a test case necessarily involving at most only an integral part of the question is looked upon by them with suspicion.

Hopeful Feeling at the Capitol.

There was much hopeful talk today at the Capitol in relation to the prospect of a prompt solution of the problems embraced in the railroad rate bill. It is declared by people who claim to know the facts of the case that in their eagerness to force a compliance with the Hepburn bill by the Senate the President's position in the matter has not been stated in a way that the President himself is willing to approve.

The declaration has been made time and time again that if the Senate insists upon the insertion in the bill of a provision for an appeal to the courts from the decisions of the interstate commerce commission, as has been advocated by a majority of the republicans on the committee on interstate commerce in the Senate, the President would decline to approve it and would call an extra session of Congress to pass another bill in conformity with his views.

This is now said to have been an overstatement of the facts, as it is said the President has not only denied that that was his posilon, but has stated that he would not object to a provision in the bill giving under proper safeguards an appeal to the courts, this provision to be placed in the bill. It is stated that the President has recenly stated that this attitude toward this legislation, as explained by a member of the Senate committee on interstate commerce, did not conform to the views he has expressed.

Interest in President's Attitude.

The utmost interest was shown in the verification of this statement by senators today because if it proves to be correct it is said an early end of the controversy over the rate bill can be reached. The one point of difference of importance over which there has been controversy has been the insertion of a provision of the kind indicated. There has been a determination on the part of a large majority of the republican senators to stand out for such a provision and discussion has only strengthened that determination.

On the part of many senators who support the bill, practically in the form in which it has passed the House, the influence that controls them is the firm belief that such an appeal to the courts could be had without any specific provision to that effect. Senator Knox took that ground in his Pittsburg speech, and he has since declared that to be his view. Other senators have come to the same conclusion, and yet many who express their belief to that effect admit that there is a reasonable ground for a difference of opinion.

As this difference of opinion does exist among some of the best lawyers in the Senate, many senators insist that the doubt should be disposed of by a provision in the bill giving the right of appeal that Senator Knox and others say already inheres to it.

Much Suffering Sequel to Fire.

WHEELING, W. Va., February 10.—Reports received here today from Littleton, W. Va., which was almost devastated yesterday by fire, say there is much suffering among the families whose homes were destroyed on account of the cold weather. Scores of families are huddled together over the embers of their homes, and deaths from exhaustion are likely to result. The relief fund started yesterday has reached large proportions, and all the destitute will soon be taken care of.

Redmond Elected Chairman.

Special Cablegram to The Star.

DUBLIN, February 10.—The Irish party met today and re-elected John E. Redmond, member of parliament for Waterford, chairman.

HELD FOR GRAND JURY

WM. I. LEWIS CHARGED WITH COMMITTING FORGERY.

William I. Lewis, a young man about twenty years of age, who has been employed until recently at several of the Washington theaters as an usher, and who passed under the name of H. E. Doyle, pleaded guilty in the Police Court this morning to a charge of forgery made against him by the Evening Star Newspaper Company. The amount involved was nearly $150. Bail was fixed at $1,000 and the defendant was held for the grand jury.

Lewis, or Doyle, obtained the money by passing forged orders for cash on the cashier of The Star company, and his operations, as shown by the slips already discovered, extended back to last fall. He yesterday attempted to pass one, but the cashier became suspicious of one of the signatures and went to another part of the building to get further information in regard to it. In the meantime young Lewis made his escape. A warrant was sworn out for him and Detective Hartigan, who was assigned to the case, made a round of the theaters, but found that Lewis had been told not to frequent most of the playhouses.

An effort was then made to locate him at his home in an apartment house at 1919 12th street, where he resides with his mother, but he was not at home. The information that he had left word after eating his supper there that he would probably not be at home that night was elicited, and then Detective Hartigan made an investigation at his former boarding place, at 710 8th street, where he lived up to November last. He was located in that vicinity by Mr. Hartigan, who placed him under arrest.

Lewis was taken to headquarters, and there admitted that he had uttered and passed orders. The warrant for his arrest was sworn out on the information that he had obtained about $40 in this manner, but upon further investigation it was ascertained that the amount was nearly $150, and accordingly the district attorney was asked to increase the amount of bail required in his case.

Lewis was arrested last November and charged with the theft of pawn tickets for jewelry and other valuable articles, amounting to something like $350. There were two charges of this nature against him, and one was settled by the payment of a fine, while the other was presented to the grand jury upon Lewis' demand for a jury trial. In the meanwhile Lewis was released on a $1,000 bond, and friends interceded in his behalf, with the result that he was given a severe lecture, and the charge against him was held up upon his promise that he would behave himself in the future.

It is understood that the former charge against him is still pending, and may be pressed against him in connection with the present case.

IMPORTANT DECISION.

Involves Precise Question Pending in Standard Oil Case.

ST. LOUIS, February 10.—Attorney General Hadley today forwarded to Judge Gildersleeve of the supreme court of New York city, a certified copy of the decision of the United States Circuit Court of Appeals in the case of the Dowagiac Manufacturing Company agt. William Lochiner, which involves the precise question that is pending before Judge Gildersleeve in the Standard Oil Company case.

The decision is favorable to the contention made by Mr. Hadley in the Standard Oil case.

The opinion, written by Justice Sanborn, sets forth:

"It is not the duty of an auxiliary court to judge, within whose jurisdiction testimony is being taken in a suit pending in a court of another jurisdiction, to consider or determine the competency, materiality or revelancy of the evidence, which one of the parties seeks to elicit.

"It is the duty of such court or judge to compel the production of the evidence, unless the witness or the evidence is privileged or it clearly and affirmatively appears that it would be an abuse of the process of the court to compel its production."

Another Snow Law Proposed.

Senator Gallinger will introduce in the Senate Monday a bill for the removal of ice and snow from the sidewalks of this city. It is believed this measure, which has long been discussed, will be successful in effecting the prompt cleaning of the sidewalks of the city.

Senator Gallinger's bill provides for the cleaning of sidewalks in the first four hours of daylight on the day after the fall of a snow, and in case ice is formed the sidewalk is to be sprinkled with ashes or some other suitable substance. For failure to comply with this law a fine of $5 or five days in jail is provided.

Bona Fide Circulation.

Nearly everybody in Washington reads The Sunday Star. Last Sunday's circulation was by far the largest and best in the city and the only sworn circulation in the District of Columbia.

The advertiser is entitled to know the circulation of any paper in which he advertises.

The circulation of The Sunday Star on February 4, 1906, was 31,454.

I solemnly swear that the above statement represents the number of copies of The Sunday Star circulated on February 4, 1906—that is, the number of copies actually sold, delivered, furnished and mailed, for valuable consideration, to bona fide purchasers or subscribers, and that none of the copies so counted are free or sample copies and none are returnable, except in the case of several hundred sent to suburban agents, from whom a few returns of unsold papers have not yet been received.

J. WHIT. HERRON,
Business Manager,
The Evening Star Newspaper Company.
Subscribed and sworn to before me this tenth day of February, A.D. 1906.
W. SPENCER ARMSTRONG,
(Seal.) Notary Public.

Circulation of The "Evening Star."

The sworn statement below shows that the circulation of The Star is what it is claimed to be. The Star's circulation is much greater than that of any other paper published in Washington, and The Star is read more thoroughly than and has double the number of readers of any other paper published in Washington, whether morning or evening. Fifteen thousand of The Star's regular subscribers take no other Washington paper whatever, depending upon The Star alone for news and advertising.

SATURDAY, February 3, 1906	39,550
MONDAY, February 5, 1906	36,252
TUESDAY, February 6, 1906	36,288
WEDNESDAY, February 7, 1906	36,323
THURSDAY, February 8, 1906	36,193
FRIDAY, February 9, 1906	35,959
Total	220,565
Daily average	36,759

I solemnly swear that the above statement represents only the number of copies of THE EVENING STAR circulated during the six secular days ending Friday, February 9, 1906—that is, the number of copies actually sold, delivered, furnished or mailed, for valuable consideration, to bona fide purchasers or subscribers—and that the copies so counted are not returnable to or remain in the office unsold.

J. WHIT. HERRON,
Business Manager,
The Evening Star Newspaper Company.
Subscribed and sworn to before me this tenth day of February, A.D. 1906.
W. SPENCER ARMSTRONG,
(Seal.) Notary Public.

GIVES UP HIS POSITION

CONSUL DAVIDSON DECLARES HIS SALARY IS INSUFFICIENT.

As indicating the difficulty of retaining good and experienced men in the United States consular service at the present rate of compensation the Secretary of State has made public the following letter of resignation of Mr. James W. Davidson, United States consul at Antung:

"I have the honor to hereby tender my resignation as consul to Antung, Manchuria. The salary of my post as consul to Antung is insufficient, even with the increase which the new consular bill now pending in Congress provides, to maintain any consulate in the orient with becoming dignity and efficiency, in view of the necessity of competing with the consulates of other foreign powers, which, owing to the importance of this great and growing field of commercial and political activity, have large sums expended upon them by their respective governments.

"During the period of my service, extending over nine years, the salary has, in each case, been too small to conduct in a satisfactory way the several offices which I have held, and had I not possessed some private income, obtained from literary work, it would have been impossible long ago for me to have continued in the service.

Resigns With Regret.

"My relations with the Department of State have been so pleasant, and I have found consular work so interesting, that I take this step with great regret. I have postponed this action for some time, feeling that Congress would soon recognize the necessity of a reorganization service, with salaries commensurate to a degree to the importance of the position and the work required. But the opposition in Congress to an improved service, with permanent tenure of office, seems as strong as ever, and under these conditions I feel that it would be unwise for me longer to refuse outside offers, which are more attractive financially, and have the added merit of permanency."

It was stated at the department that if it had been possible to retain Mr. Davidson's services by transferring him to a more lucrative post it would have been done, but that being impracticable, his resignation had been accepted with regret, as he was recognized as one of the most efficient officers in the service. Mr. Davidson is a native of Minnesota, and entered the service in December, 1896, as consular agent at Tamsin. Since then he has served as consul at Antung and vice consul general at Shanghai. His latest appointment to Antung is dated May 23, 1903, at an annual compensation of $3,500. He is now in this city on leave of absence.

ANNAPOLIS GRADUATION.

Less Than 100 Midshipmen Will Get Diplomas.

Special Dispatch to The Star.

ANNAPOLIS, Md., February 10.—Barely a hundred members of the class of 1906 will receive their diplomas from Secretary Bonaparte on Monday, although the class numbered 122 two months ago, and within a week 115 of the midshipmen were confident of graduation. This diminution resulted from the fact that three members will be tried for hazing, eleven more have been found deficient in some branch and two have not completed their examinations, as they were ill when the regular examinations were taken.

These latter two may complete their examinations and get their diplomas with their classmates. The midshipmen who have been found deficient in one or more branches are: Vestal P. Coffin of Boise, Idaho; Stuart W. Cake of Pottsville, Pa.; Robert W. Cabaniss of Birmingham, Ala.; James P. Olding of Carson City, Nev.; Sherwood A. Taffinder of San Francisco, Cal.; Archibald G. Stirling of Baltimore, Md.; Aubrey W. Fitch of St. Ignace, Mich.; Robert V. Lowe of Brooklyn, N. Y.; Claude A. Bonvillian of Pouma, La.; Herndon B. Kelly of Lebanon, Ky., and William F. Newton of Georgia.

The three midshipmen who are under charges of hazing are: Arthur A. Garcelon, jr., of Auburn, Me.; William P. Hayes of Louisville, Ky., and Frank H. Roberts of New Haven, Conn.

Albert S. Rees of Fayetteville, Tenn., and Victor N. Metcalf of Oakland, Cal., were ill during the regular examinations and are being examined specially.

ASIA FOR THE ASIATICS.

The Cry That is Spreading Rapidly in China.

SAN FRANCISCO, February 10.—"Asia for Asiatics." This, says William V. Carmichael, a Shanghai merchant, just arrived here, is the cry that has been taken up in China and spread like wildfire from province to province, kindling everywhere the slumbering hatred of the Mongolian against all foreigners. The spirit of revolt is rife in the land, young China is rising, and in his opinion trouble is bound to come.

The growing sentiment against the foreign element in China, according to Carmichael, will result in open hostilities unless they take a hand and show that they are prepared with armed force to suppress the first signs of an outbreak. He says that the only way to gain the respect of the Chinese is to inspire them with a wholesome fear of foreigners. He adds that the few regiments stationed at Manila will be entirely inadequate to cope with the trouble in case it comes.

"It is impossible," he says, "to deal with the Chinese with diplomacy. The only thing to do is to seize their territory, as Germany did in 1899, and thus bring them to their senses."

TELEGRAPH TERSELY TOLD.

DURBAN Natal, February 10.—Ninety mounted police have started from Durban for the center of the native disturbance. The local militia has been warned to be in readiness for active service.

DULUTH, Minn., February 10.—Navigation at the head of the lakes has closed after lasting continuously for 318 days, or from March 30 of last year.

NIAGARA FALLS, N. Y., February 10.—The imperial Chinese commission arrived here today. The morning was occupied in an inspection of the power plant and other points of interest.

WOOSTER, Ohio, February 10.—Judge M. L. Smyser, chief counsel for Mrs. Grace Taggart, now admits that Mrs. Taggart and her sons are in Europe. The hearing as to the custody of the boys will, however, come up in circuit court next week.

GENOA, Italy, February 10.—The American cruiser squadron consisting of the Brooklyn, flying the flag of Rear Admiral Sigsbee, and the Chattanooga, Galveston and Tacoma arrived here today from Villefranche. The local authorities exchanged visits and greetings with the American officers.

Christianized Natives at Fault.

PIETERMARITZBURG, Natal, February 10.—A punitive expedition of 400 carbineers with artillery left here today for the scene of the troubles in the Richmond district caused by the natives refusing to pay the poll tax. Another detachment of 220 men will start Sunday. The ringleaders of the turbulent faction have disappeared in the bush. The chief of the tribe, who is now here, describes the malcontents as being the "troublesome, Christianized section of the tribe." They are said to be converts to the Ethiopian Church, whose banner is inscribed with the words "Africa for the Africans." The government does not anticipate protracted field operations.

Mr. Longworth's Illness.

Representative Nicholas Longworth, whose marriage to Miss Alice Roosevelt is to occur the 17th instant, is suffering from an attack of tonsilitis. He was reported to be much better today. It will be necessary, however, it was stated at his home, for him to remain quiet for several days.

Hearing on Chinese Exclusion Bill.

Friday, February 16, has been agreed upon by the House committee on foreign relations as the date for a hearing on the Pollard Chinese exclusion bill.

DRAFT OF SNOW LAW

Measure Submitted to Congress by Commissioners.

SOME OF ITS PROVISIONS

Property Owners and Occupants Required to Clear Sidewalks.

PREVIOUS LAW HELD INVALID

Views of the District Authorities Communicated in a Letter Accompanying the Bill.

After mature deliberation and consultation of all possible authorities the Commissioners yesterday afternoon submitted to Congress, with favorable recommendation, the draft of a new "snow law" for the District of Columbia. The provisions of the proposed statute are drastic in that if a householder or property owner fails to remove ice or snow from the sidewalk in front of his property he may be fined or imprisoned in the workhouse, and in case of a non-resident property owner failing to have the prescribed work done, the Commissioners are held responsible for it, and the cost of labor employed by the government is to be assessed against the property at the rate of 3 cents per lineal foot front.

In explaining the difficulties encountered in their efforts to enforce previous "snow laws," and in estimating the cost of the work if done entirely by the municipality, the Commissioners, in their letter transmitting the proposed bill, said:

"The last snow and ice law enacted by Congress was held invalid by the Court of Appeals on the ground, broadly speaking, that it was the duty of the municipality to remove the snow and ice. After this decision the Commissioners brought the matter to the attention of the House committee on appropriations, and suggested that if the intent of the court was to be executed in literal fashion, an appropriation of at least $100,000 should be immediately provided. No appropriation for this purpose was made, and the Commissioners endeavored to enforce an old police regulation, simple in its form, but which had in the past been effective.

Views of the Commissioners.

"The enforcement of this regulation was contested in the courts, and while the suit resulted adversely to the District, the court made the following declaration:

"'We are of opinion that as the law now stands Congress alone, and not the Commissioners, have the authority to regulate the removal of snow and ice from the paved sidewalks, crossings and other traveled spaces of the public highways of the District; that, as the law now stands, the duty is upon the municipality itself to cause such removal; and that it is not competent for the Commissioners by any regulation whatever which they may adopt to remove that burden from themselves as the responsible agents of the municipality and impose it upon individual citizens.'

"With this intimation, the Commissioners have the honor to recommend to Congress the enactment of the regulation into law. Any measure which proposes the removal of snow and ice by the municipality with the cost thereof assessed against abutting property, presents almost insuperable obstacles, owing to the fact that there are 550 miles of paved sidewalk within the fire limits of the District of Columbia, equaling 2,904,000 lineal feet.

Estimate Submitted.

"It is estimated that under ordinary conditions, with an average depth of snow of six inches and with a ridge in the center of the sidewalk packed down by pedestrians, one man could clean thirty feet of walk and open the gutter in one hour. In an eight-hour day this would require 12,100 men and cost, at $1.50 each per day, an aggregate of $18,150, a sum which would reach fully $20,000 when tools, supervision of gangs, etc., are taken into consideration. Even if the cleaning should be performed by plow, using hand labor to open up house entrances and crossings, the estimated cost would be at least $5,000 per storm, with an aditional cost, made necessary by the alternate thawing and freezing afterward and the consequent need of sprinkling with ashes, of $3,500, while the cost of opening gutters would be $1,500, making a total of $10,000 for each storm, equal to 3½ mills per lineal foot.

"In addition to this the clerical labor involved in keeping books for the assessment of about 110,000 pieces of property for the cost of removal would require a very large addition to the clerical force of the assessor's office.

"The Commissioners are of the opinion that the ideal method would be to have the work performed by the municipality, but, at the same time, appreciate the impracticability, if not impossibility, of securing sufficient labor when each emergency arises, the enormous cost involved and the other difficulties in the way of devising a proper scheme of assessment and collection of the taxes imposed upon the property."

Some of the Provisions.

Section 1 of the proposed bill provides that the owner, occupant, agent or manager of any building or lot of land in the District of Columbia shall, within the first four hours of daylight after snow has sidewalk shall cause the same to be moved, and in case ice has formed on the sidewalk shall cause the same of be sprinkled with ashes or some other suitable substance. A fine of $5 or, in default, imprisonment in the workhouse for not more than five days, is provided as punishment for any violater of the section.

Section 2 relates to failure of non-resident property owners to obey the law, and prov