

# DISRESPECTFUL TO HOUSE; MESSAGE IS TO BE TABLED

Refusal to Receive Objectionable Passages, Is Committee Proposal.

MISCONSTRUCTION OF MOTIVE NOT POSSIBLE

Deliberate Slap Aimed at Members of Congress.

RESENTMENT IN SPEECHES

Tawney, Sherley, Smith and Fitzgerald Ready With Defense.

TO TALK BACK AT ROOSEVELT

Driscoll Proposes That Time Be Taken to Cool Down and Is Told by Mann He Alone Is Excited—Speakers Applauded.

## REPORT OF COMMITTEE.

Understanding this language to be a reflection on the integrity of its membership, and aware of its own constitutional duty as to the House, the committee in respectful terms called on the President for any information that would justify the language of the message or assist it in its constitutional duty to purge itself of corruption.

The President, in his message of January 4, denies that the paragraph of the annual message contains reflections on the integrity of the House; attributes to the House "an entire failure to understand a message"; declares that he has made no charge of corruption against any member of the House, and, by implication, states that he has no proof of corruption on the part of any member of this House.

Whether the House, in its resolution of December 17, 1908, correctly interpreted the meaning of the words used by the President in his annual message, or whether it misinterpreted them, will be judged now and in the future according to the accepted interpretations of the English language. This House, charged only with the responsibility to the people of the United States and its obligation to transmit unimpaired to the nation the representative institutions inherited from the past, and to preserve its own dignity, must insist on its own capacity to understand the meaning of the President's language. We consider the language of the President in his message of December 17, 1908, unjustified and without basis of fact and that it constitutes a breach of the privileges of the House, therefore, be it

Resolved, That the House in the exercise of its constitutional prerogatives declines to consider any communication from any source which is not in its own judgment respectful; and, be it further

Resolved, That the special committee and the committee of the whole House on the state of the Union be discharged from any consideration of the message laid on the table and, be it further

Resolved, That the message of the President sent to the House on January 4, 1909, being unresponsive to the inquiry of the House and constituting an invasion of the rights of the House by questioning the motives and intelligence of members in the exercise of their constitutional rights and functions, be laid on the table.

Having given consideration to the President's further views regarding the secret service, contained in his message to the House of Representatives last Monday, the special committee appointed to deal with the subject today brought in its final report.

Accompanying it was a resolution declaring it to be the sense of the House that it shall decline to consider any communication from any source which is not respectful.

Recommending that the objectionable portion of the President's annual message be laid on the table.

That similar action be taken with respect to the message of last Monday, because of its being unresponsive to the inquiry of the House as to what the President meant when he said, referring to the limitation placed upon the field of operations of the secret service, that the "chief argument in favor of the provision was that the congressmen did not themselves wish to be investigated."

When Chairman Perkins of New York of the special committee arose to make his report he faced an almost full membership, while the galleries were packed with interested spectators.

Both the executive and diplomatic galleries, usually deserted, were filled, their occupants, some of whom were compelled to sit in the aisles, displaying the keenest interest in the proceedings. It was not observed that any member of the President's immediate family was present.

The corridors were densely crowded, the doorways were jammed, and long lines of people waited an opportunity to get even a view into the chamber.

Messrs. Tawney, Smith of Iowa, Sherley and Fitzgerald were on the floor, present.

(Continued on Second Page.)

## SENATE NOT SATISFIED

Authority for Action by the President Questioned.

COMMITTEE TO CONSIDER

Motion to Table Culberson's Resolution Defeated.

ONLY FOURTEEN VOTE FOR IT

Right of the Chief Executive to Permit Absorption of Tennessee Coal and Iron Company Disputed.

"Resolved, That the committee on the Judiciary, be, and it is hereby, directed to report to the Senate as early as may be practicable whether, in the opinion of the committee, the President was authorized to permit the absorption of the Tennessee Coal and Iron Company by the United States Steel Corporation, as is shown by the message of the President in response to Senate resolution number 240, this session."

An exceedingly important step in the war between Congress and the President was taken this afternoon when the Senate, by the first "yea and nay" vote of this session, refused to lay on the table the Culberson resolution, given above and introduced yesterday, directing the judiciary committee to report whether in its opinion the President was authorized to permit the absorption of the Tennessee Coal and Iron Company by the United States Steel Corporation.

The motion to lay on the table was made by Senator Hopkins of Illinois. It was defeated by a vote of 14 to 47.

All of the senators voting to lay the resolution on the table were republicans, and of the forty-seven votes against that motion twenty-one were cast by democrats and twenty-six by republicans. As soon as this test vote was announced, Mr. Culberson moved the adoption of his resolution and by a viva voce vote it was adopted, no division being called for.

**Hopkins Moves to Table.**

The resolution, which came over from yesterday, at which time Senator Hopkins refused to allow it to be considered by unanimous consent, was reached on the calendar a few minutes before 1 o'clock. The Vice President announced that the question was upon the passage of the resolution.

"One moment," said Mr. Hopkins. "I fail to see the pertinency of the adoption of this resolution by the Senate. The letter accompanying the message covers the point fully. Besides, the resolution is at variance with the message. The President does not say that he approved of the absorption; I therefore move to lay the resolution on the table."

"On that question I demand the yeas and nays," said Mr. Culberson.

When the Vice President asked for a show of hands among those who signified their dissent to a roll call, Senators Aldrich, Hale, Burrows and many other republicans, not to mention all the democrats in the chamber.

**Senate Refuses to Table.**

The following senators voted in the affirmative: Burkett, Carter, Cummins, Keim, McPherson, Dixon, D. Platt, Hopkins, Keim, McPherson, Penrose, Platt, Richardson and Warner.

The following senators voted against laying the resolution on the table: Aldrich, Bankhead, Borah, Bulkeley, Byrum, Burrows, Clapp, Clark of Wyoming, Clark of California, Dick, Dillingham, Foraker, Frazier, Fiske, Fulton, Gamble, Gary, Gore, Hale, Johnston, Kittredge, Lodge, Long, McCreary, McNary, McLean, Curtis, Newlands, Odell, Perkins, Page, Penrose, Perkins, Piles, Rayner, Scott, Simmons, Smith of Maryland, Stephenson, Sutherland, Taft, Tamm, Taylor, Tamm, Lodge of Massachusetts.

As soon as the result was announced on this motion the chair put the question on the passage of the Culberson resolution. It was carried without a roll call, as already stated.

It is understood that the judiciary committee, of which Mr. Clark of Wyoming is chairman, will report in accordance with the resolution early next week.

## DISTRICT COMMITTEE MEETS.

**Resolution Adopted Permitting Inaugural Ball in Pension Building.**

The Senate District of Columbia committee held its first meeting of this session this morning. In the absence of Senator Gallinger, the chairman, who is in New Hampshire, Senator Dillingham of Vermont presided. There was a full attendance with the exception of Mr. Gallinger and Mr. Hansbrough of North Dakota, who is not in the city.

The only action of the committee was to order a favorable report on the Gallinger joint resolution authorizing the granting of permits to the inaugural committee, in which is included permission to use the pension office for the ball. The sum of \$10,000 more than was appropriated four years ago for public protection, etc., is proposed in the resolution.

After the committee meeting Senator Scott of West Virginia made the favorable report to the Senate. The resolution would have been passed at once after the report had been made, but for the fact that Mr. Scott had explained that it was practically identical with measures for the same purpose enacted since 1885 had it been for an objection on the part of Senator Lodge of Massachusetts.

The resolution is the same as that which was reported favorably by the House District committee, and is now awaiting passage by the House.

Chairman Stettin of the inaugural committee, Aldis Brown, Hope Darnelle and several other members of the committee, including Maj. Sylvester, chief of police, appeared before the Senate District of Columbia committee in favor of the inaugural resolution.

**Soldier Kills Policeman.**

SAN FRANCISCO, January 8.—Sergeant J. F. Notling, one of the oldest and most popular officers of the local police department, was shot and killed today by a soldier of the United States army, whom he was placing under arrest at the corner of Montgomery and Sacramento streets.

**Weather.**  
Partly cloudy tonight and Saturday; minimum tonight, 15 to 20 degrees above zero.



## BATTLE FLEET IS SCATTERING

**SHIPS SAILING FOR VARIOUS MEDITERRANEAN PORTS.**

Nine Vessels, However, Detained at Port Said by Poor Coal-Firing Facilities.

PORT SAID, January 8.—The battleship Missouri left here this morning for Athens. Later in the day the Kentucky left for Tripoli.

Nine vessels of the American fleet under Rear Admiral Sperry are still at Port Said, being delayed by the poor facilities for coaling such a number of vessels at once and the scarcity of lighters.

Every train coming from Cairo is crowded with officers and men returning from the capital to rejoin their ships.

Port Said presented a gay appearance, and the streets are filled with men in uniform.

## SIGN PEACE PACT.

**Bitter Warfare in Chinese Quarter of San Francisco Ends.**

SAN FRANCISCO, January 8.—Twelve Chinese towns, including the On Yicks and the Sney Dons, which have been engaged in bitter warfare for some weeks past, have affixed their seals and signatures to a peace pact which binds them to keep the peace in the Chinese quarter or suffer dire consequences.

The direct action of the peace pact is to call a general meeting at which every town is to be represented, when all grievances will be presented and peaceful methods of settling all disputes between the warring factions be discussed.

The agreement further declares that should any town or company of all those represented in the Chinese quarter fail to send a delegate to the peace conference the names and descriptions of all members of such society would be given to the Chinese authorities, both here and at Washington, with a request that action be taken to compel peace in the quarter.

Although no hint of what this action would be given in the pact, the recent pronouncement of the Chinese government through the consul general here that relatives in China would be made to suffer for misdeeds of local tong men conjures up visions of widespread result of future wars among the Chinese.

## ENGINE PLUNGES INTO BAY.

**Fireman Killed and Two Injured.**

**Work of Train Wreckers.**

BELLINGHAM, Wash., January 8.—Wrecked by unknown persons, who threw the switch open, locked it and put out the lantern so the engineer could not see the peril, Great Northern train No. 272, northbound, left the track just south of Bellingham yards at Commercial Point last night. The engine was almost completely submerged in the bay, the mail car and the baggage car were smashed to bits and the smoker was dented. The fireman was killed and two were injured. The fireman's body was with the engine and has not been recovered. The engineer went under, but came to the surface, struck out for a piling and clung there until rescued by a boat.

The passengers, of whom there were seventy, were badly shaken up, but none was injured. The local police and railroad detectives unite in declaring the wreck to have been deliberately planned. No arrests have been made.

## MISSING AERONAUT FOUND.

**Lieut. Foertsch Lost His Life at Sea Last October.**

HAMBURG, January 8.—The body of Lieut. Foertsch, the German aeronaut, who lost his life at sea last October, was picked up in the North sea two days ago by the fishing steamer Orton. The corpse was identified by papers in the pockets of the clothing. Lieut. Foertsch was a participant in the international balloon contest that was started from Berlin October 12.

He went aloft in the German balloon Hergesell. The balloon was picked up October 17, five miles northwest of Heligoland, but there was no sign of the occupant. All the other aeronauts were accounted for.

## TO FILL BOTH PLACES

**Gov. Lilley Will Not Resign From Congress.**

COMING IN A FEW DAYS

**Decided That Special Election Was Unnecessary.**

## TALKED WITH STATE OFFICERS

**First Time in History of the House of Representatives When Such a Situation Has Arisen.**

One of the most prominent figures in the first session of the present Congress because of his demand for an investigation of submarine legislation, George L. Lilley, now Governor of Connecticut, promises to be a center of interest in the present session.

It arises over his failure to resign as representative-at-large from the state of Connecticut, or at least the failure of the Speaker of the House of Representatives to receive notice of that resignation. Mr. Lilley was inaugurated Governor of Connecticut Wednesday, and the House records still show him a member of that body.

**Never a Similar Case.**

In the entire history of the House there has not been a similar case. Years ago, when a member of the House presented himself to fill a vacancy, the House sent a committee to his state, Ohio, to ascertain what had become of his reported predecessor; no notice of whose resignation had been received. The retiring representative had been elected secretary of state in his own state, and although his resignation had been sent to the governor of the state, no notice had been forwarded to the Speaker. It is understood that the House will hesitate to seat another man to succeed Mr. Lilley unless notice of his resignation is on record in the House, understood to be no provision of law to prevent his serving in the House while governor of his state and drawing salary for both positions. But it is pointed out that his retention of membership in the House makes him liable at any time to be pulled out of the national seat at Hartford and brought to Washington to make a quorum of that body.

As the resignation of Representative Lilley must now be presented, it made at all to himself as Gov. Lilley, many believe that the first news of what promises to be a quiet resignation will be the formal notice to the Speaker that Mr. Lilley has resigned to himself.

**No Idea of Resigning.**

HARTFORD, Conn., January 8.—Prior to his inauguration as governor Representative Lilley, in an interview, stated: "I offered my resignation to Gov. Woodruff about the middle of December, but he declined to accept it. A conference was later held between Gov. Woodruff and myself, and it was decided that there was no need of holding a special election to fill a vacancy, if one was caused, for the sixty days intervening between the inauguration and the term of my successor. I therefore am still a representative, and do not intend to resign."

It is understood that Gov. Lilley expects to go to Washington within a few days.

## FOUNDER OF SAN DIEGO DIES.

**Alonso E. Horton Was the Second Oldest "Elk" in America.**

SAN DIEGO, Cal., January 7.—Alonso Horton, founder and oldest inhabitant of San Diego, is dead, aged eighty-five years, as a result of infirmities incident to old age. In 1867 "Father" Horton, as he was generally called, surveyed and purchased at auction 26 acres of land in the city of San Diego, and the bay on which San Diego now stands. Mr. Horton was the second oldest Elk in America.

## REVEALS CALIFORNIA FORGERY

**OAKLAND BROKER HELD FOR A MILLION-DOLLAR FRAUD.**

**F. B. Signor Arrested for Forging James H. Murray's Name to Fraudulent Papers.**

OAKLAND, Cal., January 8.—Details of the forgery of James H. Murray's name to notes and documents aggregating nearly \$1,000,000, which led last night to the arrest of F. B. Signor, promoter and mining broker of this city, have come to light. Murray is a millionaire and banker, whose present residence is Monterey, Cal. He arrived here from Monterey more than two weeks ago to begin an investigation of the forgery and found that President William G. Henshaw of the Union Savings Bank of this city, held four notes drawn on a Kansas City bank in Henshaw's favor and purporting to be signed by Murray, the notes totaling \$400,000.

Murray at once pronounced these notes forgeries. He began an investigation, which, it is alleged, disclosed that Signor had given the notes to Henshaw in connection with the financing of a deal in California.

Henshaw turned the notes over to Murray, who also discovered a number of other papers bearing forgeries of his signature, the total amount being \$800,000.

**Signor Confesses.**

Murray presented the matter to District Attorney Donahue and a warrant for the arrest of Signor was issued.

Signor surrendered and made a full confession.

Besides the four \$100,000 notes mentioned, the forgeries include the following: Sight drafts for \$400,000, \$5,000 and \$10,000.

Mr. Henshaw declared that Signor has not profited a dollar by the forgeries.

## DENVER P. O. CLERK HELD.

**Charged With Raising Scores of Letters in Past Year.**

DENVER, January 8.—Harold Snowden, chief clerk of the special delivery department of the Denver post office, is in jail charged with having raised scores of letters in the past year, obtaining hundreds of dollars from them. He is alleged to have confessed to Post Office Inspector Christian.

Complaints from all sections of the country of undelivered letters caused an investigation.

## PARIS GREEN IN THE CANDY.

**Police Trying to Find Miscreant Who Tried to Poison Women.**

DENVER, January 8.—Paris green sufficient to kill fifty people was found in the candy sent through the mails to Mrs. Marie Smith and Mrs. Amelia Witwer, according to State Chemist Edward C. Hill, who analyzed the contents of the boxes received by the two women last Saturday.

Ocie and Violet Smith, children of Mrs. Smith, ate some of the candy and were made seriously ill. The police are trying to locate a former suitor of Mrs. Smith in connection with their investigation.

## COUPLE FOUND DEAD IN BED.

**Mystery Surrounds Deaths of St. Louis Salesman and Wife.**

KANSAS CITY, January 8.—Mystery surrounds the deaths of W. G. Brault, a St. Louis salesman, and his wife, who were found dead in bed in their room here late yesterday. There was a distinct odor of chloroform in the room, but no other evidence that the drug had been used.

The coroner asserts that Mrs. Brault killed her husband and then committed suicide. Friends of the couple, on the other hand, believe that the pair met with foul play.

## Wilson Divorce Case Dismissed.

BALTIMORE, January 8.—The divorce suit brought by Dr. Pierce B. Wilson, Jr., against his wife, naming former United States Senator George L. Wellington as respondent, has been dismissed by Judge Gorter in the Baltimore circuit court.

## PROMOTED BY BARNES

**Post Office Officials Rewarded for Good Service.**

ALL MEN OF EFFICIENCY

**Norman A. Merritt Appointed Assistant Postmaster.**

**DAVIS WILL GO TO STATION B**

**Robinson Made Cashier. Beall Goes to Station G and Change for McCurdy.**

A radical reorganization of his official force is announced by Postmaster B. F. Barnes of the city post office today. It embraces the transfer of present Assistant Postmaster Madison Davis to the position of superintendent of Station B, at 4th and East Capitol streets; the promotion to the position of assistant postmaster of Norman Allen Merritt, at present the cashier, and of Louis J. Robinson, now superintendent of Station G, on G street between 6th and 7th streets northwest, to be cashier, vice Merritt. Howard Beall, assistant superintendent of the money order division, has been transferred to the position of superintendent of Station G, and Charles P. McCurdy has been promoted to be assistant superintendent of the money order division.

James F. Harvey, the present superintendent of Station B, on East Capitol street, it is announced, has upon his own request been retired to a special clerkship, owing to continued ill health, which makes it desirable for him to be relieved of some of the responsibility now resting upon him.

**Advanced for Good Service.**

The announcement states "the officers advanced are all men of superior efficiency, who have rendered excellent service in the positions they now occupy, and the changes have been made solely with a view to strengthening the force of officers in the interest of good service."

Madison Davis, who has been promoted to the position of superintendent of Station B, has been promoted from the position of assistant postmaster, where he was first made chief clerk to the third assistant postmaster general, in which position he served for a great many years.

**The Promoted Officials.**

Allen Norman Merritt, the new assistant postmaster, is a son of former Postmaster Merritt. He is a young man of marked ability and energy, and since the appointment of his father as third assistant postmaster general years ago has been a resident of Washington. His former home was at Lockport, N. Y.

Louis J. Robinson, who has been promoted to the position of cashier, was formerly postmaster of the Appomattox division, the military postal service in Cuba and Porto Rico until his transfer to the postal service of the United States. He has for several years been superintendent of station G.

Howard Beall, who has been promoted to the position of vice Robinson, has been in the service of the post office for many years, and within a year was promoted to be superintendent of the money order division, and Mr. Beall, who was promoted to be superintendent of city delivery.

When troubles in the service arose last spring, resulting in the selection of W. H. Haycock as superintendent of city delivery, Mr. Johnson was restored to the position of superintendent of the money order division, and Mr. Beall was reduced to that of assistant superintendent.

Charles P. McCurdy, who has been made assistant superintendent of the money order division, was promoted from the position of special clerk.

**Salaries Raised.**

In addition to the foregoing, Postmaster Barnes also announces the following promotions in the city post office service: Franklin C. Burrows, assistant cashier, \$1,000 to \$1,800; John J. Murphy, superintendent of Station D, \$1,000 to \$1,700; Sidney G. Burrows, assistant superintendent of mail, \$1,500 to \$1,800; and Charles E. Matthews, assistant to superintendent of Station G, \$1,400 to \$1,500.

## AMBASSADOR TONG

**RECALLED TO CHINA**

**Special Envoy's Mission Here Is Cut Short.**

**SENT BY YUAN SHI KAI**

**Charge of Extravagance Against Deposed Councillor.**

**LEGATIONS ABANDON PROTEST**

**American and British Ministers Decide on No Further Action in Chinese Capital.**

PEKING, January 8.—Tong Shao Yi, who is at present in Washington on a special diplomatic mission from the Chinese government, has been recalled to Peking. He will come back via Europe, leaving Washington immediately.

The American and British ministers here have abandoned their project to unite the various powers in a protest against the disturbing of the present policy of the Chinese government which is thought to have been initiated in the dismissal from office last week of Yuan Shi Kai, a member of the grand council, and this phase of the question is now regarded as at an end.

The mission of Tong Shao Yi has been enormously expensive, and in some quarters here his summary recall is regarded as giving color to the reports that charges of extravagance have been lodged against Yuan Shi Kai.

Tong Shao Yi started on his mission last fall under the auspices and with the approval of Yuan Shi Kai.

**Confirmed at State Department.**

That Ambassador Tong expects to leave Washington very soon is confirmed at the State Department. The ambassador has addressed a note to Secretary Root asking for an audience with him, in which to make his farewell, as he announces that he expects to sail for Europe in a few days. The reasons for his departure are not stated at the department.

In Washington the announcement from Peking causes no great surprise, where the feeling has been general since the dismissal of Yuan Shi Kai as grand councillor. Tong's powerful friend in China, his tenure here has been uncertain. Tong has made plans for a much more extended stay at the capital and was contemplating a visit to various eastern educational institutions to receive an honorary degree at one of them, and to renew acquaintances of his boyhood. His ostensible mission to Washington, that of thanking the government for a remission of a portion of the Chinese boxer indemnity, has been concluded, but he desires to remain in the United States for a longer period, and that he might become more intimately acquainted with the existing conditions here, which would be helpful to both China and himself in his future work. He is expected to stay in Washington until after the inauguration of Mr. Taft in March.

**Statement at Embassy.**

The report was made at the special embassy, quartered in a handsome residence which Ambassador Tong had leased until after the inauguration, to show that his recall was the result of his application to the home government for instructions. It was stated that the ambassador had fulfilled his mission to this government, having thanked the President for the remission of the Boxer indemnity and arranged for the education in this country of 100 Chinese students.

The ambassador will visit some of his friends in the north and will sail from New York about one month from today. It was declared at the embassy that his recall was no mark of hostility toward the Chinese government, and did not change of policy on the part of the Chinese government.

## CAUSED EMPEROR'S DEATH.

**Charge Made by Chinese Reformer Against Yuan Shi Kai.**

**PENANG, Straits Settlement, January 8.—In an interview here today Kang Yu Wei, the well known Chinese reformer who was expelled from Peking after the coup d'etat of 1908, declared that Yuan Shi Kai had been dismissed from his high position as member of the grand council of the Chinese empire because he was instrumental in the death of the late emperor, and that he probably would be placed on trial for his connection in this matter.**

## UNKNOWN MAN ROBBED AND BEATEN

**Believed to Be "Scotty."**

CHICAGO, January 8.—Strapped to a cot in a hospital, raving in delirium and placed under the strictest of medical and hemorrhages of the brain, is an unidentified man who was found robbed, beaten and unconscious in the zero cold of Wednesday night. It was believed the man might be Walter Scott, the Death Valley miner, who was a guest at a local hotel recently with a man of the name of Campbell. He left some days ago and his whereabouts since are unknown.

The dying man wore a collar on which was the name "Campbell," and once in his semi-delirium, when questioned, he gave the name "Scotty." Inquiry among the westerner's acquaintances disclosed that in build and general appearance he differs from the man at the hospital.

The police are making inquiries in the case point to a brutal attempt at murder. From the fact that all identifying marks were removed from the victim's clothing, and that no papers of any description were found in his pockets, he may have been attacked by an enemy who had reasons for wishing to kill and remove all possibility of identification.

## PIONEER WESLEYAN METHODIST DIES.

NEW HAVEN, Conn., January 8.—Rev. M. E. Phillips, pastor of the Whitneyville Congregational Church, died at his home last night. He was about sixty-three years old. He was for many years connected with the Wesleyan Methodist Church, and was at one time chaplain of several seminaries in the western states, notably in Nebraska, Kansas and Colorado. His son, Lee A. Phillips, lives in Los Angeles, Cal., and his daughter, Mrs. H. McLean, in Cleveland, Ohio.

**Surrenders to Montreal Police.**

CINCINNATI, January 8.—Frederick Corby Pole, thirty-four years of age, wanted in Montreal, Canada, on a charge of grand larceny in the sum of \$25,000, has surrendered himself to the police here, the money, according to Pole, was taken by him while he was employed by the brokerage firm of Craig Brothers & Co. in Montreal in 1906.

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