PROTEST AGAINST CONFIRMING WOOD.

Minority of Senate Committee Formulates Reasons For Their Opposition.

GENELAL ABUSED HIS AUTHORITY

Seventh and Last Count Deals With Testimony Regarding His Veracity.

Washington, Jan. 5.—The views of the minority of the senate committee on military affairs, protesting against the confirmation of Brig.-Gen. Leonard Wood to be major general have been prepared in the form of a brief to be used by the opponents of this nomination when the reports of the committee are presented for the action of the senate in executive session. The brief follows the testimony introduced before the senate committee in the investigation which was begun on Nov. 19 and continued until Dec. 17, directing the attention of senators to the passages in the printed report of the testimony and emphasizing the charges made before the committee. It is declared most of the important matters brought out in the hearing came to public knowledge subsequent to Gen. Wood's promotion to the brigadier general, and that no competent investigation has yet been made in regard to the actual facts of Gen. Wood's military career and experience.

These assertions are made for the purpose of meeting the argument of Senator Foraker, that objections to Gen. Wood's advancement should have been made when President McKinley had under consideration the matter of promoting him to brigadier general.

First submitted in the brief is the argument that it is not denied that the orders to the courts, which were introduced by Maj. E. G. Rathbone, were actually issued by Gen. Wood. These orders were for the admission of ex parte testimony, and in that connection attention has been called by the minority to an order issued by the secretary of war in which Gen. Wood's orders are declared to have been a perversion of instructions.

Secy. Root's order was promulgated by Col. Scott as adjutant general on Nov. 14, 1901, and transmitted to the court on Nov. 15, 1901. In this military order the prosecution is instructed that if it has any intention of using as evidence in the trial of the postal cases testimony applied for in the United States "steps would be taken to immediately inform the proper judicial authorities that this cannot be allowed."

The minority says that to get around this order Gen. Wood used his authority as military governor to change the entire judicial system of the island.

The second count in the brief of the testimony relates to the pardon of W. H. Reeves and his testimony in the postal cases. In this connection the attention of the senate is directed to the statement of Gen. Wood in answer to the charges filed by Maj. Rathbone. Gen. Wood tells the circumstances under which Reeves surrendered money received from Neely in the Cuban postal frauds and afterward turned state's evidence in the trials. Gen. Wood said that in pardoning Reeves he believed he had the right to constitute him a witness for the state, for although Reeves had been a defendant, "he had confessed freely and fully concerning the frauds committed in the postoffice department." It is charged further that Gen. Wood failed to inform the court that he had promised to pardon Reeves, and that in consequence of such failure the court regarded Reeves as a defendant and permitted him to testify without the solemnity of an oath.

Gen. Wood is charged in the third count with having violated a promise made to Maj. James E. Runcie not to cause the arrest of Corydon M. Rich, who had been an assistant to Mr. Neely in the finance bureau of the department of posts.

The Runcie magazine article is the subject of the fourth count. With many references to the printed testimonies for the purpose of supporting the argument, this statement is made:

"Runcie swears that arrangements were made between himself, Ray Stannard Baker and Gen. Wood for Runcie to write an article covering all Cuba, and Gen. Wood understood that the article would be a criticism of Gen. Brooke's administration. He also swears that after it was written Gen. Wood asked him if it had been written and sent to Baker.

"Baker states that Gen. Wood was very frank in his expressions of criticisms of the Brooke administration, and that as a general result of his visit to Cuba he found that Gen. Wood was antagonistic to Gen. Brooke's administration."

The Jai-Alai cocession forms the fifth count in the minority brief, and the following summing up is made:

"Judge Advocate Gen. Dudley states that the concession to this institution was never completed by the signature of the Spanish governor general. The president of the company states the documents of April 27, 1900, and Oct. 16, 1900, were submitted to Gen. Wood, these documents being approved by Gen. Wood in all their parts. They included the grant of a monopoly for ten years. The claim that the gambling was an adjunct rather than a part of the game, is disproved by the president of the Jai-Alai. Gen. Wood did not furnish full information for the action of the war department. Walliss Clearman, with Tiffany & Co., of New York, testified that an order was cabled to Tiffany by Mr. Zarasqueta for a silver service valued at about $5,000, and that he took such service to Havana, where it was accepted and paid for by Zarasqueta. That this was a gift to Gen. Wood from the Jai-Alai company is admitted."

The sixth count says:

"Gen. Brooke testified to the insubordination of Gen. Wood and that he (Brooke) refrained from court martial process because of the feeling that such a sttp would not be sanctioned by the war wepartment."

The seventh and last count in the brief refers entirely to testimonies regarding Gen. Wood's veracity. The testimony of Brig. Gen. Ludlow, Commander Lucien Young, Maj. Runcie, Alexis E. Frye and a number of others is quoted in support of the count.

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Ghostly Hands Ever Clutching at Their Vitals—Wraiths of Dyspepsia.

Thousands of men are haunted.

A ghostly form leans over their shoulders every time they sit down to dinner.

The wraith of dyspepsia leers at them; tempts them to eat as their appetites crave; threatens thm with hours of misery if they yield.

So they deny themselves. They go hungry or eat sparingly of things they detest—"health" foods without taste or substance.

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SCOTT & BOWNE, 409 Pearl Street, N. Y.

NEGROS ASK DAMAGES.

Sue Govenor and Members of Constitutional Convention of Va.

Richmond, Va., Jan. 6.—Judge Richmond Waddill of the United States circuit court has transferred to this city from Norfolk three suits at common law, entered by colored residents of this state, who ask damages of $5,000 each from the governor, members of the recent constitutional convention and election officers for the alleged deprivation of rights under the new constitution. The cases will be argued in the circuit court here as to the questions involved. John S. Wise, of New York, formerly of Virginia and John G. Carlisle, former secretary of the treasury will appear as counsel for the plaintiffs in the hearings.

WOMAN SENT TO BULL PEN.

Her Offense Was Jeering at the Soldiers.

Cripple Creek, Colo., Jan. 5.—Mrs. Thomas Evans and her 6-year-old daughter, who were taken from their home at Anaconda to the bull pen yesterday for jeering at soldiers and nonunion miners, have been released by the military authorities after being severely reprimanded. Mr. Evans was ordered to leave the district, and as he refused to do so, he is still confined in the bull pen.

TO FENCE OUT CHINESE.

Montana Congressman Would Wire Fence Canadian Border

Washington, Jan. 5.—Representative Dixon of Montana introduced a resolution today providing for a wire fence along the Canadian boundary between Lake of the Woods and Point Roberts. The object of the fence is to keep out Chinese immigrants and it is to be so equipped as to give signals when any one climbs over it. The secretary of commerce and labor is directed to report on the feasibility of the projected fence.

U. S. MARINERS LANDED.

Guard for American Legation at Seoul.

Seoul, Corea, Jan. 6.—A detachment of 35 marines from the United States steamship Vicksburg, now lying at Chemulpo, arrived here yesterday as a guard for the American legation. Another body of 70 marines will arrive tomorrow.

The United States supply ship Zaphiro is also at Chemulpo, where Russia, Japan and Great Britain have each one man-of-war.

Quiet prevails here but the palace is heavily guarded by the Corean army.

The movements of the Japanese troops and fleet are unknown here. The attitude of the Corean government is unchanged. Solicitude is shown as to what may happen on the arrival of Japanese troops.

Madame Paget is Dead.

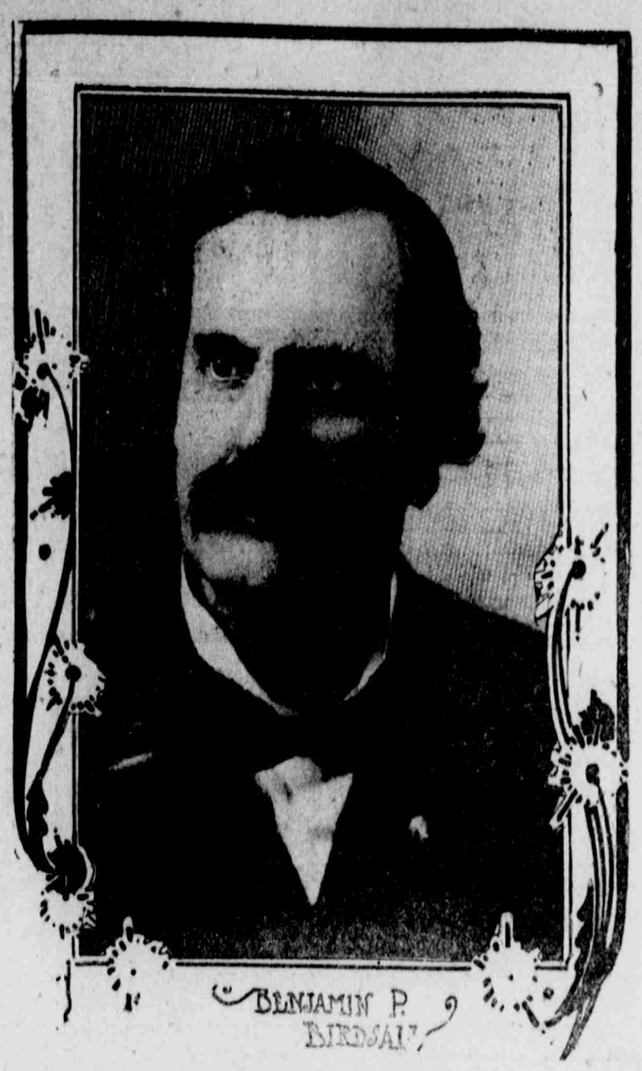
Berkeley, Cal., Jan. 5.—Madame Emanuel M. Paget, wife of the late Prof. F. Paget of the University of California, is dead, just two weeks after the death of her husband. She was a native of Paris, aged 59 years. Her will provides that one-third of her estate be held in trust for the regents of the state university for the Felicien Paget scholarship in French. The late professor's libary is given to the regents.

Montana Whitecapper Held.

Great Falls, Mont., Jan. 5.—J. M. Reeves, the Highwood rancher arrested in this city Saturday evening charged with the attempted whitecapping of George Gould, a neighboring farmer and husband of Reeves' former wife, was this afternoon taken to Belt before Justice Descombes and his preliminary hearing fixed for Friday at 2 o'clock; bail was fixed at $1,000, which Reeves will give. The officers are still working upon the case but there are no other warrants issued.

A. R. Winey, the young man who was brought from Highwood as the victim of a hunting accident, is seriously injured and lies at Columbus hospital. The officers have Winey under surveillance pending the result of Reeves' hearing.

SUCCESSOR TO HENDERSON.



Ex-Judge Benjamin P. Birdsall, who has been elected to succeed David B. Henderson, as congressman from Iowa. He is taking a prominent position in the house.

OUR INTERVENTION IN PANAMA CASE.

Senator Lodge Says That President Did Not Go Beyond the Proprieties,

GORMAN WANTS INFORMATION.

Asks President to Tell Senate Times And Dates When United States Has Intervened in Panama.

Washington, Jan. 5.—Practically the entire session of the senate today was devoted to a speech by Mr. Lodge on the situation on the isthmus of Panama. He discussed the abstract question of the right of the president to recognize the independence of a new nation, and concluded that such a prerogative pertains exclusively to the office of the chief executive. Mr. Lodge argued that our intervention in Panama had been only in the interest of peace and contended that the president had not gone a step beyond what the proprieties called for.

Mr. Gorman introduced a resolution asking the president to supply the senate information as to the various instances of intervention on the part of the United States in the isthmus of Panama, saying that the information requested would be in the line of Mr. Lodge's speech. He asked for immediate consideration of the resolution, but Mr. Allison objected and consideration was postponed. Following is the resolution:

"Resolved, That the president be requested, if not in his judgment incompatible with the public interest, to inform the senate:

"1—The date when and the circumstances under which the United States intervened, for the first time and each succeeding time, with a military force, in the internal affairs of New Granada or Colombia, under the treaty of 1846, whether such intervention was on the initiative of the United States or by the request of New Granada, or Colombia, or in the consequence of any official representation of either, and also to transmit to the senate copies of letters or notes in the department of state, and of the orders by the navy department, relating to such intervention.

"2—Also to inform the senate whether or not the United States has been asked by New Granada or Colombia or any one of the representatives of either to execute by armed force, either the guarantee or the neutrality of the isthmus or of the sovereignty of New Granada or Colombia, over the same, and if the United States has been so asked, then the dates and the circumstances thereof, and to send to the senate copies of the letters or notes in each case, conveying the application, and what was done thereunder by the United States.

"3—And also inform the senate in which of the disturbed provinces on the isthmus, referred to by the president in his annual message, the United States intervened by the employment of military force solely on its own initiative and uninvited by the government owning the isthmus, and also to inform the senate of the circumstances in each case which required such intervention, and transmit copies of the orders issued by the navy department for such purpose.

"4—Also that he will inform the senate of the dates when, and circumstances under which the United States has intervened in the internal affairs of New Granada or Colombia by military force in aid of a revolt or rebellion or distubance of the peace therein, or to suppress such revolt, rebellion or disturbance.

"5—And also to inform the senate which words, if any, in the treaty of 1846, authorized the United States, in the opinion of the president to enter by military force and uninvited into a territorial jurisdiction of New Granada or Colombia in order to prevent the interruption or embarrassment of free traffic across the isthmus."

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New Scientific Dandruff Treatment Recommended by a Physician

Mrs. Mary C. Crawford, Oakesdale, Wash.: "Herpicide cured me perfectly of dandruff and falling hair."

Dr. E. J. Beardsley, Champaign, Ill.: "I used Herpicide for dandruff and falling hair, and I am well satisfied with the result."

Alf R. Kelly, 2195 Desadero street, San Francisco: "Herpicide put a new growth of hair on my head. Herpicide does more than is claimed."

Herpicide kills the dandruff germ. "Destroy the cause, you remove the effect"—cures dandruff, falling hair and prevents baldness. Sold by leading druggists. Send 10c. in stamps for sample to The Herpicide Co., Detroit, Mich. For sale by Z. C. M. I. Drug Dept.

CHICAGO THEATERS.

A Third of Them May Never Reopen Again.

Chicago, Jan. 5.—The several committees, composed of the members of the city council, appointed last night to investigate the condition of the local theaters and to report upon what alterations are necessary to make them conform to the building ordinances, held its first meeting today.

According to the statement of Alderman Friestent, one of the members of the committee, it is doubtful if 35 per cent of the theaters will ever reopen their doors. Strict adherence to the building laws would require that every one of the playhouses in the city be of fireproof construction, and this would require the demolition and rebuilding of the majority of the theaters.

According to the managers of the local theaters, the closing of the playhouses in this city has disarranged the theatrical business of the entire country. Companies that have been booked for this city for the next fortnight are either suspended or they are being sent to other cities, thus forcing other companies to change their routes.

Life insurance companies object to the statement of the coroner that no verdict will be rendered after the inquest, claiming that large sums of money in insurance on lives of those who perished in the theater fire depend for their payment on the verdict of the coroner's jury, and attorneys for the relatives of those who died declare that a verdict should be given in each particular case of death, in order that collection of insurance may be possible.

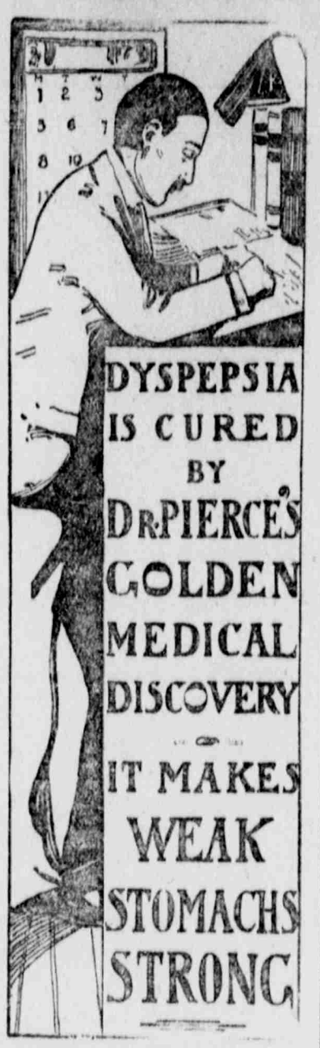
Olsen and Divel Buried.

Butte, Mont., Jan. 5.—The remains of Samuel Olsen and Frederick Divel, who were killed in the Pennsylvania mine last Friday night, were buried today, funeral services over both being held in Miners' Union hall. Many of the mines were closed and the men attended in a body. Mr. Gibbs of St. Paul's Episcopal church delivered the sermon. The inquest is still on. It is possible that a verdict will be had late this afternoon. More than 20 witnesses have been examined, but the blame for the disaster has not been placed.

FROM BLACKSMITH'S SHOP TO SENATE.

United States Senator Dietrich of Nebraska, who was indicted on charges of conspiracy and bribery in connection with a postoffice appointment in Nebraska, was governor of the state in 1900, his election to the United States senatorship following during the next year. Senator Dietrich is a native of Illinois and is essentially a self made man, having begun to earn his own living when but eight years of age. For a time he worked on farms and then learned the blacksmith's trade. In the winter of 1875-76 he removed to Deadwood, S. D., but within two years located at Hastings, Neb., where he has since made his home, engaging in mercantile pursuits.

CHARLES H. DIETRICH.



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The best specific remedy for
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