

Cloudy Tonight; Tuesday Probably Fair.

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VICTORY IN FIGHT FOR PURE GAS WON BY COMMISSIONERS

District Supreme Court's Adverse Decision Is Reversed.

DAILY INSPECTION ONLY IS REQUIRED

Makes Company Liable If Quality Is Not Improved In 24 Hours.

Sustaining the fight of the District Commissioners for pure gas, the District Court of Appeals today reversed the District Supreme Court in the Commissioners' suit against the Washington Gas Light Company to exact a penalty of \$100 a day for each day impure gas is furnished.

That a daily inspection of the gas is sufficient to bind the gas company, making it liable to the penalty if the quality of gas is not improved within twenty-four hours, is the decision of the Court of Appeals, written by Justice Van Orsdel and concurred in by Chief Justice Shepard. Justice Robb submits an opinion dissenting from the majority ruling in minor particulars.

Great Victory.

The Court of Appeals decision is considered a splendid victory for the Commissioners, Corporation Counsel Thomas, and Assistant Corporation Counsel Stephens, fixing definitely the liability of the gas company to penalties if impure gas is furnished on two successive days. Justice Van Orsdel, in his opinion, says the gas company must be notified at once if an inspection of its product shows it to be below the legal standard of 52 candlepower or containing impurities prohibited by law. The gas company must then furnish purer gas within twenty-four hours or be subject to a fine of \$100 a day for the two successive days and all time thereafter until the gas reaches the standard requirements.

In the lower court, Chief Justice Clabaugh held that a single inspection of gas each day by the District was not sufficient to prove that the gas continued below the required standard. He held it was necessary for the District to prove that such impure gas was furnished continuously for twenty-four hours and that such evidence must be given for each day for which it is sought to hold the company subject to the \$100 daily penalty.

Decision Reversed.

Justice Clabaugh's decision of March, 1906, is reversed, and the case remanded for a jury trial, denied in the lower court, for proof of the alleged condition of the gas during the ten days mentioned in the suit, about three years ago. The suit was instituted by the Commissioners to collect fines of \$2,900 from the gas company, alleging that impure gas was supplied for nineteen days during the period from July 5 to October 9, 1907, and from August 14 and October 9, 1907. Under the Court of Appeals decision this \$2,900 may not be collected until a jury at a new trial determines the facts, ascertained by single inspections each day, was of impure quality.

Daily Tests.

"A continuous test is impossible, nor do we think it is required. All that is required is that when a defect is discovered, and notice given, the inspector shall make a competent test during each succeeding twenty-four hours, and if he still finds the defect it will be presumed that it has not been corrected, but has continued from the time it was first discovered," Justice Van Orsdel says in his decision. Suggestions are made by the court that, for the benefit of good administration, several tests be made daily, but that the sufficiency of the test actually made to establish continuing default of the gas company is a question for a jury.

The court holds that the gas company incurs no penalty for furnishing impure gas or gas not of twenty-two candlepower, unless it fails to remedy its product within twenty-four hours. In his dissenting opinion, Justice Robb says he does not concur in the majority opinion ruling that if the company improves its gas every other day it may furnish impure gas on alternate days with impunity.

WEATHER REPORT.

FORECAST FOR THE DISTRICT. Cloudy tonight; Tuesday probably fair; not much change in temperature; lowest temperature tonight, about 32 degrees.

TEMPERATURE.

8 a. m.	36
9 a. m.	36
10 a. m.	37
11 a. m.	38

HIDE TABLE.

Today—High, 42.30 a. m.; low tide, 5:58 a. m. and 6:54 p. m.
Tomorrow—High tide, 12:33 a. m. and 1:04 p. m.; low tide, 6:50 a. m. and 7:56 p. m.

SUN TABLE.

Sun rises, 6:25	Sun sets, 7:55
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MILITIAMEN GUARD TWO WITNESSES IN NIGHT RIDER TRIAL

Feeling At Hopkinsville Intense Against Man Who Confessed.

SIX MEN ARE HELD AS RAID LEADERS

Streets of Kentucky Town Crowded By Thousands Interested In Hearings.

HOPKINSVILLE, Ky., March 6.—Milton Oliver and Stanford Hall arrived here this morning under a guard of militiamen to testify in the night riders' cases set for trial today in the Christian county circuit court.

The streets were crowded early in the morning by those who had traveled for miles on foot, horseback, and in wagons to attend the opening of the trial, which promises to be the most interesting in the history of Kentucky.

Docket Is Congested.

Owing to the congested condition of the docket, however, the case may not be reached until late this afternoon, or tomorrow morning. The defendants are:

Dr. D. A. Amos, Newton Nichols, Orving Glass, John Robinson, Guy Dunning, and K. B. Malon, alias Malone. These are under indictment for alleged complicity in the Hopkinsville raid during which barns were burned, tobacco crops and warehouses ruined, and farmhouses riddled with bullets.

The trials have been twice postponed, the first time being shortly after Milton Oliver had made his confession revealing the night rider plots and implicating the defendants in the outrages.

Life Is Attempted.

At that time he was shot in an attempt to assassinate him. The trials were postponed the second time on account of illness of the attorneys for the defense. In his confession, Oliver named Dr. Amos as the alleged general of the secret clan, with some 200 others. Feeling in this section against Oliver was so great after his confession that he was forced to sell his farm and move his family into Indiana.

Lawyer Resigns Place To Resume Law Practice

It was learned that Oscar Lawler, author of the famous Lawler draft of President Taft's letter exonerating Secretary Ballinger, has resigned as Assistant Attorney General for the Department of the Interior. His resignation was sent to President Taft several days ago and is said to be effective May 1. Lawler will return to Los Angeles, Cal., to resume the practice of law.

Hopes Are Dashed For Back Pension

Disappointment instead of back pensions was all the officials of the District and Fire Department relief funds who applied today for money due. The applicants were told the general deficiency bill just enacted by Congress contained no provision for the payment of back pensions. They were assured that the appropriation of \$21,000 reported by the Senate Appropriation Committee, and adopted by the Senate, had been stricken from the bill in conference. The long wait of retired members of Police and Fire Departments and of the widows and orphans of deceased members seemed trifling compared with the shock today. It meant abandonment of hope.

Unless court fines from which a large part of the firemen and police relief funds is drawn are abnormally increased there will be a deficit of \$20,000 by June 30. Since Congress failed to adopt a bill authorizing the transfer to the pension funds revenues from all licenses other than liquor licenses, it is probable there will be a growing deficit by the 40 per cent of pensions received by beneficiaries in February will become less in succeeding months.

Col. Roosevelt's Farewell Tour Begins Wednesday

NEW YORK, March 6.—When Colonel Roosevelt next Wednesday morning boards a train for Atlanta, there will begin the farewell public tour of the only living former President.

It is announced that the trip was planned by the colonel to enable him to complete his program of thanking the States individually for sending him to the White House. The coming trip, which will end Easter, will be as informal as possible. Colonel Roosevelt will be accompanied only by his secretary until he is joined in the Grand Canyon by Mr. Roosevelt, Miss Ethel Roosevelt, and her friend, Miss Cornelia London. The colonel will tour the Southern States, and upon reaching California will deliver the Earl lectures at Berkeley.

At low rates, good 25 days, on sale March 21st to Southern points via Seaboard Air Line Ry. Ticket Office, 1418 New York Ave.—Adv.

Prominent Figures in the Famous Battle of Cameron Dam



At the Top Are Shown Deputies Thornbarr, Thorbin, Madden, and A. Sully Hefelfinger in Front of Jail at Hayward. At the Bottom on Left Is John Deitz, on Right His Son, Leslie Deitz.

FORTUNE IS STOLEN FROM AGED BROKER

NEW YORK, March 6.—Through the sending out of a "ticker alarm" for missing securities, it leaked out this afternoon that one of the most sensational robberies in the history of the financial district took place here last Thursday.

George Bancroft, the eighty-year-old head of the big brokerage firm of George Bancroft & Co., and membership in the Consolidated Exchange, was the victim. The value of the stolen property is variously estimated from \$100,000 to \$1,000,000. Many of the securities that were taken are negotiable. It had been the habit of Mr. Bancroft to go every Tuesday and Thursday to the New York Produce Safe Deposit vault, where he had a strong box, and withdraw certain securities needed for trades, and deposit others. Last Thursday he went as usual.

He was making his way toward the stairs when he ran into a man and was knocked down, the big Manila envelope flying out of his hands. The stranger picked it up and then helped the broker to his feet. He far as could be seen, was intact. Bancroft deposited the envelope in the vault without examining it. Later on he had occasion to open it, and to his horror discovered that it contained only blank paper.

RAILROADS SEEKING SIX MONTHS' GRACE

The railroads today asked the Interstate Commerce Commission that they be not compelled to withdraw their schedules of increased rates for six months. The recent order of the Commission required that they be withdrawn March 10. The railroad representatives are in conference with the Commission this afternoon.

This information was gathered from the conference of members of the commission and executives of the Eastern railroads, headed by W. C. Brown, president of the New York Central. Unless the commission grants the request of the carriers for six months' extension, it will issue an order cancelling the proposed tariffs for a period of two years.

Score Saved From Bomb Policeman Puts Out

CHICAGO, March 6.—A desperate attempt to kill more than a score of persons as the result of a cut-rate fight between rival grocers, was averted today by the bravery of a policeman who put out the burning fuse of a dynamite bomb with his bare hands. The policeman found the bomb under the home of Ignazio d'Amico and Joseph Paristone, rich Italian grocers.

DEITZ FAMILY SOON TO FACE ACCUSERS

Cameron Dam Defenders to Be Tried at Term Opening Today.

HAYWARD, Wis., March 6.—John Deitz, his wife, daughter, and son, "the defenders of Cameron dam," will be tried by the circuit court at its term beginning today. The charges against them range from murder, for which Deitz and his wife and son were indicted, to assault with intent to kill, for which Almyra, the daughter, was indicted. The cases, the most sensational ever brought before a court in this county, will be attended by hundreds of people who are already crowding Hayward for the purpose of seeing the celebrated defendants, hearing the testimony for and against them and learning their fates.

The Deitzes have been in the lime-light since 1904. Previous to that year they occupied a cabin at Price dam, where Deitz acted as a watchman for the Chippewa Lumber Company. They moved to Cameron farm, which Mrs. Deitz had purchased, and in leaving Deitz used his fists to try to collect a claim that he afterward had satisfied by the courts. When he settled at Cameron dam, Deitz posted the place and declined to permit the Chippewa Lumber Company to sluice logs through the dam. A temporary injunction against him was ignored by Deitz, who armed himself with a rifle and prevented lumbermen from running the logs through. He kept the cabin and precipitated a battle, in which a deputy sheriff and Deitz's son were wounded. The warfare between Deitz and the officers continued intermittently until it reached a climax in November, a fight at Winter, in which Deitz wounded Bert Horst. Two months later Sheriff Madden and several deputies waylaid and wounded three of Deitz's children, who were unarmed.

Finally, after a long siege, in which Deputy Harp was killed, Deitz, who was incapacitated by it, wound the hand, was captured with all his family on October 8, 1910. There is much sympathy felt for Deitz, who is known as the hero of Cameron dam.

The Times Baseball Editor Is At Atlanta

Watching every day's development of Manager McAleer's youngsters, following the work of the veterans, writing the news and the gossip of the Nationals during their training trip, The Times baseball editor, over the signature of "Senator," will furnish all the fans of Washington with all the news of the making of the team for the season of 1911. The article today will be found on Page 10.

DEMOCRATIC SLATE OF CHAIRMANSHIPS TENTATIVELY PICKED

Johnson of Kentucky Seems Assured of the Leadership of the District Committee.

STRONG PROGRESSIVES TO GET PLACES ON INTERSTATE BODY

CHAIRMEN OF HOUSE COMMITTEES.

AGRICULTURE	Albert S. Burleson, Tex.
APPROPRIATIONS	John J. Fitzgerald, N. Y.
BANKING AND CURRENCY	Arsene P. Pujo, La.
CENSUS	William L. Wilson, Pa.
CLAIMS	Henry M. Goldfogle, N. Y.
DISTRICT OF COLUMBIA	Ben Johnson, Ky.
ELECTIONS	William W. Rucker, Mo.
FOREIGN AFFAIRS	Henry D. Flood, Va.
IMMIGRATION	John L. Burkett, Ala.
INDIAN AFFAIRS	John L. Stephens, Tex.
INDUSTRIAL ARTS AND EXPOSITIONS	J. Thomas Heflin, Ala.
INSULAR AFFAIRS	William A. Jones, Va.
INTERSTATE COMMERCE	Undecided and very uncertain
INVALID PENSIONS	Undecided
IRRIGATION	William R. Smith, Tex.
JUDICIARY	Henry D. Clayton, Ala.
LABOR	Undecided
LIBRARY	Frederick C. Talbot, Md.
MERCHANT MARINE	Undecided
MILITARY AFFAIRS	James Hay, Va.
MILITIA	John G. Flood, Ark.
MINES AND MINING	Marvin B. Foster, Ill.
NAVAL AFFAIRS	Lemuel P. Padgett, Tenn.
PATENTS	Undecided
PENSIONS	William Richardson, Ala.
POSTOFFICES	James T. Lloyd, Mo.
PUBLIC BUILDINGS	Morris Sheppard, Tex.
PUBLIC LANDS	Joseph T. Robinson, Ark.
CIVIL SERVICE REFORM	Hannibal L. Godwin, N. C.
REVISION OF THE LAWS	John T. Watkins, La.
RIVERS AND HARBORS	John A. Moon, Tenn.
RULES	R. L. Henry, Tex.
TERRITORIES	William Sulzer, N. Y.
WAR CLAIMS	Thetus W. Sims, Tenn.

By JUDSON C. WELIVER.

Coincident with the first meeting of the Democratic Ways and Means Committee to consider distribution of committee assignments in the next House, announcement can be made of the determinations thus far reached.

Not all of the foregoing chairmen have been voted upon by the committee; numerous sessions will be necessary to reach formal conclusion of the list. The list, however, represents inside information as to the situation.

Mr. Burleson of Texas is still a candidate for Appropriations, but will not get it, and will get Agriculture as a consolation prize.

The biggest contest is over Interstate and Foreign Commerce. Mr. Adamson of Georgia is ranking Democrat. There is bitter opposition because he has never been sympathetic with railroad regulation, and managers are anxious to keep this committee, widely regarded as the most important in the House, in touch with the present national sentiment.

STRONG PROGRESSIVES WANTED.

Only four of the present Democratic members will remain in the new Congress; ten vacancies must be filled. To find strong progressives for these places, and to obtain a chairman who will give more satisfaction than Mr. Adamson would, is the problem. Mr. Adamson may yet be retained; but if so, it will be under protest of the best judgment of most of the Ways and Means Committee.

Representative Lamb of Virginia ranks on Agriculture, but there is violent opposition all over the South because he opposed the anti-cotton option bill, and has been against all road legislation and agricultural education measures. Mr. Burleson of Texas was formerly on Agriculture. If he cannot have Appropriations, he would take Agriculture; and this is the solution now planned.

The Military Committee is to be made important, because the leaders plan to abandon a large number of small army posts, and to save a big sum by eliminating politics from the army. Representative Sulzer of New York is ranking member; but he will not get the committee, because he is charged with too much willingness to spend money freely, and too little disposition to economize. The place will go to Mr. Hay of Virginia.

Johnson for District.

As to the District of Columbia Committee. Mr. Shackelford, ranking member, is on Ways and Means and therefore can serve on no other committee. Mr. Aiken of South Carolina does not want the place. Johnson of Kentucky comes next and will almost certainly get the place, although there is considerable protest among Washington citizens, and Representative Rothermel of Pennsylvania is actively a candidate for the position.

Mr. Rucker of Missouri is ranking member of the committee on election of President, Vice President, and members of the House. It is to be made an important committee because of rigorous corrupt practices legislation the leaders have in mind, governing campaign funds, etc.

WHITE HOUSE GALLERS

SENATORS.	CRANE, Mass.
Dixon, Mont.	Cullom, Ill.
Jackson, Wash.	Stephenson, Wis.
McCumber, N. D.	Briggs, N. J.
Burton, Ohio.	
REPRESENTATIVES.	
Mondell, Wyo.	Barchfeld, Pa.
Clark, Mo.	Moon, Tenn.
Houston, Mo.	
Commissioner Larnaga, of Porto Rico.	
Postmaster General Hitchcock.	
Former Governor McMillin, of Tennessee.	
Senator-elect Work of California.	
Rear Admiral Robert G. Fernald.	