the "charges" had been destroyed was "absurd."

In reply to a question asked by his counsel, Judge Crump denied that he had even promised Upshur to change the order, giving the reason of dismissing Lanier, as "irreconcilable differences."

Mr. Hunton—"Did you say you would have it undone?"

Ans. "No."

Ques. "Or try to have it done?"

Ans. "No."

Mr. Byrd then asked the witness if he had understood him to say that the only reason he took stock in the Virginia Corporation Company, was to relieve the commission of work.

Judge Crump replied "Yes."

Mr. Byrd then read section 13 of the charter of the Virginia Corporation Company which authorized the commission to act as attorney, and asked Judge Crump if he had read that section before he granted the charter.

He replied that he had.

Mr. Byrd then asked a number of questions, which called attention to the fact that the company in which Judge Crump was a stockholder was authorized to appear before him as an attorney.

Judge Crump, however, declined to accept this statement as being probable.

"Do you not think that there should be laws passed that would forbid such a company from becoming "an annex" to the corporation?" asked Mr. Byrd.

Judge Crump replied:

"It ought not to become an annex with or without laws."

Mr. Byrd asked the witness if he did not think that such improper actions, of which Lanier had been guilty, should be "penalized by the State."

Judge Crump replied that he did not think so; that he thought the Corporation Commission should judge its employes.

Did Not Consider Profits.

Mr. Byrd next called attention to the prospectus of the Virginia Corporation Company, as prepared by Major Lanier, in which the probable profits are set out at $40,000 a year.

"Did you consider the magnitude of the profits when you subscribed to your stock?" asked the chairman.

Judge Crump answered "Oh, no."

The witness told of sending his check for $50 in answer to the first call for the payment of his stock subscription and of the sale of his rights in the company during last June.

Mr. Henry Fairfax, formerly a member of the Corporation Commission, is expected to testify this afternoon.

Among those present during the session yesterday were: Messrs. Joseph E. Willard, Irving Campbell, A. S. Lanier, J. Stewart Bryan, H. Brydon Tennant, Henry C. Stuart, Henry Fairfax, Tate Irving, Taylor, Robinson, W. G. Fergusson, Jonathan Bryan, Marx Gunst, Emmett Seaton, Paul Orgain, Fred. Valentine, Joseph Jefferson, Gray Watson, Edmund Pendleton, Senator Keezell, James Cannon, Charles V. Carrington, Blair Pegram, James Pollard, John Rutherfoord, Henry Taylor, Edward Crump, Miles Cary, W. W. Barrow, John A. Upshur, Ben. Owen, R. E. Lee, Campbell, Hensdon Cary, Charles A. Brown, T. A. Cary, Watson, T. McDowell, Waller Scott, George Cunningham, Flaherty, Joseph Johnston, E. L. Hobson, John Young, Chris. Manning, O. Sands, W. H. Sands, Cook, Lynn, Evan Chesterman, Robins, John R. Cary, Drake, Alsop, Harwood, Gray, James Watson, Leake, Eggleston, Capers, Bradley, Weddell, J. D. Patton, Chalkley, Dr. Gray, A. W. Patterson, E. B. Sydnor, Lightfoot, William Moncure, Pelham Blackford, Fitzgerald, Dr. J. Allison Hodges, Tompkins, James L. Anderson, Legh R. Page, H. M. Smith, Fred. Pleasants, Senator Sale, Smith, D. Q. Eggleston, Charles T. Lassiter, Cannon.

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JUDGE CRUMP TELLS OF LANIER'S COMP'Y

The fourth day's session of the legislative investigation began promptly at 3 o'clock.

The court room was filled, many standing throughout the three and one-half hours of the proceedings. Messrs. Hill Carter and Eppa Hunton, counsel for the commissioners, were present.

Major Lanier and Mr. Campbell sat on one side of the room, and Mr. Upshur and Captain Barrow occupied seats on the other side.

It was learned that the following additional witnesses have been summoned: Messrs. John S. Eggleston, William H. Sands, James Stringfellow and R. L. Parrish.

These will testify after ex-Commissioner Henry Fairfax, who will be examined this afternoon, has left the stand.

It was only a moment after Chairman Byrd rapped for order that Judge Beverly T. Crump, president of the State Corporatoin Commission, approached the table in front of the legislative committee and stood until he was sworn by Mr. Evan R. Chesterman, a notary public.

Judge Crump then took the stand, and, bowing to the committee, said: "Gentlemen, I am at the disposal of the committee."

Chairman Byrd—"Judge Crump, you will now make such a statement as you are advised to make."

Judge Crump for more than an hour addressed the committee, relating the troubles that surrounded the State Corporation Commission at its inception and the scope of the work accomplished by a force of clerks, which, he said, was not sufficient to cope with the situations which arose.

The questions at issue—namely, the "Lanier dismissal," the formation of the Virginia Corporation Company, the activities of its officers in the offices of the commission, and his own connection with the Virginia Corporation Company—were not touched upon during this time. Judge Crump presented a quantity of facts, figures and dates, but failed to introduce any statements which threw light upon the subject of the investigation. It was not until after 4 o'clock that he reached a point in his testimony which related to the matter at issue.

Lanier Proposes Company.

He then said:

"In the first of January, the question came up of the Virginia Corporation Company, Incorporated. I don't remember the date exactly, but some time during the month, at all events, and I think after the middle of the month, Mr. Lanier told me that he thought his time—you see, he was in and out of my office necessarily a great deal in connection with this charter work he was doing then, pretty much as he did under this statement, I suppose half a dozen times a day he was in there, and I would refer inquiries to him that he could easily answer. He was in there a great deal, and one evening he told me that he though his time was his own after office hours. I told him that it was. He told me that he had been thinking about suggesting to some friends of his, and mentioned particularly his former partners, Mr. Gregory and Mr. Campbell, who had been in the office of himself and Gregory formerly; the promotion or organization of a company of this general character, having for its object the preparation of papers for charters and the preparation of reports that were to be sent to the commission, and the spreading abroad of information about the new corporation and charter laws of the State, and doing work of that character. I don't know whether that was the first conversation or not, but anyhow he mentioned that matter to me. I told him that his time was his own after office hours. I think he said that some of the others were working after office hours outside; I think he said that Mr. Tyler was. He said that the experience and information that he had acquired there, would be useful to a company of that kind.

Would Serve the State.

I had always been of the opinion that a company of that kind would be of use in the State of Virginia, and that the more there were of them, the better it would be, on account of the incorrect way in which the papers were drawn, and on account of the fact that, under the new Constitution, this new policy in regard to corporations had been adopted, and it was the duty of both the Legislature and the commission to take advantage of it and have as many charters issued in Virginia as possible. He asked me about his taking some stock in it. I told that that was a matter for him to judge; that as far as the law was concerned, it was clear that there was no legal objection to it and I saw at the time no objection to his taking some stock in the company, the theory, he explained to me, being that the stock was issued, I suppose, to Mr. Gregory and Mr. Campbell, and they were to give him part for assisting them in the work of this company. I certainly told Mr. Lanier substantially this. These things occurred in the midst of not only increasing work, but I think I can say fairly that I was as busy and as hard-worked a man as there was in the State of Virginia, and as there ever was in the government of Virginia. I mean, absolutely new, tremendous questions of every sort, many of them involving the Constitution of the United States, and these things arose incidentally. But I did unquestionably, so far as I was concerned, though not officially in any way, tell Mr. Lanier substantially that. Mr. Lanier, I took it, was asking me in a general way as to the law on this subject, and his rights on the subject. The law was very clear; he had as much right to hold stock in that as he had to hold stock in a bank.

I don't think it can be said that I advised him to do those things. He asked my advice, and I gave him my ideas on the subject, my idea being that he had as much right to own stock in a concern of this sort, supposing he had nothing to do with it, as he had to hold sock in a bank. Of course, I was clearly right in that from a legal standpoint, because the Constitution and the statutes are all clear. I may have been all wrong from a general standpoint in not giving that matter sufficient thought or sufficient consideration. Of course, I can see now that it would have been far better for me to have put my foot down at once, Lanier being a clerk there, and told him.

"While you have a right to do this, and it is a good idea that has occurred to you, I think you had better not do it?"

Offered to Contribute.

I simply did not, that is all. Two or three times, I don't know how many, he conferred with me about the matter, and my recollection is that the ultimate suggestion was that it would take some $1,500 to make a tentative attempt at the working of this company for twelve months, to see whether it would be a success. I told him, sooner or later, that I would contribute $100 towards that attempt. I certainly gathered the impression in some way that if the company was put on its feet, the stock would be enlarged and it would then become a large working company. The idea was, I don't know whether that was the time I got it from him, that it would be a large title plant; but the impression on my mind was that he wanted to get the money to establish a company of this sort in a tentative manner for twelve months, and then they would enlarge it if they could, and if it did not succeed in twelve months it would fall through. My idea was that it was to be a company of that sort. I did not connect it in any way at all with the work of the commission. There was no reason for supposing that there could be in any way any sort of collusion between the work of a company of that sort, and anybody in it—and, in fact, it was absolutely impossible, as shown here—and anything that could be done in the office of the commission, nothing that was not perfectly upen, unless, of course, absolute corruption, which could have been done without any company or anything else.

Subsequently there was presented to me some subscription paper, I think Mr. Campbell brought it up there, and I signed it.

I simply say, in passing, that as far as this statement was concerned, the division of the work, that I dictated that statement. It had been on my mind and discussed between us for several months; I dictated that statement, and at any time, in my mind, it had about as much connection with this company as it had with the Bank of England, that is all I have to say on that subject.

Mr. Campbell, I know, was in the office several times—not to see me about the company, but to ask me questions about corporation law.

Explains Lanier's Connection.

Mr. Hunton: You have spoken about your interviews with Mr. Lanier about getting up this company, and you said it would be a good thing to get it up. Did you explain to him in any way what connection he should not have with this company, as he was connected with the commission?

Ans. Yes, I remember that very distinctly. In two or three conversations I had with Mr. Lanier I told him that, while I would put in $100 and subscribe to one share of stock, of course, I could have nothing to do with the company in any way at all, and, of course, he must have no official connection with it and nothing to do with it in the office. He had put the proposition so that I could not dispute that his time outside of office hours was his own; that his nights were his own, and his time outside of office hours was his own. I could not dispute that. I had found Mr. Lanier, as far as I could see, a reliable man, though I never knew much about him before he came there. He may have been misled by my manner, and thought that I was paying more attention to this thing than I was. But I made that statement to him that that was my idea of what should be done. I have racked my mind since to see if I can recall—of course, I never thought of the thing with any particularity at all for months afterwards, but since these sensations have been created about this matter I have racked my mind to see if I can recall anything about the work of the company at that time, and I do not recall any circumstances that can bring to my mind the work of that company at that time in connection with myself. I did not regard myself as having any particular interest in it. I would have given Mr. Sands's company or any of the others a hundred dollars also if they had wanted it to push the company. I had hoped that one of these companies, and all of them, would enter upon this work. It did not seem to me that those companies would interfere much. Of course, if they were properly conducted, with lawyers' work, I thought that they would be of assistance to lawyers' work. I did not look into the operations of these companies elsewhere, but I knew, of course, that they were in general use; I knew that they existed elsewhere, and I supposed that they were doing good work.

Many Lawyers Saw Him.

"Gradually, in the course of time, I began to see Mr. Campbell in there, asking me about the legal questions in connection with these charters, and he may have said that the charters were sent to this company or that the questions were sent to this company, or something of that sort. I think I can summon almost the whole bar of the city of Richmond to testify to the fact that about that time there was not a day on which half a dozen lawyers were no in my office to ask me questions about the corporation law if Virginia. I was supposed to know all about it; I did not then, by any means, nor do I now, because I find questions arising now that I never thought of before. But hardly a day passed that there were not several lawyers in that office, while letters were coming from all over the State, and that sort of thing would not attract any attention on my part particularly. I do not recall seeing the papers in connection with the company except two. Mr. Lanier showed me at one time, when he was getting up the company, I suppose this was the first part of February, a prospectus which I presume was the prospectus he had here, of course I wouldn't recognize whether it was or not.

Did Not Concern Him.

I know it was a prospectus setting forth the advantages of a company of that kind. I don't know, he may have read it to me, I may have read some portions of it; if I did, I did not pay any particular attention to it; it was not a matter that concerned me particularly. I think that he is probably right in saying that I suggested to him that the prospectus was too personal a matter with him. He said "I" was doing this and doing that, and it may have been signed in his name, I don't recolect. I think I did make some suggestions in regard to it, that he was putting himself personally in the prospectus and that he had better not do it. I remember seeing the circular. I get all sorts of circulars all the time. I think probably one of the best ones of that sort I have seen, was from my friend Mr. Caperton, of Alexandria. I suppose that must have been the first circular that was gotten out, if that was the first one gotten out; anyhow, I got through the mail some circular. Those are the only two papers I recall seeing in connection with this matter.

* * * Those charges involved those three—Lanier, Tyler and Newby—and involved their combined conduct in the office chiefly. I think it is fair to say that the charges were stated in very exaggerated and rather bombastic language, which perhaps was excusable on account of the condition that I knew Mr. Upshur was in. * * * I looked over those charges very closely; we all went over them. We did not consider them in conference to any extent, but when we determined to have an investigation of this state of affairs, on the 27th of April, I went out first, I think, and told Mr. Upshur and the others to remain there, between 5 and 6 o'clock. My recollection is that I told Mr. Upshur of this conversation that I had had with Mr. Lanier. Of course, he didn't know anything about that, and Mr. Upshur made a general statement about the matter. He said he considered it his duty, as an officer of the commission, to make this report, and he made it so as an officer of the commission, and his statement was entirely a general one. It made no impression on us, because we didn't go into any charges at all, and he left with us these letters, or perhaps I had gotten them from him a few minutes beforehand—the letters pertaining to the work done by Lanier and Newby and Tyler in connection with Lanier—the letters to the Whitehead-Hoag Company, and some of R. L. Parrish, of Covington, in there. We sent for Mr. Lanier.

Trying to Undermine Him.

* * * Mr. Lanier made a statement in which he said that Mr. Upshur was trying to undermine him and get him out of office, all that sort of thing; a general statement of that character in defense of himself. I asked him some questions first, and I think he was taken up then by Mr. Stuart. Mr. Stuart probably asked him more questions than either Mr. Fairfax or myself. It appeared in the course of that questioning that Mr. Lazier had been doing this as assistant clerk, that when he was receiving a letter requiring an official answer from a foreign corporation, for example, desiring to enter the State, he would answer that letter officially, and he would give such information, or perhaps, I think he said that himself, at the time he prepared a letter for the Virginia Corporation Company to the same parties, sometimes giving the information or writing the letter after office hours, and once or twice certainly in office hours. And it was further disclosed in the cross-examination that he was cognizant of the fact that arrangements had been made with Tyler, by which Tyler, who had charge of the cards relating to franchise tax matters, and therefore had access to our records, showing the maximum capital stock of corporations in the State, and was more familiar with that than anybody in the office—that Tyler should write letters to the corporations of the character shown here and filed with Mr. Upshur's report, suggesting that they reduce their capital stock, and that Mr. Tyler was doing that under a sort of contingent arrangement; and that in regard to letters he had dictated to Newby, Newby was to be paid by the company. He turned to me in the course of the examination, in answer to either a question I asked or perhaps that Mr. Stuart asked, and he said: "Why, Judge Crump knew about this company, and he knew I got it up, and he thought a company of this sort would be a good thing, and would be a benefit and would help." I said: "Yes, Major Lanier, that is true, but you remember that I warned you not to have any official connection with this company, and not to bring it in connection with your work here." I do not recall, of course, the exact words.

Mr. Hunton: His work?

Judge Crump: His work as assistant clerk—"any more than I would bring it in connection with my work as chairman." I do not remember the exact words, but what the matter had reference to was the work which had just been disclosed by him that he was doing. That was the reason of his turning to me, and the reason of my explanation to him, which he excepted as true, and was said in the presence of all of us.

Would Do It No More.

* * * He said that what he was doing, seemed to him to be a matter that he could do, that he had no idea that it would involve the commission in any way. I said, "Don't you see that your immediate action for the company, in connection with your contemporaneous action as assistant clerk, would excite outside attention, and almost necessarily so?" Mr. Stuart took up that line with him at considerable length then * * * and the ultimate result was that we had quite a talk on that subject; and Mr. Lanier said that he was very sorry indeed that the thing had happened, and a consequence of this sort had never occurred to him, certainly he would never engage in any such work again.* * *

We conferrel briefly afterwards, and, as stated by Mr. Stuart, we all agreed that the conduct of all three of those employees in the office—Lanier being, in fact, an officer of the commission, and the other two employees—in connection with Mr. Upshur's report, and the general condition there, was such as to necessitate evidently the retirement of Lanier and probably of Newby and Tyler. * * *

I did not say anything at all in that investigation, about my having any stock in the company. As a matter of fact, I did not have any stock in the company. I had subscribed to one share, and there had been one call made, which at that time I had not paid.

Not to Evade Anything.

"I do not want to avoid or evade anything I did in connection with that one share of stock. I want to say that the matter of least concern to me, or that occurred to me of being of no account in the whole thing, was the fact of my giving up $100 to the company. It was not the subject of any conversation that led to anything. There was no concealment on my part; there was no disclosure or concealment. Of course I do not recollect what was in my mind, but nothing was in my mind, as far as I know, about my subscription to the stock I know all the time, it was only on my mind this way; that if that stock was ever issued to me, I was perfectly willing to trust on my own judgment. The school I had been raised in, the old Va. school, the standard by which I measure my conduct, I have found in my life is high enough for me to judge myself by, without asking the advice of those whom I know to be of the same sort of raising that I have been."

That thing was entirely under my control at any time. If during the course of this year, as I had in mind, it turned out at any time that this stock was issued to me, if there was anything at all incompatible with my holding stock in a company of that kind, why, I could dispose of it in a minute. But there was nothing in the narrations or relations at that time that would necessarily lead to, or did lead to, anything relating to this particular matter.

Action Regarding Lanier.

The 27th of April was Friday. * * * It was suggested that I convey to Mr. Lanier the fact that we desire his resignation. * * * I think it was (the following) Monday that Mr. Fairfax reported that Mr. Upshur asked that the whole matter be held up; that he wanted to file additional papers. * * * On the 11th or the latter part of that week, we getting the papers on the 9th and 10th (May), we proceeded to take action in regard to Mr. Lanier. * * * I am pretty certain that I wrote a little pencile memorandum, and finally it was agreed on, and it was taken into the typewriter and copied off and brought back; and I think it was on the evening of the 11th that I wrote a line to Mr. Lanier—I think I wrote that in my own handwriting, and enclosed that memorandum. It was not an order; it was simply a memorandum expressing the wishes of the commissioners that may have been in the letter itself. I enclosed that to him, and had it put on his desk. * * *

(Witness here discussed the work regarding State banks done by the commission, the rate schedule which had been prepared, and various matters not pertinent to the investigation.)

Is Cross-Examined.

Mr. Byrd—You say that your attention was not really directed to the relations which this company would bear to the Corporation Commission. I would like to ask if your attention was directed to section 13 of its charter, which provides that by its attorneys it might practise law in any of the courts of the State?

Judge Crump—Of the charter?

Mr. Byrd—Yes, sir.

Judge Crump—No, I did not have in mind any part of it.

Mr. Byrd—Do you read charters?

Judge Crump—Yes, I glance at them.

Ques. Did you read this charter?

Ans. Yes, I must have read it.

Ques. That particular section, then, did not make any impression on you?

Ans. No. I don't think a corporation could practice law in Virginia.

Ques. This says "by its attorneys."

Ans. Then the attorneys would be practicing law, but the corporation would not be, except in a general way. If that expression is in there, it doesn't mean anything.

Ques. The attorneys would be practicing law for the corporation, wouldn't they?

Ans. I don't know how the details of a company of that kind would be or should be arranged, but, as a general matter, I don't think the corporation could be practicing law in Virginia in any sense.

Ques. Of course the corporation, not being a person, could not practice law, but it could by its agents, could it not?

Ans. No, I think it would be entirely the personal act of the attorney.

Ques. If that section 13 means anything at all, it means that Mr. Campbell, for instance, would practise in the courts of the Commonwealth; it would not have been a personal employment, but would have been the employment of the company which he represented; if it means anything, it would mean that, wouldn't it?

Ans. That would unquestionably mean that a company of this sort would be in some sense a vehicle of information, upon which legal opinions would be given by Campbell as its attorney.

Ques. In other words, the company would be employed, and the practice of law would be done by its attorney or agent, Mr. Campbell?

Ans. Yes.

Practice in That Court.

Ques. Did it occur to you at all, the Corporation Commission having, as you say, very important judicial functions, that the attorney for this corporation company, representing it, or representing clients through it, would ever practice in your court?

Ans. No, it did not. I should not consider the preparation of these papers in connection with obtaining charters, or the preparations of reports as practicing law. * * *

Ques. There is a very important questio coming up, as you stated—the matter of fixing railroad rates. Now, suppose that Mr. Campbell, who is the attorney for this company, should appear in behalf of his company, which had been employed by one of these public service corporations, that could not have been a situation that you contemplated when you went into this company, was it, judge?

Ans. No. Of course, I did not contemplate that anything would be done except in a general way. But I don't think that could happen. If they wanted Mr. Services in a matter of that kind they would want him personally. I speak of it as a practical matter. No gentleman would employ a company of this kind except in routine matters. * * *

Ques. Suppose that it was generally known that the Virginia Corporation Company had very intimate relations with the Corporation Commission, or a judicial body before whom questions were determined, and that officers and members of the commission were actually interested in such private company; don't you think that that would encourage men who had business before the Corporation Commission, or such court, to employ such a company?

Ans. Well, that is a question affecting human nature in general. I think if a man thought—for instance, if a railroad company—thought I was corrupt, they would come to me, and go about it in a different way. But I can see, of course, the force of your objection, and it is an objection, but I don't think it would have much practical force. It is an argument. What has concerned me—what concerned me at the time Mr. Lanier was before us, and what concerned me at the time I made this brief statement in the paper—was not about the stock at all; it was the fact that I did not put my foot down on it at the time that Lanier mentioned the thing to me, and say: "No, it shall not be done," and I reached the conclusion that I ought to have done it. I say I judge myself, and I prefer to judge myself, and it hurt me that by any lack of thought or graver error of judgment not arising from lack of thought, or by not giving proper attention, I had by any possibility led Mr. Lanier in doing himself an injustice, as well as placing myself in a wrong position; my position being, in relation to myself judging myself of least importance of the two matters. * * *

(Witness here answered questions regarding his profits in the Virginia Corporation Company, as outlined by Major Lanier's prospectus, and stated that he did not purchase stock for any "profit," but to further a company which would aid the commission in its work.)

Upshur Exaggerates.

Ques.: When Mr. Upshur filed his charges and you called him in and talked to him, why didn't you say to him frankly, when your attention was called to this: "Some time during the month of January, 1905, Mr. Lanier approached me" * * * (reading from Upshur's charges, stating he did not give the statement that Judge Crump was a stockholder a passing thought, thinking it too monstrous, etc.), would it not have been better, would it not have been juster to yourself and Mr. Lanier, and to Upshur, to have stated at that time, "Yes, I did discuss this matter with Lanier; I did take stock in this company, and I did it because I did not realize the possibilities which have developed from the situation"?

Ans.: Well, I rather doubt it. I don't see any reason why it should have been done. If my relations with Mr. Upshur had been closer, it might have been. I say that Mr. Upshur was inclined unquestionably, mentally, to exaggerate things; I think that paper shows that for itself.

Ques.: Was that paricular thing an exaggeration? Was or was it not a fact that you had done what that paper said that Lanier said, that you had gone over the matter with him and agreed to take stock in his company?

Ans.: In a general way, I have said, Yes; I don't know about that statement.

Ques.: Don't you think it was due to yourself, to your fellow-members of the commission, to Mr. Lanier and to Mr. Upshur, to make a frank statement to that effect. Wouldn't that very largely have obviated all of these distressing things that have occurred afterwards?

Ans.: Well, I don't know about it, considering the general tendency of human nature. That would be speculation. I think it very doubtful.

No Dishonest Purpose.

Ques. Isn't it always better to be frank and in all of these matters to place yourself in such a position as that, even if you have done wrong and been guilty of an indiscretion, you will have nothing to hide or to conceal?

Ans. Unquestionably.

Ques. Does not the very fact of concealment lead men on to do things and into positions that are most unfortunate?

Ans. I think, as a general principle of human nature, you are right; yes.

Ques. Wouldn't all of these things have been obviated if at that time you had frankly said that you had made this mistake, but that you had made it with no dishonest purpose at all, and that you were sorry for it?

Ans. I did make about that statement. I think you are exaggerating now, when all of this is segregated one from the other, the importance of this subscription to stock. I may have minimized it; I may be minimizing it now; but I think you exaggerate it. If we look with our hind-sight at these things it looks that way, but I don't know that you or anybody else would have acted differently than what I did.

Ques. If you had it to do over again, would you do the same thing?

Ans. If I had it to do over again, start right fresh to-morrow, it would be different, of course. But I don't know; that is speculation. You don't know the difficulties we were in; you don't know the whole situation there. It is hard to realize myself; I don't know what would happen; it is speculation whether any course that might have been adopted would have been better.

Ques. If there is anything we don't know we would like to know it. If there is anything that is evidence that has not been disclosed and we don't know we would be glad for you to state it.

Ans. Well, I have made a general statement, and I will answer any questions. I have said all I know very fully.

Ques. When Lanier was called in there to answer those charges, and was questioned, and Mr. Stuart was somewhat severe with him because of his participation in this company, why didn't you speak up then, and say that you had stock in the company?

Ans. Well, for the reason that I have already stated; that I regarded that stock as one insignificant matter in the whole thing; and in that interview the affairs of this company were not discussed, but what occurred, occurred as I have stated in the course of the examination, in which Lanier turned to me with the statement that I had approved the organization of the company.

Did He Think It Fair?

Ques. Do you think it fair to send Lanier out in the wilderness with the burden of that whole transaction, without stating to the other commissioners your part in it, whatever it was?

Ans. What transaction?

Ques. Mixing up the affairs of the Corporation Commission, with the affairs of the private company in which you were interested?

Ans. I think the commissioners knew of any participation I had in it, as far as I had any participation in it.

Ques. Judge, when you came to write that memorandum which was, effect, the dismissal of Lanier, did that state the truth? Was it, in fact, because of his personal relations with Upshur that you dismissed him, or was it because of his participation, as an officer of the commission, in the affairs of this corporation company?

Ans. It stated the truth, yes. We did not dismiss him, but called for his resignation. And the more I think over that thing, the more I am disposed to think it was the wise thing. I think there would have been a row in the office in the end unless this had been done. I do not see any reason—I listened very intently to Mr. Stuart's statement here last night, in great detail, and it did not strike me, and it does not now, that there was any reason why that was not the proper and reasonable course to pursue. I think we had to do that, or we had to try these charges; and I think we would have been out of our senses, almost, to have attempted, as officers of the government, to try these charges. The place for the trial of those charges was before a court of competent jurisdiction.

Ques. Mr. Stuart said this. He said that when Lanier was called in there, Lanier admitted the substance of these charges, and that those admissions convicted him in his (Stuart's) own mind, and rendered it necessary that he should be relieved of his duties as officer of the commission. If that was the case, why oughtn't you to have put in that memorandum order, "You are dismissed because you have attempted to make your private corporation an annex to the State Corporation Commission; you have done those things in that regard which you ought not to have done"? Why didn't you say that, instead of putting it upon the personal matters between Upshur and Lanier? Wouldn't that have been nearer the truth? Wouldn't it have been franker and juster and braver to have done that?

"Three Pretty Brave Men.'

Ans. I rather think not. I think there are three pretty just and brave men there conducting that thing, certainly two of them, leaving myself out. I do not mean to say that it would not be right, or that it would not be beter; but it must be said that we were dealing with a complicated situation, and what we wanted to do anyhow was to do what we thought was right.

Ques. Well, to get at your idea of what is right, Judge. If an accuser comes and accuses a man of an offense, and either proves the offense or the man admits it, and the offense renders punishment or dismissal necessary, do you think it right to place that punishment and dismissal upon the ground that there is a personal difficulty between the accuser and the accused, or do you think it is right to put it upon the fact that the offense has been committed and proven?

Ans. Well, that depends entirely upon who is to assign the reasons. I don't think that we had any right to try Lanier upon this charge in the position in which we were. I rather think not, and I don't think we could unless there was an absolute trial. We were exercising simply our constitutional right to let an officer or employe go at any time; that we should exercise our judgment in the matter. * * *

Ques. As a matter of fact, didn't you bring him in there and ask him these questions, and condemn him on his own admissions?

Ans. * * * Of course, among ourselves we did that; yes.

* * * * * * * *

Ques. Don't you think it was a serious mistake, under any circumstances, to suggest that those personal references to yourself should be eliminated from that report?

"Unfair Inferences."

Ans. I think it is a serious mistake in this respect, that it opened up an avenue for unfair inferences, yes, and put a weapon in the hands of some people, as it turned out.

Ques. That is exactly what I say. Don't you think it unfortunate?

Ans. No, or then?

Ques. Don't you think it was unfortunate, then?

Ans. I don't know about that.

Ques. Did you ever voluntarily tell your fellow-members of the commission of your financial interest in this company, or did you leave them to find that out from Mr. Royall?

Ans. I don't think we ever mentioned that company between us, I am quite confident of it.

(Senator Sears then reviewed in a half dozen questions the evidence of the witness touching the dismissal of Major Lanier, after which the committee adjourned until this afternoon at 3 o'clock, when it is thought ex-Commissioner Fairfax will take the stand.)

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MATRIMONIAL HOPES RUTHLESSLY BLASTED

Woman Answering Cumberland Man's Advertisement Was Too Homely to Wed.

Filled with the brightest hopes of marrying and living happily ever after, a woman ventured all the way from near Lincoln, Neb., to Cumberland Courthouse, Va., to meet an unknown swain and to win his undying love at first sight.

But the "plans of mice and men—and women—gang aft agley," and the poor woman, who had staked her all on the venture, was doomed to bitter disappointment.

The story is that the woman answered a matrimonial advertisement inserted in a Nebraskan newspaper, offering her a home of ease in Virginia. She answered the advertisement, and in return received a photograph of the man who was so desirous of securing a better half. After a little correspondence the man in Cumberland sent the woman money to pay her expenses to this State. With a beating heart and a hopeful mind at the thought of her distant lover she packed her clothes and came east on the first train.

She arrived in Cumberland on Monday and was met by the expectant advertiser. He cast one lingering look on her beaming countenance, and the game was up. "My God, woman," he exclaimed, "I could never marry you; you're too ugly." For the moment her heart stopped beating. "Yes," she answered faintly, "I am ugly, but I'm a good cook and housekeeper."

But the recompense was not sufficient to pay for the facial imperfection, and the man sorrowfully informed the expectant minister of the Gospel that his services would not be needed just then. It was not a case of love at first sight, and the little god, Cupid, bowed himself off the stage.

The man, not wholly hard of heart, brought the would-be bride to Richmond to secure her some position in lieu of the matrimonial bliss she had expected. They were directed to the Ballard House, where the sorrowful story was told, and where the couple bade each other a last good-bye.

Mr. Buchanan soon secured her a position at the home of a prominent business man of the city, where she is at present located. The man journeyed back to Cumberland, where he is known as a well-to-do farmer.

New Coal Operation.

(Special to The Times-Dispatch.)

BRISTOL, TENN., March 1.—Middlesboro coal operators, having formed a company, with J. R. Simpson, president, and with a capital of $50,000, to-day leased from the Black Mountain Coal Land Company, of Bristol, a six-hundred-acre tract of coal lands in Lee county, Va., and will begin a mining and coking business immediately.

Knew By Experience.

"I can't decide," she said, "whether to take the hat or not. But it is just the dearest thing I have seen this season."

"The dearest?" asked the husband, with a sardonic laugh. "Then it's certain that you'll take it."—Stray Stories.

Benjamin M. Jennings, of Casey county, Ky., has been presented with an extremely large diamond stud by King Edward, which is said at one time to have been the property of Paul Kruger.

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