The San Francisco Call

VOLUME LXXIX.—NO. 1. SAN FRANCISCO, SUNDAY MORNING, DECEMBER 1, 1895—TWENTY-EIGHT PAGES. PRICE FIVE CENTS.

TOM REED OF MAINE SELECTED SPEAKER.

Chosen by the Republicans to Preside Over the House.

TWO GAVELS PRESENTED

One From Veterans of Vallejo and Made From Wood of the Old Hartford.

SELECTIONS OF THE CAUCUS.

Pointed Remarks of the Statesman Who Knows How to Count a Quorum.

WASHINGTON, D. C., Nov. 30.—The scene around the chamber of the House of Representatives to-night was an animated one. As early as 7 o'clock all the approaches leading to the House were filled with crowds of people, who anticipated a heated caucus and who desired to participate in the excitement. That the members themselves were deeply interested was evidenced by the large number who were present on the floor a full hour before the caucus met. As the gentlemen arrived they visited the headquarters of their respective candidates. It was apparent that if the number of callers at the several headquarters was an indication of the strength of the various candidates the combine had the "call."

While General Henderson's headquarters, which were located in the Appropriations Committe room, were well filled with members who, like himself, represented the more conservative element, it was difficult to accommodate the tide of humanity which ebbed and flowed through the wide doorway of the committee-room of the Ways and Means, where McDowell and Glenn, the so-called "combine" candidates for Clerk and Doorkeeper, were stationed. One hundred and forty-two Representatives were among the hundreds who called and these severally assured McDowell and Glenn of their support. As 123 votes were sufficient to elect even if the entire 244 Republicans were present it was plain that the leading members of the McDowell-Glenn ticket were certain of enough votes to win on the first ballot.

The caucus settled down to work promptly at 8 o'clock with Mr. Hooker of New York, the secretary of the caucus, in the chair. The first estimate of the relative strength of the McDowell ticket and its opponents was shown in the vote on the election of chairman of the caucus. William A. Stone of Pennsylvania, who has been the principal manager for McDowell, and those associated with him, nominated the veteran Ohioan, General Charles Grosvenor, while Mr. Dolliver of Iowa, who represents the Henderson forces, proposed the name of Mr. Henderson of Iowa.

At the conclusion of the rollcall the vote stood 155 for Grosvenor to 73 for Henderson. This showed the presence of 228 members and it disclosed the fact that the McDowell forces had not overrated their strength.

Mr. Hopkins of Illinois placed Mr. Ellis of Oregon in nomination for secretary of the caucus of the Fifty-fourth Congress. Mr. Mercer of Nebraska nominated Mr. Hooker of New York. Mr. Ellis was elected by a vote of 139 to 77.

On motion of Mr. Grow of Pennsylvania Thomas B. Reed of Maine was nominated for Speaker and elected by acclamation.

On motion of Mr. Payne of New York a committee of three was appointed to conduct Mr. Reed to the hall. The committee consisted of Mr. Payne, Mr. Grow of Pennsylvania and Mr. Cannon of Illinois. Mr. Reed, on entering the hall, was loudly applauded. Taking a position in the area before the presiding officer's desk, and speaking in an easy, conversational tone, he said:

"Mr. Chairman and Gentlemen: For the honor which you have conferred upon me I tender you my sincere thanks. I am, however, not in the least to confound with my own personality this tribute of your kindness. I had once the good fortune to be so placed that I represented as well as I was able the patriotic sense of a great party, and it is to that patriotic sense of our party that you tender the tribute of your matured, as you did your temporary approval. History will accord us praise for what we did in the Fifty-first Congress, and it may accord us its praise in this for what we do not do.

"We have unfortunately a divided Government, which usually leads to small results. But there are times when rest is as health-giving as exercise. We must not forget that our first and greatest duty is to do all we can to restore confidence to business and that we must avoid all business legislation except in the direction of improving buisness. Rather than run risks we can afford to wait until matured plans give us assurances of permanent benefit. Crude and hasty legislation is above all things to be shunned.

"Could we cause our immense popular majority to overflow into other branches of the Government and could we have full control, we would create not a perfect world perhaps, but a world rather more fit to live in than we have lately had. Even as things are I do not for a moment doubt that our patriotic instincts will lead us to make every sacrifice except of principle to rescue our country from its temporary disaster. Not only have we been elected by the overwhelming vote of the people as their servants, but as a House of Representatives of which we are the majority.

"The right to initiate taxation of the people is by the constitution placed in our hands as a sacred trust, which we have no right to surrender, and which all parties, however they differ on other things, will assuredly maintain. That we shall be ready at all times to furnish adequate revenue for the Government, according to our sense of public duty, no man can doubt.

"This is the great nation of this hemisphere, and while we have no desire to interfere with other nations we shall maintain our position here with firmness and self-respect and at the same time with careful consideration of facts and more conservatism of action, which shall leave no bad question to trouble our future. In this I trust the whole Government, in all its branches, will be in accord with each other and with the people."

When Mr. Reed had finished George E. Foss of the Seventh Illinois District, one of the new Chicago members, and one of the younger of the many young men in this Congress, presented Mr. Reed with a new gavel. This gavel is an exquisite piece of workmanship. It is about eighteen inches in length, composed of wood from cherry and apple trees strnding on the ground at Ashland, the old homestead of Henry Clay, in Kentucky. The extreme end of the handle is a beautiful piece of carved ivory, the wood of the handle and of the mallet being surrounded with heavy bands of gold and silver, beautifully chased. The inscription on the silver band encircling the center of the mallet is a quotation from Alexander Hamilton, reading: "As too much power leads to despotism, too little leads to anarchy." Another inscription is: "Presented to the Hon. Thomas B. Reed by the Hamilton Club of Chicago. 1895."

In presenting the gavel Mr. Foss said:

"If it is in order I desire to present to the honorable gentleman from Maine—our next Speaker—the instrument of his official position, for no man here to-night doubts that the unanimous wish of this caucus will on Monday next become the declared will of the next House of Representatives. It is therefore my pleasure, Mr. Reed, on behalf of the Hamilton Club of Chicago, one of the leading Republican organizations of the great West, which takes its name from the first great protectionist, Alexander Hamilton, to present you upon this occasion this gavel, the symbol of your high office.

"A portion of the material in its construction is taken from the old home of that great commoner and protectionist, Henry Clay, in Kentucky—a State which has recently worked out its own political regeneration and henceforth subscribes to the Republican creed. Its associations, therefore, will remind you of that cardinal principle of the Republican party—protection, which means the encouragement of American industries, the elevation of American labor, and the preservation of the American home market. Bound together with bands of gold and silver, it represents that other great principle of Republican faith—bimetalism. Protection and bimetallism have always been the watchwords of the Republican party.

"The people of the Northwest, and, in fact, the people of the whole country, will hail with profound satisfaction the action of this caucus and your subsequent elevation to the Speakership of the House. They know your ability to preside over the deliberations of this body. They know that you know a quorum when you see it. They know that the principle which underlies the very foundations of republican government—the right of the majority to rule—will be maintained. With faith in your sincerity of purpose, in the courage of your convictions, in your mastership of parliamentary law and in the breadth of your statesmanship, they know that your sole aim will be to serve the country, which is the common country of us all. It is with great pleasure that I, on behalf of the Hamilton Club of Chicago, present this gavel to you."

Mr. Hilborn, representing the Third California district, stated that California also had a gavel to present and proceeded to make the presentation in a speech. He said:

"I have been commissioned by Edward Walsh Garrison No. 95, Regular Army and Navy Union of Vallejo, California, to present to the Speaker of the House of Representatives a gavel, to be used in presiding over that distinguished body. This gavel and companion block were placed in my hands months ago, long before Congress convened, but the gentlemen who prepared the gift, relying upon the maxim that that which ought to be done will be done, anticipated the action of Congress and caused to be inscribed upon the block the name of 'Tom Reed of Maine.'

"You have lived among the people of the far West and know their peculiarities. You know their proneness to take liberties with names of those they love. I therefore need not apologize to you for the liberty they seem to have taken in the use of your name. Had they loved you less they would have been less familiar. The legend upon the block is wrought in silver and gold from the mountains of California, and the metals seem to be in proportion of about sixteen to one. The gavel is made of oak taken from the old ship Hartford, Farragut's flagship, now undergoing repairs at the navy-yard in California.

"This piece of wood has already had a romantic history as a part of the historic ship which bore the great admiral in naval engagements which brought such renown to our navy and glory to our country. As the victory of Nelson's flagship is enshrined in the hearts of Englishmen, so the Hartford is dear to all Americans. This piece of wood has an interest which will not fade, but will increase with the lapse of time. As an emblem of authority in the hands of the Speaker of the House of Representatives it will enter upon a new career of history making.

"The gentlemen who donated this gavel are now or have been connected with the army or navy of the United States—the military arm of the Government, which stands as the exponent of order maintained by power. It demands enforcement of the law in every part of our country and maintenance of our National honor abroad. To them it seemed eminently fit that this piece of the old Hartford should be fashioned into a gavel—always the emblem of authority—but in the hands of the Speaker of the House of Representatives it represents power in a superlative degree.

"In your hands we have no fear that this power will be abused. With this symbol of authority you will count a quorum without angry protest. The country expects from this Congress under your guidance legislation which will bring back prosperity to our land. The people believe that you have the same patriotic courage that inspired the great admiral, and that you will guide the Ship of State with the same wisdom and success as he directed the vessel of which this gavel once formed a part."

Mr. Reed accepted both of the gavels with characteristically apt remarks. Replying to Mr. Hilborn, Mr. Reed said:

"Mr. Hilborn, I have, as you have seen, been presented with another beautiful emblem of the office which the kindness of this assembly has indicated that I shall occupy. Coming from the central city of this country—a city which, if its growth keeps pace with the courage of its people, is likely to reach both oceans—I cannot, however, suppose it is in anticipation of that event that you of the flourishing city of Oakland take this occasion to give me this memento, which will remind me that one of the earliest years of my life was spent on the Pacific Coast, in which year I learned to appreciate the greatness, present and future, of that great Western empire. It will also remind me that I was in a humble capacity once connected with that branch of the service which has the special right to hold in high remembrance the sweet and serene face and the noble carriage of David Glasgow Farragut and the other heroes, whose names a sight of the bit of the glorious old Hartford calls up in every patriotic heart. Please convey, Mr. Hilborn, my sincere thanks to the donors of this much appreciated gift."

With Mr. Reed's departure from the hall the work of placing the candidates for clerk in nomination began. Mr. Dalzell of Pennsylvania presented the name of Alexander McDowell of Pennsylvania, and Mr. Cannon of Illinois performed a similar service for his late colleague, Mr. Henderson of that State. The roll was called and Mr. McDowell was elected by a vote of 164 to 74.

Nominations for sergeant-at-arms were next in order. Mr. Bartholdt of Missouri presented the name of Benjamin F. Russell of that State. Mr. Evans of Kentucky placed in nomination Edward A. Parker, also of Kentucky. In a short speech he asked his election as a recognition of the Southern Republicans. Mr. Russell was elected by a vote of 167 to 70.

William J. Glenn of New York was named as doorkeeper over Mr. Linney of North Carolina by a vote of 168 to 64.

Mr. Northway of Ohio placed C. McElroy of his State in nomination for the postmastership and Mr. McCall of Tennessee nominated Mr. Tipton, who was a candidate for the position of doorkeeper, for the place. The vote resulted in the election of Mr. McElroy by 167 to 70 for his opponent.

For the office of chaplain there were eight nominations. Mr. Sherman of New York nominated Charles B. Ramsdell of this city; Mr. Wagner of Pennsylvania nominated Walter H. Brooks, a colored minister of Washington; Mr. Willis of Delaware nominated Oliver H. Brown; Mr. Hartman of Montana nominated J. D. Smith; Mr. Hermann of Oregon nominated W. E. Parson, and Mr. Cannon of Illinois nominated W. H. Gottswald, the four last named being also Washingtonians; Mr. Avery of Michigan nominated Henry N. Couden, a blind clergyman of that State; Mr. Curtis of Kansas performed a similar service for one of his constituents, the Rev. Mr. Fisher; Mr. Wanger created some amusement in nominating Mr. Brooks, by stating that his prayers were characterized by "piety, fervor and brevity."

The vote was as follows: Couden 69, Fisher 102, Smith 2, Ramsdell 19, Brown 21, Parson 2, Gottswald 24, Brooks 2.

After three roll-calls the blind chaplain, Mr. Couden of Michigan, received a majority of votes and his election was made unanimous.

After the transaction of some minor business, the caucus at 1:15 A. M. adjourned, after a continuous session of more than five hours.

CALIFORNIA CONGRESSMEN.

They Come to No Conclusion as to Committee Places.

WASHINGTON, D. C., Nov. 30.—Representative Loud arrived this morning. The California Congressmen held a meeting today, but came to no conclusion as to their committee places.

Judge Magure has not reached Washington yet; neither have Senators Perkins and White. The latter will arrive Monday.

Johnson, Barham, McLachlan, Hilborn, Loud and Bowers of California voted for General Henderson of Illinois for clerk against the McDowell combine candidate. Mr. Hilborn left the hall after delivering his speech, which was enthusiastically applauded. The other five Californians remained and voted against all the combine candidates.

CAUCUS OF DEMOCRATS.

The Empty Honor of the "Speakership" Accorded Mr. Crisp.

WASHINGTON, D. C., Nov. 30.—Thirty minutes sufficed to complete the work of the Democratic caucus, which was held to-

Continued on Second Page.

KAISER WILHELM'S LATEST ACHIEVEMENT IN THE REALM OF ART.

Christendom, Represented by the European Powers, Under the Leadership of Archangel Michael, Preparing to Do Battle Against the Advancing Forces of Heathendom, Represented by the Figure of Buddha Riding Triumphant on the Chinese Dragon.

This picture was produced by Professor Knackfuss of Cassel from a sketch by the German Emperor, and was presented a short time ago by his Majesty to the Emperor of Russia. It has recently been reproduced in heliogravure in Germany.

[From the New York Herald.]

STATED BY FREDERIC.

No Genuine Concert Among the Great Powers of Europe.

TACTICS OF THE SULTAN.

For Twelve Days He Has Stood Off a Demand for What Was Within Treaty Rights.

ENGLAND VERY SLOW TO ACT.

Administrative Tyranny in Germany Said to Be Causing a Crisis to Be Near in That Nation.

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LONDON, ENG., Nov. 30.—That the Sultan would be allowed to stand out for twelve days against a demand by the united European powers for something clearly within their treaty rights, if those powers were honestly united, could not be credited by even the fabled horse marine. English opinion has, therefore, under the influence of this spectacle, come round with practical unanimity to the conclusion that no genuine European concert exists. No doubt the Sultan sooner or later will find it necessary to grant the firmans for additional guard ships, which he has been withholding since November 19, if the powers continue their apparently formal insistence on the thing, but the mere fact that this delay is permitted shows conclusively that there are differences of opinion among the Embassadors as to the urgency of the demand and the propriety of enforcing it by prompt action.

The whole history of the Eastern question resolves itself into a chronicle of similar differences, expressed now by years of diplomatic intrigue, now by war. In the present recurrence of this ancient crisis England until now has tried to nourish the belief that by some miracle the European powers would waive history, forget traditions and join hands in a genuine altruistic effort to secure general peace through a common agreement upon the requirements of the situation, but this faith has been fading away for weeks, and it has gone altogether now. It is recognized that if any kind of specific settlement is to be for a time patched up it will not be on the merits of the case, but by virtue of hard bargains.

The service clubs to-night are full of the idea that England will take independent action in a day or two if the thing continues to hang fire, but this is based on sentiment I fancy rather than on information. The whole outlook has become very grave and only slow, cautious steps are likely to be taken by the Foreign Office. People say that the imbroglio probably will hang on till spring, which would open the prospect of a winter filled with uncertainty and apprehension intolerable to think of.

Private letters from Berlin greatly accentuate the alarm which the German press is raising about the international state of the empire. Things are described as drifting rapidly toward trouble and an end which no one foresees. The Emperor is said to have become inaccessible to all who have a reputation for prudence and to be quite in the hands of a group of favorites, headed by the Eulenburg family, who fill him with notions that the time has passed for compromises and gentle measures and that he is confronting a crisis which must be met with the firm hand of an autocrat.

Since the sensational police descent on the houses of four Socialist members of the Reichstag, seventeen clubs, committee rooms and newspaper offices, and the seizure of papers of all sorts early Monday morning, under the law of 1850, no rumor of impending administrative tyranny has been too wild or excited to obtain credence. The sentence for four months of Dr. Foster, whose paper, Ethical Culture, ventured the mild suggestion that the Kaiser's speech, calling the socialists "a traitorous rabble," was not the wisest way of dealing with them, would a month ago have amazed the whole country. Now it is but one of the many incidents crowding upon the dazed public consciousness day by day. It is predicted that Herr Sonnonemann of the Frankfurter Zeitung will be arrested for laying stress this week on the violation of the constitution committed by the Government in granting aid to the fire-ravaged Harz village by a chartered ordinance instead of through a Parliamentary grant. The revival of the chartered ordinance, which was a favorite weapon of the Hohenzollerns in their fight with the Parliament forty years ago, properly excites suspicion, and Sonnonemann has been particularly fervent in protests against it. Although no longer in the Reichstag, he is the most important radical figure in Germany, and the prosecution of him will do much to bring matters to a climax. The Reichstag meets on Tuesday, and the air is full of prophecies that there will be numerous Ministerial changes and violent Parliamentary scenes.

The general conviction that the College of Cardinals as yesterday completed will elect the next Pope gives a special interest to its composition. It is now slightly larger than usual and the Italian members have a bare majority of three, which might easily disappear from natural causes at the critical moment. The most interesting fact about yesterday's list of additions from the point of view of Vatican politics is that Dominic Jacobini, the Nuncio at Lisbon, has again failed to be included, despite the eager organized efforts to get him in and make him a candidate at the next conclave. Mgr. Boyer, one of the two new French Cardinals, was the son of a poor provincial carpenter and proudly bears on his episcopal coat of arms two jackplanes as supporters.

The Rome correspondents all have a story that the Pope, after his allocution, which he delivered very hoarsely, commented smilingly to those nearest him on the likelihood that some of them will preside over the next consistory. His illness during the week, which gave rise to alarming rumors, was only a bronchial cold, which he often gets by persisting in getting up at nights and writing in an old flannel dressing gown. The doctors declare that he may easily live into his ninetieth year, but Rome has settled down to a contrary impression.

I understand that private arrangements have been made with the Armstrong firm at Newcastle to begin three battleships for the Japanese and wait a little while for payment of the first money on the contract. It is also declared that there is no danger of the ship-building trouble touching Tyneside. My informant represents the masters' side in the controversy and his view is that the men are already beaten and will possibly submit next week. From his standpoint the combination of masters had become absolutely necessary if the industry was not to be lost to the British altogether, since the trades unions had pursued the policy of concentrating the national forces on the job of beating the employers in detail, one at a time, until the situation became impossible. The latest reports from Glasgow and Belfast show that the expectation of settlement is again uppermost.

In response to a recent threatening speech by Richie, president of the Board of Trade, about the exclusion of pauper aliens, the Jewish trades unions have issued a circular denying that they were cutting down English wages. They enumerate numerous shoddy trades that they introduced here, which the Germans formerly monopolized, but which now benefit England instead, and declare that the wages in these would be all right if it were not for the English women-workers, who underbid even the poorest sweated Jew by 50 per cent in their fierce competition for bread.

Such interest as exists in domestic politics remains focused on the educational issue. Lord Salisbury received the Wesleyan deputation this week in a rather cavalier manner, with the result that the question seems considerably further away from a peaceful arrangement than ever.

A great deal is said about a certain church catechism by one Gage, vicar of Great Barling, full of bitterly offensive allusions to the nonconformists, and said to be widely used in the public schools controlled by the church. To-day a clerical authority writes to say that Gage's foolish book was long ago denounced by the Bishop. He denies that it is in use in any school, and, moreover, declares that its large sales are due exclusively to the nonconformists, who unfairly circulate it everywhere as a weapon against the church.

The final sentence of Jabez Spencer Balfour to fourteen years of imprisonment is accepted everywhere as merciless, but still just. Practically, every press comment, however, treats it as necessary vengeance for the ruin he wrought among scores of thousands of confiding poor people, and admits that in his trickery in dealing with other moneyed men involved he only did what others are doing in London every day with entire impunity. There is a general feeling that stringent amendments to the company law ought to be insisted on at once; but, unhappily, the influence of the bar is against this, as well as the traditions of the bench, and these are apt to be more powerful with Parliamentary committees than any expressions of public feeling.

The death of Barthelemy Saint Hilaire has left Paris entirely cold. The people understood that he was excessively wise, and knew that he was incredibly old, but he always produced the popular impression of a prig, which is not a good character to bear on the banks of the Seine.

Dumas, on the other hand, was perhaps the most typically Parisian of his generation, and Paris for the week was profoundly stirred by his departure. Since Hugo no literary figure has disappeared amid such a tremendous loosening of journalistic tongues. Rochefort's savage attack on his memory led the Paris municipal counsel to refuse to name a street after him or to be represented at his funeral, because in 1871 he insulted the commune. There were many other ways in which he aroused animosities, as numerous Paris papers show. His last play, indeed, remains unacted, because it is so violent an attack on Paris journalism that the manager of the players shrank from the thought of producing it. By his last command he was buried to-day in his ordinary working clothes, refusing public burial at the hands of the republic, for which he never concealed his hostility, or of the church with which he never had anything to do in all his life.

Count Taafe gets fully as long obituary articles in the London papers perhaps because of his curious, remote connection with the Irish peerage. When I was in Vienna it was told to me it was an interesting fact that the Taafes alone of the numerous British refugees of the Stuart period in Germany managed to preserve the pronunciation of their name, which is in one syllable, long A, and so called everywhere, whereas Keith has been called Kite for a century, and no Scot would recognize the Berliner's conception of Douglas.

Quiller Cough, who is not only a novelist of distinction, but a devoted yachtsman, says in the Contemporary Review what practically all fair men here think, that Dunraven must either prove his charges quickly or apologize at once. He also thinks that very little legislation would remedy the evil of steamers crowding the track, which is perhaps not so obvious.

The Speaker to-day in a leading article on the American political outlook for the next year says it is most probable that some respectable Democrat like Mr. Whitney will be nominated.

Charles K. Tuckerman's "Personal Recollections" gets a very cordial column from the Chronicle to-day and is being commended in private talk as well as a book not to be missed. Henri de Bernier's "Le Fils de Laretin" has been talked of for a long time as a coming play destined to make a sensation and achieve a place among the classics of the world in drama. Its final production at the Theatre Francais is said by critics to justify the highest of these expectations, but, unfortunately, its story has been so long familiar to many that several of its principal situations have been forestalled by readers and writers. Meantime, it is understood in Paris that Irving has the English rights, but, from the frankly romantic-poetical nature and mold of the drama, as described here, it seems an open question whether the English will care much for it.

"The Manxman" comes off the stage tonight. The play itself was not regarded by the critics as equal in merit to the novel, but even if this had been otherwise it was fatally handicapped by Lewis Waller at the head of the cast and management. London playgoers have been very patient with numerous queer actor-managers' ambition, but they draw the line at this depressing, fourth-rate person. Yvette Guilbert, whose peculiar talents had an enormous vogue in London a year ago, sailed to-day by the Etruria, accompanied only by a maid to try her fortunes in America, beginning with the Olympia.

HAROLD FREDERIC.

A SCORE WERE SHOCKED.

Passengers on a Car the Victims of a Broken Trolley Wire.

Those Who Were Not Prostrated Joined in a Mad Rush to Escape.

CLEVELAND, O., Nov. 30.—A broken trolley wire on Perkins avenue fell on a Wade Park-avenue motor car this afternoon and a score of passengers were severely shocked.

Several were unable to get out of the car and had to be carried out. The car also caught fire.

Those who were not prostrated by the shock rushed for the doors, crowding over each other and adding to the danger and excitement. There were many ladies in the car and in the rush for the doors they were roughly treated.

Among the passengers was Attorney W. H. Boyd. An hour after the accident he was suffering from the electric shock and was hardly able to walk.

A woman was badly injured by jumping from the car. She was carried into a nearby residence and later was taken to her home on Quinby avenue. The accident delayed traffic on the line for about half an hour.

National Republican League.

CHICAGO, ILL., Nov. 30.—The subexecutive committee of the National Republican College League met in this city to-day. The principal business was to choose a place for the next meeting of the league. Chicago and Minneapolis were the applicants, and the former was chosen, the first Friday in April being the time set for the meeting.

THE GROUNDS OF FEDERAL INTERVENTION.

Full Text of the Bill That Will Be Filed Next Week.

COPIES OF IT SERVED.

All the Attorneys Interested in the Case Extremely Reticent.

OPINIONS OF THE PUBLIC.

Some People Believe Huntington to Be Responsible for the Government's Action.

Among the general public the news published exclusively in THE CALL yesterday, of the proposed intervention of the United States Government in the case of the Southern Pacific Company against the Railroad Commission to prevent the latter from reducing freight rates within the State, evoked as great surprise as was evinced by those directly interested when they were served with the notice on Friday.

In fact this sensational move on the part of United States District Attorney Foote, on behalf of the Government, was almost the sole topic of conversation yesterday in downtown circles—among business men, railroad men, lawyers, officeholders under the City, State and Federal administrations and politicians generally.

Another step in the matter was taken by District Attorney Foote yesterday, when he served copies of the bill of intervention on the attorneys of the plaintiff and of the defendants.

The grounds upon which the Federal Government proposes to intervene in the matter were briefly outlined in THE CALL yesterday, and the full text of the bill of intervention is now herewith given:

The United States of America, by its Attorney-General, pursuant to the powers and duties conferred and imposed upon him by law, and particularly by section 10 of an act of the Congress of the United States entitled, "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military and other purposes, approved July 1, 1862, and also to alter and amend the act of Congress approved July 2, 1864, in amendment of said first-named act," approved May 7, 1878, and by leave of the court first had and obtained, being this their bill of complaint in intervention in the above entitled cause, the Southern Pacific Company vs. the Railroad Commission of the State of California, and thereupon the intervenors show your honors as follows:

That intervenors are a creditor of the Central Pacific Railroad Company, having a mortgage lien upon certain of the property and assets of said Central Pacific Railroad Company, under the terms of the act of Congress of the United States, approved July 1, 1862, and entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military and other purposes," and under the several acts amendatory thereof and supplementary thereto.

The intervenors further show that by the terms of section 18 of said act of Congress of July 1, 1862, it is expressly provided "that whenever it appears that the net earnings of the entire road and telegraph, including the amount allowed for services rendered for the United States, after deducting all expenditures, including repairs, and the furnishing, running and managing of said road, shall exceed 10 per centum upon its cost, exclusive of the 5 per centum to be paid to the United States, Congress may reduce the rates of fare thereon, if unreasonable in amount, and may fix and establish the same by law. And to better accomplish the object of this act, namely, to promote the public interest and welfare by the construction of said railroad and telegraph line, and keeping the same in working order, and to secure to the Government at all times (but particularly in time of war) the use and benefits of same for postal, military and other purposes, Congress may, at any time, having due regards for the rights of said companies named herein, add to, alter, amend or repeal this act."

The intervenors further show that the Congress of the United States has under the terms of said act, and of the acts amendatory thereof and supplementary thereto, the exclusive right to regulate and fix and establish by law the rates of fare to be received and collected by said Central Pacific Railroad Company upon the line of railroad constructed by authority of said acts of Congress, and has the paramount right to protect the interests of the intervenors, the United States of America, as creditor, having a mortgage lien upon the property and assets of said company.

The intervenors further show that it has lien by virtue of said acts of Congress, upon certain property of said Central Pacific Railroad Company, hereinafter described, for the repayment and reimbursement of subsidy bonds advanced under said acts of Congress in aid in the construction of the said Central Pacific Railroad for the unpaid principal sum of more than $27,000,000, and interest thereon, now amounting to more than the sum of $45,000,000.

The intervenors further show that the said Central Pacific Railroad Company is a corporation organized under and pursuant to the laws of the United States, by consolidation of the Central Pacific Railroad Company of California and the Western Pacific Railroad Company of California, the corporations mentioned and referred to in the acts of Congress aforesaid, and that the Congress of the United States by the terms of the said act of May 7, 1878, entitled "An act to alter and amend the act, entitled 'An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military and other purposes,' approved

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