PRESIDENT MAKES REPLY TO CHANDLER'S CHARGES

Continued from Page 1, Column 1.

tory; as to none did I ever say, either to Mr. Chandler or to anyone else, that I should insist upon having them in the bill as a condition of my approving it. On the contrary, I was always most careful to state that I was not trying to dictate any particular programme of action. In no case, either in the case of Mr. Chandler or in the case of anyone else, was there the slightest opportunity for any honest misconception of my attitude or any belief that I had pledged myself specifically to one and only one amendment or set of amendments, or that I would not be satisfied with any amendment which preserved the essential features of the Hepburn bill as it came from the House. You will doubtless recall that in the course of the several visits that you personally made me we discussed a number of these proposed amendments, trying to find out for which one there could be obtained a sufficient body of assent to secure its passage and the passage of the rate bill.

"To almost every amendment proposed by any one I found that there were other excellent men who objected, or who at least wished to change it, and I finally became convinced that it was impossible for Senators with advantage to use me as the intermediary in coming to an agreement with their colleagues, especially when they only communicated with me through another intermediary, and I earnestly suggested to all to whom I spoke that they should communicate with you, whose purposes and mine were identical.

DEMOCRATS NOT UNITED.

"About this time I was informed by various democratic Senators that they could not come to an agreement upon any amendment, and that the best chance for success lay in passing the Hepburn bill substantially unchanged. I was informed and believed that this was Senator Bailey's view, and a number of the Republican Senators who favored the bill expressed the same opinion.

"Shortly after this you, in company with Senator Cullom, called upon me with the amendment which is now commonly know as the Allison amendment. I told you that, while I should prefer the Long and Overman amendments, yet that your amendment was entirely satisfactory. Your amendment does not in the slightest degree weaken or injure the Hepburn bill. It merely expresses what its friends have always asserted was implied by the terms of the bill. I may add that my own opinion that your amendment in no way changed, whether by diminishing or enlarging, the scope of the court review as provided in the original Hepburn bill, is also the opinion of the Attorney General, of Mr. Root and of Mr. Taft. Their judgment is that the amendment merely avoids the criticism that the Hepburn bill would be constitutionally invalid in not expressly providing the court reviews which its supporters have always contended was plainly implied in the original language.

"The original Hepburn bill stated that the venue in certain actions was in certain courts; the amendment states that these courts shall have jurisdiction to consider such actions. To my mind it seems difficult to assert that this works any change whatever in the principle of the bill.

"Yours sincerely,
"THEODORE ROOSEVELT."
"Hon. Wm. B. Allison, U. S. Senator."

MOODY TO THE PRESIDENT.

The Attorney General's letter to the President:

"Office of the Attorney General, Washington, D. C., May 14, 1906:

"My Dear Mr. President: I send, at your request, an account of the conference which I had by your direction with Senators Tillman and Bailey upon the subject of the court review feature of the pending rate legislation.

"On April 14 you told me that Messrs. Tillman and Bailey had communicated with you through a third person, informing you that they were willing to support an amendment to the Hepburn bill which, while expressly conferring jurisdiction upon courts to review the action of the commission, should limit the review to the two questions of the authority of the commission and the constitutionality of its action and include a provision forbiding the issuance of interlocutory injunctions. You told me that they were not willing to confer directly with you, but would meet me. You asked me if I thought that Congress had the power to prohibit the issuance of interlocutory injunctions by courts inferior to the Supreme Court, and I told you that, having read part only of the debate upon that question, the subject being new to me, I had not formed a final opinion. You then asked me whether, if such a provision were declared unconstitutional, it would affect other provisions of the law. I told you that, in my opinion, it would not, as that provision would be easily separable from the remainder of the law.

"Recalling the advice which I had the honor to offer to you, that you should not at any stage become finally committed beyond recall to any form of language in any part of the bill and affirming your belief in the wisdom of that course, you then said that a provision limiting the court review to the authority of the commission and the constitutionality of its acts, and a provision limiting the issuance of interlocutory injunctions, as far as was constitutionally possible, would be acceptable to you, provided it was decided not to try to pass the Hepburn bill substantially unchanged, and you asked me to meet the gentlemen named in conference.

"The conference was arranged by Mr. Chandler and occurred on April 15. It was full and free. It would be impossible to state all that was said in a conference of two hours, but I think no false color is given to the conference by the following statement:

"I informed the gentlemen of my belief that you desired, if the scope of the court review was to be expressed in the law at all, that it should be limited to the two subjects hereinbefore named; that in such case the so-called Long amendment was acceptable to you; that you would be glad to see a rigid limitation on the issuance of interlocutory injunctions, if such limitations were possible; and I stated further that I would not assume to agree to any form of language whatever for you, but would submit any proposed amendment to you for your consideration. I also stated my doubt whether in any event it would be possible to enact a provision entirely forbidding interlocutory injunctions. I found myself in entire accord with Senator Bailey as to the rules of constitutional law applicable to the situation, with the exception of those relating to the power of Congress to forbid all interlocutory injunction, upon which I did not offer any final opinion, only saying that Mr. Bailey's argument needed an answer.

SENDS LETTER TO BAILEY.

"An attempt was then made to adopt phraseology which would effect the intention of the two Senators. I made some notes upon this branch of the subject and at the close of the interview said to Senator Bailey that I would put my understanding of their views upon the question of the phraseology in writing and send it to him, and, if it met with approval, submit it to you. This I did and upon the next day sent the annexed memorandum to Mr. Bailey, inclosed in a letter which read as follows:

"'April 16, 1906: My Dear Senator: This rough draft is as I understand your suggestions. I think it quite likely that this draft might be bettered, but I simply send it to see if I understand you. Very truly yours, W. H. MOODY.'

"'Joseph W. Bailey, United States Senate.'

"The draft referred to is the one printed in Saturday's Record. The conference among the Democratic members of the Senate then occurred, the press reports of which indicated that there was not an entire agreement among them. Mr. Tillman, however, called to assure me that the prospects of an agreement among a large number of Democratic Senators was good. I heard nothing further from Senator Bailey until a later date. I informed you of what occurred at an interview between the two Senators and me and you told me that you had been informed from various Democratic sources that an agreement among the Democrats on any amendment would be impossible.

"The two Senators called upon me again upon the 23d or 24th of April. There was some further talk about the form of the amendment. The suggestion was made that it might be possible after voting upon the proposition forbidding all interlocutory injunctions to agree upon a provision which might include the Long amendment and what is known as the Overman amendment. I then said that in my opinion any amendment drawn by any one representing the executive branch of the Government, even though it wer e inspired from heaven, would not be accepted without change; that their attitude was natural and proper, and that if the exact language of any amendment which could be adopted should be agreed upon, it ought to be drawn by the Senators themselves. I suggested Senator Allison as a proper person for further conference, and the matter, as far as I was concerned, ended there. I remember hearing nothing more of it until I was just about taking the train for North Carolina, when I was reminded by Senator Tillman and Mr. Chandler that you had submitted an amendment known as the Allison amendment. There was nothing in our conversation which bound you to any amendment in particular or restricted your liberty at any time to acquiesce in any amendment which you should deem expedient and in the public interest. Very respectfully,

"W. H. MOODY, Attorney General."

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RECONSTRUCTION PLANS ARE NEARING MATURITY

REPORTS ARE SOON TO BE READY

Plans for the reconstruction of San Francisco, materially and socially, are rapidly nearing completion at the hands of the various subcommittees of the general committee of forty. When the general committee met yesterday the chairmen of the various subcommittees announced that they would soon be ready to file their final reports, and it is probable that some will be ready for presentation today.

In response to the call of the chair Thomas P. Woodward, chairman of the committee on hospitals and health, filed the following preliminary report:

"Under the censorship of the military authorities and the Board of Health there have been established fourteen officially recognized camps. These camps are to be policed by the military authorities and the sanitary condition of the premises within the camps are to be under the control of the sanitary inspectors of the military department. The general sanitation of the camp district as part of the municipal area is to be conducted by the sanitary inspectors of the Board of Health. The following is the list of camps, with their locations and commanding officers:

LIST OF CAMPS.

1—Plain, near Lombard street, Presidio gate; Captain Witteneyer, Fifth Infantry.
2—Tennessee Hollow, camp at Taylor street and along Bay; Captain Shattuck, Twenty-fifth Infantry.
3—Fort Winfield Scott (Chinese Camp); Captain Lenhan, Twenty-fifth Infantry.
4—Golf Links; Captain Gassatt.
5—Recreation Grounds, Golden Gate Park; Alta Square; Hamilton Square, Steiner and Geary streets; Alamo Square, Scott and Fulton streets; Columbia Square, Seventh and Folsom streets; Duboce Square, Scott and Waller streets; Garfield Square, Twenty-sixth and Bryant streets; Lafayette Square, Sacramento and Gough streets; Jefferson Square; Hayes and Pierce; Dolores and Eighteenth streets, east and west; Pierce and Haight streets; Eureka Valley, Eighteenth to Twenty-sixth.
6—Barracks, Golden Gate Park.
7—Speedway, Golden Gate Park.
8—Harbor View; Captain Orton, Second Cavalry; Captain Davidson, Twenty-second Infantry; Captain King, Second Cavalry.
9—Lobos Square, Bay and Laguna streets.
10—Minnesota avenue and Nineteenth street.
11—Fourth and Townsend streets.
12—Camp Bothin, Marin County.
13—Ingleside; College Hill and Mission road; Silver avenue and San Bruno; South End School, Fulton and Burroughs.
14—Camp Lake, Market and Guerrero streets.
15—Potrero avenue, Fourteenth to Eighteenth streets; Main and Harrison streets, around Sailors' Home; Essex street, Rincon Hill; Beale and Mission streets; Folsom and Hawthorne streets; Twenty-sixth and Army streets.

"I also submit the list of hospitals officially recognized by the military authorities, the Board of Health and the Red Cross Association, as follows:

GENERAL HOSPITALS.

French, Lobos and Fifth avenues; Lane, Clay and Webster streets; Mount Zion, Sutter street, near Devisadero; Children's Sacramento and Maple streets; California Women's, Sacramento street, near Baker; Hahnemann, 286 Presidio avenue; Clara Barton, Scott and Post streets; St. Mary's, 2201 Fulton street; Balboa, 1408 McAllister street; Sacred Heart School Hospital, 940 Hayes street; City and County Hospital; Horace Mann, Twenty-second and Valencia streets; St. Luke's, Twenty-seventh and Valencia streets; St. Joseph's, Buena Vista Park; Morton, 700 Shrader street; Ingleside race track; California General, Eighteenth street and Caselli avenue; German, Noe and Fourteenth streets; St. Thomas, Laguna and Page streets; Buena Vista, 21 Buena Vista avenue.

GOVERNMENT CONTROL.

Deer Park Golden Gate Park, Hospital for Typhoid; Marine, Golf Links; Presidio General, Presidio; Park General, Ball Grounds, Golden Gate Park; Presidio Post, Presidio; Fort Mason Hospital.

COMMUNICABLE DISEASES.

Harbor View, Baker and Jefferson streets; City and County, Potrero and Twenty-second streets; Children's (for measles); Twenty-sixth and Army streets (smallpox).

EMERGENCY.

Major Hanna; Mission High School; Lick Grammar, Twenty-fifth and Noe streets; Bay and Montgomery streets; Potrero, Kentucky and Nineteenth streets; Park, Waller and Stanyan streets; Cross Hospital, 2007 Devisadero street; Third-street Bridge; Danish Church, Church and Duboce.

MATERNITY.

Mount Zion; City and County; 616 Shrader; San Francisco Lyin-In; Horace Mann; Ingleside.

INSANE.

Sisters' Holy Family.

"I shall be able at a later time to report to you specifically the health conditions obtaining both in the camps and in the hospitals and, secondly, the drainage conditions obtaining in these places and the absence or presence of proper sewer connections.

"I shall also be able to soon submit to you a general report on the condition of sewers throughout the city."

The committee on reconstruction of the joint subcommittees on parks, reservoirs and boulevards and on the Burnham plans reported as follows:

These committees have been in almost continuous session and with the assistance of draftsmen they are formulating a plan which, if adopted, would make access between different parts of the city more convenient.

The above report was submitted by James D. Phelan, chairman of the committee, and he also stated that D. H. Burnham and M. Bennett were on their way to San Francisco from the east, and were expected to arrive in this city today. After consulting with them the committee will be able to present more definite plans.

Attention is called to the fact that the committee is working on practical plans, as broad streets and boulevards are barriers against fire in any emergency.

W. H. Leahy, chairman of the committee on lighting, reported the receipt of the following communication from E. C. Jones, chief engineer of the gas department of the San Francisco Gas and Electric Company:

The gas situation seems to be improving daily. Last Saturday about 1100 consumers were furnished with gas, and more than that number Sunday. This (Monday) morning we have 240 men employed in connecting up consumers, and more are being added to th force as more are being added to the force as tions. A large force of men has been employed in finding and repairing leaks.

The committee on street widening reported that it had received comunications from several property owners on Clay, Sacramento and other narrow streets signifying their willingness to surrender frontage to the city for the purposes of street widening. It was recommended that the committee confer with these people for the purpose of securing legal consent to the change.

Upon recommendation of the committee on special session telegrams were directed sent to President Roosevelt, Secretary Metcalf, Speaker Cannon and the members of the California Congressional delegation, calling upon them to aid in the passage of the Senate bill providing for the payment to the State of 5 per cent of the income received from the sale of public lands, the same to be utilized for school purposes. This bill has already passed the Senate and has been favorably reported upon by the House committee on public lands. Should it be finally passed it will greatly aid in the upbuilding of the schools.

Mayor Schmitz said that he had wired such messages to Washington, but would send additional messages as chairman of the committee on reconstruction. The following telegram was sent:

SAN FRANCISCO, May 14, 1906.

Whereas, The claim of California, commonly known as the five per cent claim, amounting to between $900,000 and $1,000,000, which passed the United States Senate in the earlier days of its present session, has been favorably recommended by the public lands committee of the House of Represantatives and is now pending before that body; and

Whereas, The wiping out of a very large part of the assessable property of San Francisco, Santa Rosa, San Jose and other places by the recent disaster means a lack of funds in the State treasury at the very moment of our dire need of increased appropriations to rebuild and restore our destroyed State buildings; and

Whereas, Under the provisions of the constitution of California the money that may be received from the Government as above stated forms a permanent fund, the interest on which is to be used for the benefit of the public schools of the State;

Resolved, That this general committee on reconstruction of San Francisco, thanking the officers of the Government and the California delegation for what has already been so generously done, respectfully urges the immediate passage of this bill giving to the State in its present necessity what is equitably due it in this regard.

Resolved, further, That a copy of this resolution be forthwith telegraphed to the President, the Secretary of Commerce and Labor, the Speaker of the House of Representatives and the members of the California delegation in Congress.

The State Superintendent of Public Instruction and the Superintendents of Schools in San Francisco, Santa Clara and Sonoma counties will wire similarly to the above mentioned officials.

Chief Dinan received a communication yesterday from Dr. James W. Ward, president of the Health Commission, in which he stated that through an arrangement with General Greely and himself there had been designated fifteen refugee camps and it was very necessary that all individuals living in tents, wherever located, should be sent to these various camps. The Chief was requested to use every power within his grasp to compel the people to go with their belongings to the various camps at the earliest possible moment. The Chief at once sent the necessary orders to company commanders.

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Unclaimed Mail at Call.

Following is a list of unclaimed letters at the office of the San Francisco Call at 1651 Fillmore street:

Alexander, L. D.; Behre, F. J.; Bellis, Charles; Ball, Ernest; Caton, Miss; Clarke, Ed; Dillon, George; Dunbar, F. A.; Essell, C.; Falliere, Edith A.; Fay, Jack; Goldman, J. H.; Grant, Gordon M.; Hall, Ola; Houx, J. T.; Jones, Christopher; Lissak, A. H.; Lunsford, Edw.; Lynch, John P.; McCue, John J.; Martin, James N.; More, Albert M.; Scott, James; Slocum, B. C.; Smith, Fred; Smith, Miss H.; Williams, Charles M.; Walsh, E.

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