

FIGHT OF SIXTY YEARS MAY BE WON

Never Once Has United States Senate Allowed Itself to Vote on Direct Election of Senators.

Washington, D. C., Dec. 7. — The framers of the constitution, living before the days of cheap newspapers and rapid transit, and not greatly fearing the initiative, referendum and recall, and most of them having a good deal of fear of the "mob," succeeded in sewing the people up on two counts. They would not let the voters elect the president or the senators. These two offices, at least, were to be kept sacred. The people proceeded to put the crimps in the electoral college scheme immediately. Almost before Hamilton had finished writing in the Federalist that the plan was as nearly perfect as human nature ever attained the people were electing their presidents, voting, as Uncle Chet Thomas of Topeka said, "just as they blamed pleased."

Sixty years ago they began to fiddle around to get rid of the indirect election of senators. But observe how well a body of beneficiaries preserves its privileges, whether they are tariff beneficiaries preventing revision downward, or lawyers preventing the simplification of judicial procedure. Not once has the senate permitted itself to vote on the question of submitting a constitutional amendment for the popular election of senators.

Senator Bristow of Kansas, who introduced a resolution to submit such an amendment in the senate last year, has compiled a long list of similar requests from the 1850 down to the present time. Every one of them was strangled in committee. Which means that the senate didn't enjoy the notion of coming out into the open and voting to refuse to let the people pass on the method of electing senators. It found it much easier just to suppress the resolutions without a vote, which can readily be done under the rules of the upper house.

Six times in the last twenty years has the house passed a resolution for submitting a constitutional amendment on the subject. You can put such a resolution through the house any time. But that was all the good it did.

Senator Bristow's resolution was referred last year to the committee on the judiciary. Senator Clark of Wyoming, chairman of that committee, assured him today that the resolution would be reported out for a vote at this session. The senator said that he found a growing impression in the senate that the matter would better be submitted to the states for action, since there was an evident growth of popular feeling along these lines.

Senator Bristow is hopeful that the senate will adopt the resolution and that it will go through the house at this session. Then it would have to be ratified by the legislatures of three-fourths of the states. As thirty-seven state legislatures in the last few years have passed resolutions calling for popular election of senators, it is believed that the amendment would be ratified without difficulty.

DEFENSE TO SHOW OTHERS HAD MOTIVE FOR MURDER

By Associated Press. Cambridge, Mass., Dec. 8.—The defense will introduce a new sensation in the trial of Hattie LeBlanc, for the Glover murder. Today the counsel for the defense declared they would show that some one beside the prisoner had a motive and ability to commit the crime. Then Metiven Johnson senior counsel for the defense called as the first witness, District Attorney Higgs, leader of the prosecution. The court room gasped. Johnson said he would show great bias and that the prosecution had done everything possible to block the defense in preparing the case.

WESTERN UNION ADOPTS OCEAN MAIL SERVICE

The Western Union Telegraph company announced today another innovation in its telegraph service, called the "special ocean mail service." Designated to save time in foreign correspondence. A letter from San Francisco to London requires as much time crossing the continent as it does cross-

ing the ocean. A New York merchant writing to Yokohama must post his letter practically a week before the mail steamer sails from San Francisco to Van Couver.

The Western Union has arranged for the use of its night letter and other telegraphic service in connecting with out-going ocean mails so that this week of trans-continental time may be saved.

Its New York office will receive telegrams from any part of the country destined to European addresses and will forward them in a sealed special delivery addressed envelope by the first out-going Atlantic steamship mail.

The same plan will be followed in San Francisco, Seattle and Vancouver for trans-Pacific mails.

This will enable correspondence to be dispatched from any part of the United States for an ocean mail within a few hours of sailing time.

The only charge in addition to the telegraphic tolls to the ocean mail port will be five cents for postage. Telegrams should bear the full mail address of the foreign correspondent, for whom they are intended and marked care "ocean mail," New York, San Francisco, Seattle or Vancouver as the case may be.

No charges will be made for the addresses.

GOVERNOR MUST NAME LOCATION

Letter From Adjutant General Says Creation of New Regiment By Legislature is Needed.

Considerable interest has been centered about the authorization of a company of state militia for Vinita, and from the following letter from Adjutant General Frank M. Canton, there is very small prospect of a company being located here in the near future:

Mr. John A. Wise, Secretary, Vinita Commercial Club, Vinita, Oklahoma.

My Dear Sir: Your favor of the 30th of November is just received, and I would respectfully state in reply that we have no vacancy at present in the national guard. The last company to be organized was the company at McAlester. I have had the application for a company from your people on file for a long time and I assure you that I would be very much pleased to give you a company at Vinita, but the governor, who is commander-in-chief of the national guard is the man who names the location for each company. Had I the choice in this matter, or the authority to name the place where the companies should be located, you would have had a company before this time. I have talked to the governor several times about organizing a company at Vinita as soon as we can do so and he seems to be in favor of it but we are only authorized to organize one regiment of twelve companies. I don't know what this coming session of the legislature will do. They may allow us another regiment. In that case, I would recommend that the first company be mustered in at Vinita. However, I will file your letter and remember this matter and if we have occasion to muster out other companies I will urge the governor to give you a company at Vinita.

Yours very respectfully,
F. M. CANTON,
Adjutant General.

BARNARD FILES OBJECTIONS TO ACCOUNTS OF BROWN

Commissioner of Charities Kate Barnard has filed objection to the account of Daniel R. Brown, of Big Cabin, guardian of three Indian minor children in the Pryor Creek Orphans' Home, and a hearing was had in the county court this morning.

Judge Frear received decision and gave counsel until Monday to submit briefs. Dr. J. H. Stolper, assistant commissioner, represented Miss Barnard. W. T. Rye is counsel for the guardian.

The charities department contends that the real estate of the children was sold for an inadequate price and that the guardians charges were excessive. The final account shows the estate in debt to the guardian.

This case is one of great importance and is attracting much attention among local attorneys. It is the first of the kind under the laws of this state, and if the decision is favorable to the commissioner, similar action will be taken in many other cases.

MACVEAGH ADVOCATES ABOLITION OF RED TAPE

Secretary of Treasury Submits His Annual Report to Congress--Recommends Currency Reform--Extension of Scope of Banking Laws and Exclusion of "Practical" Politics from Customs Service--Declares Present System Is Truly Panic-Breeder.

By Associated Press.

Washington, D. C., Dec. 8.—Currency reform; extension of the scope of the national banking laws, in the event of no immediate general changes in the monetary system; civil service retirements, a customs service free from "practical" politics; business-like methods in the daily transactions of the government and a general abolition of red tape wherever it clogs the wheels of the government's business, are among the recommendations contained in the annual report of Franklin MacVeagh, secretary of the treasury, presented to congress today.

The expenses of government in the fiscal year 1912, for which this session of congress is asked to appropriate, are estimated at \$630,494,12. The estimated expenditures of the Panama canal are given as \$56,920,847.69, making a total of \$687,414,860.81. The estimates, if carried out, represent net savings of about \$18,000,000 in the executive departments as compared with the appropriations for the current fiscal year.

Receipts for 1912, Secretary MacVeagh estimates, will be \$680,000,000 which would leave an ordinary surplus of a round \$50,000,000. If the treasury should continue to pay for the Panama canal out of the cash drawer as at present, such a surplus would be turned to a deficit of \$7,414,860.81.

Secretary MacVeagh, expresses the hope that the monetary question will come into congress detached from sectional or political considerations.

"Our system can fairly be called a panic-breeding system," he says, "whereas every other great national banking and currency system is panic-preventing. As long as we continue under our present system we are liable to panics and the devastations of panics reach republicans and democrats and all parts of the country alike. Panics are no longer necessary and no longer respectable. It is for the government to say whether we shall have panics in the future or not. It is a mere matter of choice.

"We have no system of reserves; our banking system destroys them. It concentrates in New York what are pretended to be reserves and then forces the New York banks to lend and abolish them. Our system, instead of building up a reserve, destroys it as fast as it inclines to accumulate."

In connection with his criticism of the money system, one of the secretary's most important recommendations concerns future issues of Panama bonds of which \$290,000,000 were authorized by the tariff act. The secretary renews the recommendations he made last year for legislation to tax the new bonds at one and one-half per cent if used by national banks for circulation and intimates, as was announced in news dispatches a few days ago, that it might be more preferable to issue the new securities for investment purposes only at a rate of three per cent.

As a check against the use of the bonds as the basis for a further inflation of the national bank currency, he suggests that a circulation tax of even two per cent would have the effect of making them unprofitable for banks to use for such a purpose and at the same time would make them attractive to investors without injuring the two per cent bonds of which more than \$700,000,000 are outstanding. Another means of accomplishing the same end, the secretary suggests, would be for congress to authorize an issue of \$50,000,000 or \$100,000,000 of the bonds at three per cent without the circulation provision.

It there is no prospect of immediate change in the monetary system the secretary thinks the American national banking system should be developed to perform an international function. There is a clear need of banking facilities in foreign countries where there is American commerce, he says.

"We shall never be a full-fledged commercial nation," he says, "unless we have merchant ships or our own and foreign banks of our own. We should have banks at all ports that are important to our commerce."

The treasury's relations with the business communities are unbusiness-like, artificial and burdensome, the secretary declares and he recommends legislation to permit the payment of revenue to the government by certified check guarding the government against loss.

The recommendation that the treasury be authorized to issue gold certificates against gold bullion and foreign gold coin is renewed.

Reviewing the discovery of frauds and the subsequent reorganization of the customs service, Secretary MacVeagh urges appropriations for rewards to those who aid the government.

The rehabilitation of the customs service at New York has been marked, he says, by a decided elimination of spoils, influences and practical politics.

"American travelers are more and more realizing the indefensibility of smuggling, its rank dishonesty and bad example and influence," says the report.

Recommending a study of the classified system of employees the secretary declares that a civil service retirement is absolutely the requisite of a satisfactory system. The contributory system of retiring allowances, the secretary recommends as the only one which has a chance of adoption and as best for the men and women of the service. He urges their friends to concentrate upon that movement. A complete state of efficiency in the government departments, he says, is impossible without some way of retiring clerks in a just and humane manner.

Secretary MacVeagh strongly recommends that all non-political offices be included in the classified service. Assistant appraisers of customs should be detached from politics for the efficiency of the service he says. The secretary pays a high tribute to the men of the life-saving service and urges some form of retirement for them.

As the economies of administration which have been infected in the treasury department are reviewed, the secretary pauses to take notice of a statement made by a United States senator, that the business of the government could be conducted with a saving of \$300,000,000 a year.

Secretary MacVeagh says: "The popular impression as to the extent of possible economies in the administration of the executive departments is singularly exaggerated, and this misconception is very harmful. When the public expects that the government can save \$300,000,000 a year, such small, laborious savings as can be made in the executive departments hardly seem worth while. And it is astonishing that under such circumstances in these comparatively small savings can be maintained. These savings can only be disappointing to the public who have such figures as \$300,000,000 in mind; and they cannot receive any popular credit, for they can only seem to be small triflings with great things. And yet they can

only be produced by laborious, painstaking, and persistent methods and devotion.

"When it is the fact that the entire ordinary expenditures of the government last year were less than \$660,000,000, and when a great part of those expenditures is not reducible at all, as, for example, the interest on the debt, and the pensions, one can readily see that there probably is not very much more than \$300,000,000 gross left on which to save \$300,000,000. Now, to effect a saving of \$300,000,000 when the whole expenditures amenable to any saving is \$300,000,000 is, of course, not easy. I appeal to the sense of proportion of congress and the American people; for it is very important to have these impressions corrected in order that there may be some encouragement given to those men scattered through the departments who want to bring about all the improvement possible."

Superfluous customs house, mints and assay offices should be abolished, the report says. There is an over supply of the latter and the mints in San Francisco, Denver and Philadelphia are not fully employed. The secretary also promises to send to congress a list of customs houses which he says "are no use under the sun."

COMPROMISE NOW SEEMS CERTAINTY

Bill Providing For Sale of Section of School Land is Introduced in Senate.

Oklahoma City, Okla., Dec. 8.—The prophesied compromise between the administration and the state senate was started yesterday when Governor Haskell, in a special message to the legislature, recommended the sale of a section of school land three miles north of the city to be converted into a capitol site following its sale.

A bill was introduced to that effect. The bill provides that the land shall be reappraised and offered for sale at once to the highest bidder. It is contemplated that an Oklahoma City corporation shall be organized, which will buy the land and convert it into lots to be sold to raise money to insure the of a free capitol.

Senator Thompson tomorrow will introduce another bill providing for the location of the permanent capital at Oklahoma City.

Another message from the governor recommended the appointment of a joint committee of the two houses to ascertain the approximate amount of money necessary to be appropriated for the several state institutions.

A memorial to congress was introduced in the house urging "adequate and immediate remedial legislation for the Five Civilized Tribes."

WORKING OUT DETAILS OF CONTRACT FOR GUARANTEE

By Associated Press. Oklahoma City, Okla., Dec. 8.—A bill proving for the immediate location of the capital in Oklahoma City, has been prepared and is to be presented in the senate this evening. The members of the capital committee are working out the details of a contract to be signed by the governor and Oklahoma City citizens, providing for a million dollars guarantee and a free capitol site.

NO ACTION ON BALLINGER REPORTS UNTIL CHRISTMAS

By Associated Press. Washington, D. C., Dec. 8. — The Ballinger-Pinchot reports will not be acted on by the house committee on agriculture, to which they were referred until Christmas and perhaps not then, according to indications. The committee on agriculture, of which Scott, the defeated representative from Kansas, is chairman is considering the agricultural appropriation bill and has no time for Ballinger or Pinchot. The democrats of the house and Madison of Kansas are figuring on some action to take. Failing of early action the democrats plan bringing up the question in speeches on the floor of the house.

Rev. B. F. Berry, of Weir, Kans., is visiting Prof. and Mrs. W. P. Cowan.

ACQUITTAL CAUSE OF COURT CRISIS

County Attorney Declares He Will Try No More Cases Before Jury Now Empanelled.

The jury in the case against Otis Tittle returned a verdict of not guilty, and precipitated a crisis in the county court yesterday. County Attorney Brady announced yesterday morning that he would not try any more liquor cases before the present jury.

Since the first case which was tried, that against Alex Williams, who was convicted, every case against an alleged whiskey seller has ended in acquittal.

In some cases the evidence seemed very weak, and acquittal was a foregone conclusion. In other cases, the verdict for the defendant has been a surprise to spectators and lawyers in some cases even to the victorious attorneys.

After his defeat in the Tittle case, Mr. Brady announced his decision, and yesterday forenoon he stated his decision to the court. Judge Frear replied that if the county attorney desired a new jury he must make a showing of his reasons, and file affidavits.

Mr. Brady refused to do this. "You may continue the cases," he said to Judge Frear, "or dismiss them or give me a new jury. I simply won't try any more cases to the present jury."

"Well, Mr. Brady," replied the judge, "I'll let you announce your decision when the cases are called."

The criminal docket was laid aside yesterday to take up a civil case, which is still on trial this morning. After he came away from the court house, Mr. Brady was seen at his office in the Jones-Bagby building, and reiterated the announcement of his decision. "I'm going to try," said he, "to get the cases continued. If I can't, they might as well be dismissed. I'm not going to put the county to the expense of any more trials."

The members of the jury naturally resented Mr. Brady's criticism. Of course they were guarded in their utterances, but some of them got back at Mr. Brady. It was alleged that in the Tittle case, the prosecution had failed to prove definitely that the fluid bought by the complaining witness was whiskey. Mr. Brady denied the omission, however, and referred to the stenographer's report of the evidence, where it appeared that the witness asked the defendant for a quart of whiskey, and he gave "it" to the witness.

Mr. Brady couldn't see how, with this evidence before them, the jury could have suspected Tittle of selling maple syrup or soda water.

The situation was widely and earnestly discussed on the streets yesterday and this morning. Nearly everybody felt that the result of recent attempts to enforce the prohibitory law had been disappointing, and some blamed one set of officers, some another.

An attorney said to the reporter, "You notice that all the cases that have been tried lately are old cases, and when a year or so has elapsed, the memory of a witness grows hazy, especially when he was half-drunk or wholly so when he made his purchase, and the haziness of his memory impresses the jury, and raises a doubt in their minds, for no man can impart to another a stronger conviction of the truth of his testimony than he has himself."

The members of the Law and Order League were less psychological in their explanation of the situation. They laid the final blame on the people at large, confessing that there is no adequate public sentiment to back an officer or a jury in the strenuous enforcement of the liquor law.

E. W. Stryker, of the Fair, is president of the league. He is also a member of the jury at the present term of court. As president of the league, he naturally was willing to speak for it, though his position as a juror made him cautious in his expressions. "But you may say for me," he remarked to a reporter, "that if the good people of this town, the Christian people, were as interested in enforcing the law, and encouraging the officers to enforce it, as they are in making money, we could clean up this town in two weeks and keep it clean."

Lige Henderson is here from Kansas City, looking for a location. Since leaving Vinita, Mr. Henderson has devoted three years to learning the undertaking business and is now an expert undertaker and embalmer.