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## LEGISLATION IS NEEDED

### Supreme Court Decision in the Insular Cases May Mean an Extra Session.

### LAW WANTED IN THE PHILIPPINES

### One Now in Process of Construction That May Do—How They Feel in Porto Rico.

Cedar Rapids, Ia., May 29.—It was learned while the presidential train stopped here yesterday that the president and the members of the cabinet spent much of the time reading and discussing the published reports of the opinions of the supreme court in the insular cases. They were much interested in the way the court divided in the two cases. The decision in the De Lima case, if followed in the Philippines case—as it is assumed it will be—might result in the calling of an extra session of congress. In the De Lima case the court decided that the duties collected on Porto Rican goods before congress enacted the Foraker law, were illegal and must be refunded.

### Effect of the Decision.

It is presumed that the court, following the same lines of reasoning, will decide that the duties collected on goods from the Philippines were also illegal, and were and are subject to free entry into the United States until congress acts as it has already done in the case of Porto Rico. Such a decision would mean not only the refunding of duties heretofore collected, but would open the ports of the United States to merchandise and goods of every description from the Philippines until congress meets in December.

### Importers Might Gain Money.

It is palpable that importers might take advantage of this to ship goods into the United States through the Philippines, and thus defraud the government of its revenues. Whether the danger from this source is great enough to warrant the calling of congress in extra session is one which will be decided only after full deliberation. It is possible, however, that this danger may have been already obviated in the enactment of the Spooner resolution delegating temporarily to the president the power to govern the Philippines.

### Might Be Made to Work.

This may be considered an act of congress within the meaning of the Downes decision affirming the constitutionality of the Foraker law. But it is a delicate question, and one which the president and his advisers will consider in all its bearings before coming to a conclusion. The members of the cabinet decline to discuss the subject for publication.

### TARIFF FOR THE PHILIPPINES.

### Proposed Mixture of Specific and Ad Valorem Rates Is Planned.

Washington, May 29.—Interest in the supreme court decisions on the insular questions centered at the war department yesterday. Several senators and representatives called on the secretary and discussed the situation with him. Senator Lodge, chairman of the Philippines committee of the senate, expressed the opinion that the decisions of the court would make Philippine legislation absolutely necessary in the coming session of congress. He also was clearly of the opinion that under the Spooner law the president had absolute power to provide for a revenue, both customs and internal, for the Philippine islands.

Another suggestion made by senators previous to the time when it was supposed that a decision in the Philippines case would be rendered by the court similar to the De Lima case in Porto Rico, was that an export duty on goods coming from the Philippines to the United States could be levied in order to prevent free trade from the islands to the United States. Any such necessity will be obviated, however, by the determination of the treasury department to continue to collect Dingley rates on Philippine products and goods coming from the islands.

The following statement is made concerning the proposed tariff for the Philippines: "The tariff as prepared at Manila was based entirely upon the specific system of duties, which levies customs charges according to weight or number of the imported articles rather than according to value. This principle has the approval of Secretary Root, but it is thought desirable to apply an ad valorem limit in certain cases where there is a wide difference between the values of articles classified under the same paragraph. The specific duties will be retained in most of these cases, but it will be provided that the articles shall pay not less than a certain ad valorem rate, to run from 15 to 20 per cent., and a sum sufficient to make this rate will be added where the specific duty does not reach the ad valorem standard."

### PORTO RICANS DISAPPOINTED.

### Hoped They Were Part of the United States—Free Trade Coming.

San Juan, Porto Rico, May 29.—The first report of the supreme court's decision in the De Lima case, received here Monday night, which was interpreted as declaring the taxation of imports from Porto Rico to the United States to be unconstitutional, was received here with great satisfaction yesterday, when the full report of the De Lima case was published, there was evidenced a general feeling of disappointment among Porto Rican merchants, who had hoped that the court's

decision would give them a year's free trade. Porto Ricans are reluctant to believe that the full report is true.

The consensus of opinion of the matter seems to be that the Porto Rican legislature should be convened in extra session to declare Porto Rico self-supporting without the collection of customs on imports between Porto Rico and the United States. A general spirit of complaint that all the supreme court's decisions were against Porto Rico is noticeable. When San Juan merchants were questioned on the subject they manifested much regret at the outcome, as they had hoped to have refunded all the moneys paid under the Dingley tariff. It was generally expected that the court's decision would grant Porto Rico free trade and best citizens full citizenship and constitutional privileges.

A law (called the Hollander law) to raise an insular revenue has been in force a month, and is believed to be a success. By the provisions of section three of the Foraker bill free trade becomes operative whenever the Porto Rican legislature passes a resolution that an adequate system of insular taxation has been put into operation. If the plan now in contemplation is carried out Governor Allen will convene the legislature in extra session solely for the purpose of passing this resolution. This action will probably be taken July 25, and it is probable that free trade will be declared in October.

## PLATT'S SCHEME WINS

### CUBANS ACCEPT THE ULTIMATUM

### With Certain Explanations—Majority Only One Vote—Some Very Hot Talk by Gomez.

Havana, May 29.—The Platt amendment was accepted by the Cuban constitutional convention yesterday by a vote of 15 to 14. The actual vote was on accepting the majority report of the committee on relations, which embodied the amendment with explanations of certain clauses. The radicals made a hard fight at the last moment, and Portuondo, Gomez and Tamayo bitterly arraigned the Conservatives. Tamayo was particularly vindictive, and declared that everybody who voted in favor of the Platt amendment was a traitor to his country. The convention compelled him to retract this statement. On several occasions personal encounters seemed imminent. Gomez spoke for more than an hour, and his speech undoubtedly won over Castro, Robau and Manduley. He appealed to the patriotism of delegates, and rehearsed the long fight for independence, denouncing as perjurers all who favored the Platt amendment, on the ground that they had sworn to draw up a constitution for an independent republic. Several Conservatives rose and asked Gomez to retract, but he absolutely refused.

The following delegates voted against the majority report: Gomez, Gener, Portuondo, Lacro, Manduley, Cisneros, Ferrer, Fortun, Robau, E. Tamayo, Silva, Castro, Zayas and Aleman. Rivera and Bravo were absent.

### SCALE FOR IRON WORKERS

### General Demand for Advance Based on Puddling Prices.

Milwaukee, Wis., May 29.—The wage committee of the Amalgamated association, in its report, will recommend that there be no change in the scale of the sheet steel hands, and if the report is adopted there will be no advance asked for in the wages of this division of workers who are members of the Amalgamated association. A few minor changes in the working rules is all that is recommended by the committee in regard to this class of workers.

### IT RAINS ON BUFFALO

### And the Pan-American Show Is a Very Wet Institution.

Buffalo, N. Y., May 29.—The fifth successive day of downpouring rain depressed the spirits of nearly every one connected with the Pan-American exposition. The landscape gardeners are the only ones on the grounds who are satisfied with the unusual weather conditions. Young, tender plants that would wither under the hot rays of the sun are adding to the beauty of the rainbow city.

### McKinley Treats at Chicago.

Chicago, May 29.—The president's special arrived here this morning about 3 o'clock. It did not run into the station, but was switched to the Pennsylvania tracks and proceeded on its journey to Washington. Mrs. McKinley was reported as continuing to show the improvement that began before she left San Francisco.

### Fairbanks for President.

Chicago, May 29.—Senator Fairbanks, of Indiana, was formally announced yesterday as the Indiana Republican candidate for president in 1904 by Harry S. New, Republican national committee man from Indiana, who was here yesterday.

### Rodermund at St. Agn.

Appleton, Wis., May 29.—Dr. M. J. Rodermund has attempted again to further demonstrate his germ theories. As soon as he discovered that there was a case of smallpox in the vicinity (a man named Krause) he began his plans for gaining admission to the patient. At 10 p. m. Monday he disguised himself and tried to get into the Krause residence, but was unsuccessful.

## DEPENDS ON THE TIME

### Whether Porto Rico Products Are Taxable Under United States Tariff Laws.

### NATIONAL SUPREME COURT RULING

### Before Foraker's Law the Island Products Were Not Dutiable.

### After Its Passage They Were, Says the Highest Legal Tribunal, Which Is Very Much Divided in Opinion.

Washington, May 28.—In the United States supreme court yesterday opinions were handed down in all but two of the cases before that court involving the relation of the United States to its insular possessions. The two cases in which no conclusion was announced were those known as the "Fourteen Diamond Rings" case and the second Dooley case deals with a phase of the Porto Rican question, and the "Diamond Rings" case involves the right to the free importation of merchandise



ASSOCIATE JUSTICE BROWN.

from the Philippines to the United States. Of the several cases decided yesterday the two which attracted the greatest share of attention from the court were what is known as the De Lima case and that known as the Downes case.

### Appearance Were Depictive.

Of these two the opinion in the Downes case is considered the most far-reaching, as it affects our future relations, whereas the De Lima case dealt with a transitional phase of our insular relations. The De Lima case was the first to receive the attention of the court, and as it appeared to be quite sweepingly opposed to the government's contentions, many persons precipitately arrived at the conclusion that the government had been worsted all along the line. This view suffered a decided change when the conclusion was announced in the Downes case. The court was very evenly divided on both cases, but political lines were not at all controlling.

### Where the Government Lost.

The De Lima case involved the power of the government to collect a duty on goods imported into the United States from Porto Rico after the ratification of the treaty of Paris and before the passage of the Porto Rican act. The court said the government's contention in this case was substantially a claim that Porto Rico is foreign territory. The entire case turned upon that contention. The court held that the position was not well taken; that Porto Rico was not at the time foreign territory; and that therefore the duty which had been collected must be returned.

### And Where the Government Won.

The decision in the Downes case followed the history of the dealings of the United States with Porto Rico a step farther. That case dealt with the legality of the exaction of duties on goods imported from Porto Rico into New York after the passage of the Foraker act, providing for a duty upon goods shipped from the United States into Porto Rico, and also on those shipped from Porto Rico to the United States. In this case the court held that such exaction was legal and constitutional.

### POINTS OF THE TWO OPINIONS.

### Makes a Distinction as to the Status of the Island at Different Times.

The point of the two opinions, considered collectively, is that Porto Rico was never, after the acquisition of that island, foreign territory; that until congress acted upon the question no duty could be collected, but that as soon as congress outlined a method of controlling the island's revenues that action became binding—in other words, that congress has power under the constitution to prescribe the manner of collecting the revenues of the country's insular possessions, and has the right to lay a duty on goods imported into our insular possessions from the United States. It holds, in brief, that for taxation purposes they are not a part of the United States to the extent that goods shipped between their ports and the United States are entitled to the same treatment as though they were shipped between New York and New Orleans.

Justice Brown delivered the court's opinion in both cases, and there were vigorous dissenting opinions in both. In the Downes case four of the nine members of the court united in an opinion characterizing in strong language the opinion of the majority in that case. In this opposing opinion the

chief justice and Justices Harlan, Brewer and Peckham united, and the chief justice and Justice Harlan presented their views in written form.

Justices Gray, Shiras, White and McKenna also, while agreeing with the conclusion announced by Justice Brown, announced that they had reached the conclusion by different lines of argument, and Justices Gray, White and McKenna announced opinions outlining their respective positions. Justices Shiras, White and McKenna also dissented in the De Lima case, uniting in an opinion. Justice Gray also presented an independent and dissenting opinion in that case.

The small court room was crowded to repletion throughout the day, prominent government officials and many attorneys being present, and the proceedings were followed from start to finish with keen interest.

### MCKINLEY POLICY SUSTAINED.

### Solicitor General Says the Decision Is a Government Victory.

Washington, May 28.—Solicitor General Richards, of the department of justice, who had charge of the insular cases before the supreme court, last night made the following statement containing his interpretation of the decisions of the court yesterday: "The important question involved in these cases was whether the cession of territory contained in the treaty of Paris made Porto Rico and the Philippines domestic territory of the United States within the meaning of that provision of the constitution requiring 'all duties, imposts and excises to be uniform throughout the United States.' The court held that the cession simply made Porto Rico and the Philippines domestic territory of the United States, subject to the full control of congress, which control could be exercised without reference to those limitations.

"This limitation, the court held, was intended to apply to the states of the Union, and does not apply to acquired territory unless by treaty and by subsequent act of congress it is incorporated within and becomes an integral part of the United States. The decisions are substantially a victory for the government. They sustain to the fullest extent the so-called insular policy of the administration. The government now has the sanction of the supreme court for governing these islands as their needs and our interests require.

"The court holds that the constitution did not of its own force at once apply to these ceded territories, placing their people, their products and their ports on an immediate equality with ours, and conferring upon them all the rights, privileges and immunities enjoyed by the people, products and ports of the several states. While their fundamental rights are preserved by those underlying principles of the constitution which apply everywhere, the status of their citizens and the nature of the customs and commercial regulations are to be determined by congress by the exercise of the power vested by the constitution in congress to make all needful rules and regulations respecting territory belonging to the United States.

"Obviously what I have said regarding Porto Rico applies equally well to the Philippines, so that the president is perfectly free, under the Spooner act, to govern the Philippines as their needs and our interests may require.

"At the same time the court has sustained to the fullest extent the contention of the government in these cases, it has decided as a matter of statutory construction that the Dingley act could not be held to impose duties on goods brought from Porto Rico because by cession Porto Rico became domestic territory of the United States and therefore ceased to be a foreign country." The decisions of the court call for no change in the administration of the law."

### President Hears the News.

Sidney, Neb., May 28.—The president and his cabinet received here the official information that the supreme court had decided the insular cases in accordance with the contentions of the government. The president and cabinet officers were elated over the victory, although they have never doubted that the decision would be in favor of the government.

### SENT BACK TO COMMITTEE

### Presbyterians So Dispose of the Question of the Confession of Faith.

Philadelphia, May 28.—By a unanimous vote the Presbyterian general assembly yesterday adopted the report of the special committee on the revision of the confession of faith. Dr. James D. Moffat hit on an amendment that made the report what everybody was willing to stand for, and on a viva voce vote the whole of the 640 members of the assembly voted aye. Then the commissioners arose and sang, "Praise God, from Whom All Blessings Flow," which was followed by a prayer of thanksgiving by Moderator Minton. The Moffat amendment instructs the revision committee to prepare for submission to the next general assembly a brief statement of the faith, expressed in untechnical terms as far as possible; but this statement shall not become a substitute for, or an alternative of, our confession of faith.

The momentous question of creed revision having been disposed of the assembly proceeded to the consideration of unfinished business and transacted a large amount thereof. New York was selected as the meeting place for the next general assembly.

### Still Has \$37,000 Ahead.

Chicago, May 28.—Albert T. Dow was yesterday fined \$10,000 and sentenced to six months in jail on his plea of guilty of running an illicit oleomargarine factory and defrauding the government out of internal revenue taxes amounting to \$47,000.

## LODGE MEN MUST GO

### United Presbyterians Bar Out the Secret Society Man with Some Exceptions.

### LABOR UNION IS NOT CONDEMNED

### General Assembly of the Old School Adjoins Since Die-Dunkards Are Discussing Divorce.

Des Moines, Ia., May 29.—By a vote of 99 to 63 yesterday afternoon the general assembly of the United Presbyterian church adopted the judiciary committee's report with regard to an interpretation of article 15 of the creed. The action of the assembly is in effect to exclude members of secret orders from admission to the church. It is also interpreted by some of the delegates to mean the expulsion of members of the church who now belong to the secret societies. The final discussion on the question was long and heated. M. C. McKittrick, of Los Angeles, Cal., said he would rather cut off his right hand than to vote for the exclusion of members of secret societies already in the church.

### Church Is Hunting Trouble.

"If we let this report go through as it is," said Dr. McCroskey, of Pittsburg, Pa., heatedly, "we are saying that men who have been good members of the United Presbyterian church for years must be turned out of doors. I want to tell you, fathers and brothers, that if we pass this report without amendment we are going to make more trouble than the United Presbyterian church has ever seen." Some members of the assembly who are most violently opposed to secret orders objected to the section of the report of the committee which removed the bar of the church from organizations which do not "inculcate a Christless religion."

### Labor Unions in the Discussion.

R. G. Campbell, who moved to strike out the section of the report which said the testimony does not include such orders, held that labor unions should not be approved by the church. This idea was strongly opposed. Dr. J. M. Wallace, of Pittsburg, Pa., said: "For the sake of the workingmen I do not want this part of the report stricken out. The workingmen have just as much a right to form a union as Morgan has a trust, and I do object to the workingmen being kept out of the church because they form themselves into a union to protect themselves against their oppressors."

Rev. J. F. Ross, of Ohio, declared the great secret orders were rivals to the church, for the reason that they trade in a false religion, "they have wine parties, card parties and many other snares," said he.

### GENERAL ASSEMBLY ADJOURNS

### Less Than Two Weeks in Session—Outbreak of Personalities.

Philadelphia, Pa., May 29.—The 113th Presbyterian general assembly was dissolved at 6:15 p. m. yesterday by Moderator Minton, after having been in session for nearly two weeks, during which time many matters of the utmost importance to the church were considered. Chief among these was the question regarding the revision of the confession of faith. After a discussion continuing nearly four days this momentous subject was referred to a special committee of twenty-one members, which will make recommendations as to the manner in which the creed should be revised and present them to the next general assembly.

Yesterday for the first time since the assembly convened there was an introduction of personalities.

The trouble occurred during the discussion on the chairmanship of the revision committee. When it came to electing the chairman it was moved that Moderator Minton be elected chairman. This incensed the friends of Dr. Dickey, chairman of the old committee, but it prevailed. The subject was revived later, but the matter was finally adjusted by Dr. Dickey, who said he was confident there had been no attempt to cast any reflection upon him, but that the commissioners merely desired to honor his successor as moderator.

The closing hours of the assembly were devoted to routine matters. The report of the committee on temperance urged ministers to call the attention of congressmen in their districts to the necessity for the completion of legislation now pending regarding the drink traffic in the islands of the Pacific. In dissolving the assembly Moderator Minton made an eloquent address, and before the final benediction was pronounced the commissioners sang the hymn, "Blest Be the Tie That Binds."

### Proceedings of the Dunkards.

Lincoln, Neb., May 29.—Business meetings of the National Dunkard conference began yesterday. One of the questions of church law which the Dunkards are deeply interested in is the subject of divorce. Congressional enactments are being studied by the brethren, and the matter informally discussed. It is altogether unlikely that any change will be made in the rules of the denomination, which are firmly opposed to divorces. The conference refused, after a long discussion, to make any change in the church law by allowing the sisters the same privileges in the conference as the brethren. Doctrinal discussions occupied most of the day.

### Will Manage the Insane C. Insula.

Springfield, Ill., May 29.—The board of commissioners of the South-

ern penitentiary at Chester has appointed Dr. W. F. Saunders, of Carlyle, superintendent of the State Asylum for Criminal Insane at Chester.

### Had to Get Out of the Guards.

London, May 29.—The resignation is gazetted of the Marquis of Headfort as a lieutenant in the First Life Guards, presumably because he married Rosie Boote, the actress.

### SHE IS THE STAR BOARDER

### Mrs. Bonine, Who Confessed the Killing of Young J. S. Ayres.

Washington, May 29.—Judge Barnard has refused to issue a writ of habeas corpus in the case of Mrs. Bonine, charged with the killing of



James Ayres. Mrs. Bonine continues to be the star boarder in the district jail. She is allowed to have strawberries and cream, eggs on toast, nice sirloins and fruit, while her cell is decorated with beautiful flowers, and the little table is piled up high with late magazines and newspapers. The police have not secured any additional evidence that will be of any use in breaking down Mrs. Bonine's statement.

### CHINA AGREES TO PAY

### But Objects to 4 Per Cent. Interest—Boxers Again Active.

Peking, May 29.—The Chinese plenipotentiaries have informed the ministers of the powers that the court has notified them of a willingness to pay indemnity to the amount of 450,000,000 taels, but the court objects to 4 per cent. interest.

London, May 29.—"The Boxers are again active in all districts where there are no foreign troops," says a dispatch to The Standard from Tientsin, dated May 27.

Morrison, writing to The Times from Peking, says: "M. de Giers has announced that Russia agrees to the formation of a mixed commission, such as it provided for in the British proposal. It is expected that Russia will also agree to Great Britain's indemnity proposals."

### German Editors Approve.

Berlin, May 29.—The German press, without exception, comments in terms of approval upon the news that Emperor William has ordered Count von Waldersee and the German troops to return home.

### Seymour Now an Admiral.

London, May 29.—Vice Admiral Sir Edward H. Seymour (who has been commander-in-chief on the China station since 1898) has been promoted to the rank of admiral.

### THE MARKETS

#### Chicago Grain and Produce.

Following were the quotations on the Board of Trade today:

	Open.	High.	Low.	Close.
Wheat—				
May	74	74	73 1/2	73 1/2
July	73 1/2	73 1/2	73	73 1/2
Corn—				
May	42 1/2	43	42 1/2	43
July	42 1/2	42 1/2	42	42 1/2
Oats—				
May	30 1/2	30 1/2	30 1/2	30 1/2
July	29 1/2	29 1/2	29 1/2	29 1/2
Pork—				
July	14.60	14.60	14.55	14.60
September	14.62 1/2	14.70	14.60	14.70
Lard—				
May	8.12 1/2	8.12 1/2	8.10	8.10
July	8.12 1/2	8.12 1/2	8.07 1/2	8.10
September	8.12 1/2	8.12 1/2	8.10	8.12 1/2
Short Ribs—				
May	8.20	8.20	8.15 1/2	8.15 1/2
July	7.92 1/2	7.92 1/2	7.87 1/2	7.87 1/2
September	7.90	7.90	7.85	7.85

Produce—Butter—Extra creamery, 15 1/2@16 1/2 per lb; extra dairy, 16c; pack-ing stock, 11c. Eggs—Fresh stock, 11c per doz. Poultry—Chickens, springs and hens, 8@9 1/2; ducks, 8@8 1/2; turkeys, 5@7 1/2; geese, 3@4.00 per doz. Apples—Common to choice, 45@50c per bbl. Potatoes—Burbanck, 45@50c; perless, 45@50c; Helron, 45@45c; mixed, 31@32c; rose, 30@41c.

#### Chicago Live Stock.

Hogs—Estimated receipts for the day, 27,000. Sales ranged at \$4.40@5.50 for pigs; \$5.60@6.25 for light; \$5.60@6.75 for rough packing; \$5.60@5.75 for mixed, and \$5.75@6.50 for heavy packing and shipping lots, with the bulk of sales at \$5.90@5.55.

Cattle—Estimated receipts for the day 5,000. Quotations ranged at \$5.70@6.10 choice to extra steers \$5.30@5.75 good to choice do.; \$4.85@5.30 fair to good do.; \$4.20@4.75 common to medium do.; \$4.10@4.60 butchers' steers; \$5.10@5.50 western steers; \$2.70@3.15 stockers and feeders; \$1.75@2.50 cows; \$2.50@4.11 heifers; \$2.60@4.50 bulls and steers; \$3.40@4.50 stags; \$4.00@5.30 Texas steers; and \$4.50@5.25 veal calves.

#### Sheep—Estimated receipts for the day 14,000. Quotations ranged at \$1.75@4.70 westerns; \$2.10@4.70 natives; \$4.50@5.75 western lambs, and \$4.50@5.75 native lambs.

#### Milwaukee Grain.

Milwaukee, Wis., May 29. Wheat—Selected firm No. 1, red, 75 1/2@76c; No. 2, northern, 72 1/2@74c; July, 74 1/2@75 1/2. Rye—Choice, No. 1, 54 1/2@56c; heavy—Choice, No. 1, 52 1/2@54c; sample, 49 1/2@50c. Oats—Firm, No. 1, white, 24 1/2@25c.