

WEATHER FORECAST: Fair tonight and Tuesday. (Full Report on Page Two.)

The Washington Times

LAST AND HOME EDITION

NUMBER 8008.

Yesterday's Circulation, 45,049

WASHINGTON, MONDAY EVENING, NOVEMBER 24, 1913.

Sixteen Pages

PRICE ONE CENT.

RAILROADS OPEN THEIR FIGHT FOR INCREASE IN FREIGHT RATES BEFORE I. C. COMMISSIONERS

Whole Country Affected by Case Before Board, Although Technically Problem Applies Only to Forty-nine Eastern Lines—Chairman Clark Pays Tribute to Late Commissioner Marble.

HEADS OF TWO GREAT SYSTEMS ASSERT ADVANCE IS NECESSARY FOR PROGRESS

A titanic struggle of far reaching importance to the people of the United States is being staged at the Interstate Commerce Commission today in the fight of forty-nine Eastern railroads to obtain Federal approval for a horizontal freight rate increase approximating 5 per cent. The big railroads have summoned to the contest all of the powers of the great wealth and the great intellects that they command. On the one hand these titans of the industrial world, railroad presidents and high officials, are making what probably will be their last stand before the regulating authority for increased earnings. On the other hand is arrayed Louis D. Brandeis, representative of the people of the United States, who is to match his wits and his fighting qualities against some of the best legal talent in the land. Technically he stands alone, one against an overwhelming force. Between them stands the commission, the arbiters appointed by and for the people, who will determine the issue.

B. AND O. PRESIDENT SOUNDS ISSUE.

President Daniel Willard, of the Baltimore and Ohio, today sounded the issue upon which the railroads will base their case, when he brought forth an array of figures showing that expenses were mounting higher and higher and the earnings lagging pitifully. He said that if constructive railroadings were to continue the rates must be granted to the roads. Otherwise, he declared, capital would have to be used for improvements, and additional capital would be hard to obtain, unless there was increased earnings. The payment of dividends was not a part of the railroad issue, though he frankly admitted it was a consideration. He cited that railroad progress had been the measure of the nation's progress and prosperity and intimated what would happen if railroad progress was stopped.

The struggle will cost the railroads in the neighborhood of \$20,000, it is estimated, and it will cost the Government many thousands more. It is the second attempt of the railroads to obtain such an increase. Tariffs costing \$250,000 to compile were filed with the commission in 1910, but they were suspended by the commission, which held that the railroads had not shown justification. New tariffs filed as the issue of the present fight are under suspension.

Biggest Rate Battle. This, the biggest rate battle in the history of the United States, and probably the world, is being waged in the hearing room on the ninth floor of the old Interstate building. Since 5:30 o'clock this morning this room has been packed to the point of suffocation with high railroad officials, public men, stenographers, and newspapermen, the watchers for the public.

The importance of the proceedings were sounded in a brief opening address by Chairman Clark, in a tribute to Commissioner Marble, whose funeral was held yesterday.

The commission assembles under very

NOTED ACTOR DEAD AFTER PHONE CALL

CLEVELAND, Nov. 24.—Feeling death was near, E. M. Holland, aged sixty-five, of New York, a member of the "Years of Discretion" theatrical company, crawled to a telephone in his room in a local hotel today and called the desk. He was found unconscious by a physician and died two hours later.

Pope's Physician To Be Italian Senator

ROME, Nov. 24.—Answering inquiries from the Vatican, Dr. Ettore Marchisava, physician to Pope Pius, today said that his appointment as a senator by King Victor Emmanuel would not prevent his attending the pontiff. Dr. Marchisava is among the thirty senators chosen by Premier Orlando and approved by the King.

Dance Tonight. Arcade Auditorium. Tango Party Tonight. Chocolate Favor. Dancing Taught. Col. \$795. Not public.

Hears Rate Case



EDGAR E. CLARK, Chairman Interstate Commerce Commission.

DEATH INSTANT FOR U. S. FLIERS

Lieuts. Ellington and Kelly Plunge From Dizzy Height in California.

SAN DIEGO, Cal., Nov. 24.—Lieuts. Eric L. Ellington and Hugh M. Kelly, of the Army Aviation Corps of the United States army, were killed today by a fall from an aeroplane over North Island, in San Diego bay. The men were flying high in the air when their machine suddenly plunged to the earth. The cause of the accident is uncertain.

Officially Reported.

Other than the fact that Lieut. Eric L. Ellington, Third Cavalry, and Hugh M. Kelly, of the Twentieth Infantry, were killed during a flight at San Diego, Cal., today, dispatches received at the War Department give no details.

It is believed that both men were in the same aeroplane when it fell. Today's tragedy brings the list of army aviators who have been killed in aeroplane accidents to six. Four met death near Washington, one at Fort Myer, Va., and three at College Park, Md.

Lieut. Thomas Selfridge met death at Fort Myer several years ago when flying with Orville Wright, whose leg was broken in the fall. In May, 1911, Lieut. G. E. M. Kelly was killed beneath his aeroplane when he struck the ground too hard in landing at San Antonio, Tex.

Lieut. Leighton W. Hazlehurst plunged to death when the wing of his machine crumpled at College Park on June 12, 1912.

Lieut. L. C. Rockwell was killed when he refused to work at College Park on September 25, 1912.

Corporal Frank S. Scott was killed in the fall with Lieutenant Rockwell.

Lieut. Loren H. Call, of Washington, was killed in a fall at Texas City, Tex., on July 7, 1912.

New England Faces Telephone Strike

BOSTON, Nov. 24.—A strike of all telephone employes in New England is threatened today if the telephone company goes ahead with its plan involving laying off more than 2,000 electrical workers. Because the electricians claim the company has gradually increased the number of non-union men employed they declare they will consider the cut in the forces as a lockout, and will call out all members of the six craft unions in Massachusetts, Maine, New Hampshire, and Vermont.

The international officers of the electrical unions are expected to reach Boston today.

Textile Mill Owners Willing to Arbitrate

LAWRENCE, Mass., Nov. 24.—Representatives of the Textile Mill Owners today told members of the State board of conciliation and arbitration that they are willing to submit the wage and hour demands of the striking firemen to arbitration. Settlement is in sight.

SWEEPING INQUIRY INTO COLD STORAGE COMBINE IS ORDERED BY M'REYNOLDS

A Whirlwind Clean-Up of a Nasty Situation and a Great Big Generous Act at the Finish. \$25,000 For Depositors; Not a Cent of Loss to Them; That's All

By JUDSON C. WELLIVER.

At the finish of the great business of cleaning up Washington's financial difficulties, announcement was made this morning by Frank A. Munsey of a big, impressive, generous act in the interest of the depositors of the United States Trust Company.

It means a direct saving of \$25,000 to the depositors, which is in effect a gift for which Mr. Munsey makes himself personally responsible.

Depositors who withdrew their money during the run will not be deprived of the interest earnings that had accrued to their credit. If they restore the accounts by December 1, their status on the books will be preserved as if there had never been any withdrawals.

That is, accounts which would have been entitled to interest earnings at some definite date in the future, but that forfeited that right when they were withdrawn in advance, will be put back in their old relation, and no interest will be deducted; not even that for the time the money was actually out of the bank.

This remarkable proposition was made today by Mr. Munsey personally, and as president of the Munsey Trust Company. It has been his wish that nobody in Washington should suffer in any way from the flurry that started so unexpectedly and was suppressed in such a dramatic way at the close of last week. In order to save the army of the United States Trust Company's depositors from even the loss of the interest that they would have forfeited on their accounts, Mr. Munsey made this announcement, and issued orders for carrying its purpose into effect.

"I haven't had time to consult the other directors of the company," he said this morning, after he had prepared the copy for the newspaper advertising announcing his program, "and I can't wait for consultation with them."

"So I am making the announcement without consultation, and if the directors don't approve it, I will personally assume the responsibility for it."

Which was one more characteristic Munsey performance. The man has a way of doing things when there is need for the doing; doing them in the big and smashing way that brings the biggest results at the time when they will be most effective.

He isn't a man, in an emergency, to wait for boards of directors to get together, and then to consult and confer, while the time for action passes and perhaps the opportunity for accomplishment goes with it. Whether a dollar may be lost or gained is not the consideration at such times. He follows that rule of a certain diplomacy, which relates that it is sometimes better to act first, and negotiate afterward. He believes in acting in the time for action.

Such a move as restoring all the withdrawn accounts to their old interest-earning status, of course, is unknown in a situation parallel to this in Washington. It is a new idea; and it reflects the generous purposes with which this whole crisis has been handled under Mr. Munsey's leadership. His thought has been to insure that the community's interest should be fully preserved, in the broadest and most complete fashion.

Testimony that the people of Washington in general, and the depositors in particular, fully appreciate the policy that has served them so well, came today in most substantial form.

Money was pouring into all the offices of the consoli-

(Continued on Fourth Page.)

Gets Her First Case



MISS MARY O'TOOLE.

IRISH PORTIA TRIES FIRST CASE TODAY

Miss O'Toole, Once Forestry Service Clerk, Defends Suit For Wall Paper Cost.

Judge C. S. Bundy, of the Municipal Court, will decide whether Miss Mary O'Toole, an Irishwoman by birth and an attorney by training, loses or wins her first case. The case is being tried before Judge Bundy this afternoon.

Miss O'Toole is defending Mrs. Mary K. Saunders, of the Concord Apartments, who is being sued by a local real estate firm for damages incurred. It is said, when Mrs. Saunders ordered new wall paper in an apartment at the Olympia, which she is alleged to have agreed to lease. Later, she refused to lease the apartment, and the firm, which acted as an agent for the apartment, brought suit to recover.

From time to time Judge Bundy asked Miss O'Toole to speak louder, as she at the age of sixteen. She attended of voice demanded by a court.

Miss O'Toole was born in Haekettown, Ireland, and came to this country at the age of sixteen. She attended a business college at Hornell, N. Y., and was later stenographer to the Steuber County (N. Y.) surrogate court. She served three years in the Forestry Service here, and was sent to San Francisco in 1908 for that service.

Miss O'Toole graduated from the Washington College of Law, in this city, with high honors, in 1908. She decided to come back to Washington and hang out her shingle in the Capital.

VIOLATING EXCISE LAW IS CHARGED

Charging a violation of the excise law, selling liquors to a minor, an information was issued this afternoon against George F. Schutt, proprietor of the Ebbitt House, by Assistant Corporation Counsel M. K. Varnell. Headquarters Detective Simpson signed the information.

It is understood Mr. Schutt will be represented in the Police Court tomorrow morning and enter a plea of not guilty. He is expected to demand a jury trial. Corporation Counsel Varnell said today the bond would be fixed at \$500 in the event of this procedure.

Detectives Simpson and Howes state that a youth under legal age purchased liquors in the New Ebbitt bar on Saturday night, November 15, during the celebration of the Georgetown football victory over Virginia University.

Attorney General Determined to Locate Guilty Persons in Boosting Prices of Eggs and Butter—Congressional Action to Purge Administration Likely.

M'KELLAR ASKS CITIZENS TO HELP; BRISTOW CALLS TARIFF LAW A "FAKE"

A sweeping Federal investigation of the high cost of eggs and the alleged cold storage combine, accused of boosting the prices, was ordered by Attorney General McReynolds today. This investigation is to be far reaching, in that it will extend to every judicial and police district where there are Federal officers.

A Congressional investigation to purge the Administration of any blame for the high prices is likely. In Washington and throughout the country, citizens are aroused, and consumers' leagues are fighting to bring the price down. Many restaurants and lunch rooms in Washington have raised the price of egg dishes 5 cents, because it is said, proprietors were losing money under old prices.

Attorney General McReynolds today instructed employes of the Bureau of Investigations and district attorneys throughout the country to get complete figures and other facts bearing on the allegations that cold storage men are withholding eggs and other products from the market in an effort to boost and sustain prices.

These trained investigators are to ascertain, if possible, the number of eggs in storage, the price at which they went in storage, the length of time stored, and price when they were brought out. Production figures are also to be obtained.

ASK TO CHANGE THEIR RATES. Congressman McKellar urged the Department of Justice investigation, declaring his emphatic belief that the cold storage interests were responsible for the high price of butter, eggs, and meats.

"I am convinced the hen is not to blame for the shortage of and high prices of eggs," says Congressman McKellar. "I am in possession of facts which I believe will justify the Department of Justice in proceeding against those responsible for the present condition of affairs. The responsibility, I believe, belongs at the door of the cold storage trust."

"I have been told by the leaders of the House," said Mr. McKellar, "that it will be impossible to get Congress to take any steps against the 'food trust' until the regular session convenes in December. I will then press my resolution and from the attitude of the members, I am assured of their support and its early passage."

McKellar's remedy for cornering of the egg market is a law which would prohibit the holding of food products in cold storage for a longer period than six months.

"There is no doubt that the cold storage of eggs is responsible for their high price," said Senator Bristow today. "The eggs which we are now eating at 45 and 50 cents a dozen were bought for 15 and 20 cents by the cold storage cars. The tariff of law, which is praised by the Democrats as a loudly toward lower prices to the consumer, has proved a fake, at least so far as Congressman McKellar of Tennessee today."

Navy Buys Argentine Beef; Probe Is Coming

Because the Navy Department has been able to get better prices in that quarter, beef from Argentina, and not American beef, will be fed to the war fleet in Mexican quarters this winter. A purchase of 28,000 pounds of Argentine beef has been ordered, and will be taken from New York to Mexico on board the supply ship Culgoa. The Argentine producers offered to supply the meat at 11.5 cents a pound, whereas the American producers demanded a minimum of 12.49 cents a pound.

The attention of Congress will be called to the fact that the Navy Department can purchase Argentine beef lower than the American product, and the House Judiciary Committee will be asked, when it starts its trust inquiry, to investigate that condition in the home market. Congressman Britton of Illinois, who has already demanded a probe of the Beef trust, will introduce a resolution of inquiry.

When the House next convenes, on Wednesday, Mr. Britton will offer a resolution instructing the Judiciary Committee to ascertain why the Navy Department may benefit through Argentina.

(Continued on Page Eleven.)

Montana Lawyer Gives Up Wealth For Honor

Attorney General McReynolds today obtained the services of a real patriot. He is William Wallace, Jr., of Helena, Mont., who left a \$14,000 a year law practice to be sworn in as Assistant Attorney General at \$5,000 a year. Wallace succeeded William R. Hart, resigned, and will have charge of white slave cases, alien labor, Chinese exclusion act violations and other criminal matters.