the brief says:

ing.' (Rec. p. 41.)

them," and further that "he has no

tion of actual residence to the jury

must be conceded, for it was admit-

ly two families, witness' wife, boy,

Absent-Five Times.

"During this period of twenty months

"As against these physical facts was

uestion whether that intention in fact

existed and continued during the pro-

onged physical absence of the respon-

Realty Transfers

dent was for the jury and could

ant's thirteenth prayer!

PLEDGES I. C. C. TO 17 BRENTWOOD COWS Today's War AID STATE BOARDS SHOT TO STOP PLAGUE

Acting Chairman Clements Tells "Boil Your Milk" Experts Advise Railway Commissioners Cooperation Is Essential.

Co-operation between the Interstate Commerce Commission and the railroad commissions of the forty-eight States in bringing about a uniformity of railroad regulation was urged by Acting Chairman Clements of the comtrassion at the opening of the twentyeighth annual convention of the National Association of Railway Commis-

sions here today. An address by Charles A. Prouty, outlining the progress being made in he work of fixing the physical valuation of railroads, of which he is in charge, and the report of the committee on railroad valuation, appointed at last year's convention, will be important features of the four days' meeting. The report of the committee on rail accidents and methods of prevention, of which Commissioner McChord is chairman, is expected to lead to considerable debate.

Assured of Co-operation.

Assuring the State commissioners of the Interstate Commerce Commission's co-operation. Acting Chairman Clements said it was obvious "that at no time since railway regulation has been ettempted has the situation appealed so strongly as at present for co-operapromoting uniformity in application of the underlying principles rate making and rate adjustment.

"It is manifest," Commissioner Clements added, "that in no other way can the just purposes of regulation, both State and Federal, be accomplished. Divergent and conflicting State policies which become the bases of State rate fabrics will continue to produce iritating and intolerable conditions discrimination, for which some remedy will have to be found." "This condi-Mr. Clements said, "cries aloud for co-operative action.

Laurence B. Finn president of the association, in his annual address, took the position that the "State's interest in the reasonableness of intrastate rate. is equal to that of the nation's." Mr. Finn declared the accomplishments of governmental regulation justify the time, money, and labor ex pended. Among these accomplishments he mentioned the pract cal el'mination of rebating to shippers, the elimination of the evils of free transportation, and the abolishing of discrimination between individuals. Revewing legislation of the last year

Mr. Finn said the effect of the Interstate Commerce Commission decision refusing to reduce interstate rates to the level of the 2-cent rates in Oklahoma, Arkansas, and Hissouri will have the effect of raising local rates.

Advocated Control.

lation and control by the authority of to all concerned, are determined the State and Federal governments adopt every possible precaution for the United States in every way. should embrace every detail of the ac- rootection of the public and the prevenas suffered to the extent that governbecause of "the entangling alliances between transportation comcial interests." common carriers have never had a fair chance to demonstrate heir maximum benefit to the public. While Mr. Finn did not specifically adsome things which indicated a leaning that direction, declaring, among other hings, that employes of private corperations are not more proficent than hose engaged in Government service Economy, he said, demands the elimination of competition between public service enterprises; and, by force of this economic condition, mor transportation is necessary. Should not a necessary monopoly b publicly owned" he asked.

He Quotes Lincoln.

Mr. Finn scouted the suggestion of a partnership between the Government and the railroads. He quoted ree" as applying and said that "th alf private and half public The surest way to destroy comnunism." Finn added, "is to guarantee private property security from aggression. The surest way to make rivate ownership or control of n ssary monopolies.

ion is necessary to husband the prod-igal resources in the icy lands of protect the meager product of man's labor from the self-same fate in other parts of our fair land."

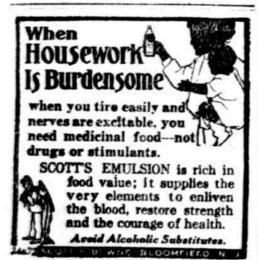
Redfield Will Address Washington Engineers

Secretary of Commerce Redfield to be the principal speaker at the bunquet of the Washington Society of Engineers, which is to be given at Causcher's Thursday evening in celebration of the ninth anniversary o

The society now has a membership approximately 400, including many

Early Raising of Ban On Wool Is Expected

ist, of an early raising of Great Britian's embargo on the exportation wool from the United Kingdom, folcwing a call at the department yester-Mr. Barclay expained that England stood ready to assist American manu-secturers who needed the product but that this country would have to furnish old reach the nations who are now I war with England.



1

Consumers as Quarantine of District Impends.

> (Continued from First Page.) the roads leading to the grounds referred to and watchmen employed to see that these regulations are In accordance with above, the

south gate and the east gate en-trance to Soldiers' Home grounds, and the roads leveling thereto from inside of the grounds have been Vehicles carrying supplies to the

Home, and those belonging to the Home, will use the Park road gate on the west, the scalehouse gate on the east and the ivy and eagle gate on the north side of the grounds for traffic to and from the city. The restriction in use of roads to the dairy and the pasture fields in its vicinity by pedestrians applies

also to inmates of the Soldiers' All members of the home, all employes of the home, and the pubgenerally, are prohibited from entering that portion of the Soldiers' Home grounds lying south of line running east and west from

the south end of the lakes to the east gate. This rule is made necessary in order to quarantine the dairy and its immediate vicinity, with a view to preventing the introduction into the dairy herd of the foot and mouth disease now prevalent in this sec-

The First street gate is closed. Boil Your Milk.

While it has ben decided by the Commissioners, following consideration of arguments offered at the hearing wiven lief at the present juncture," the comthe Washington Dairymens' Association mission stated. yesterday, not to publish a list of dairies showing the bacterial count of petition this commission to make effecpasteurized milk, plans are being made, which will defend the assessment and it is understood, for informing the pubhic where properly pasteurized milk may the order of the Department of Agribe obtained. Mi & containing not more than 100 000 bacteria per cubic centi-meter, about fifteen drops, is consid-ered by the ealth Department to be properly pasteurized. In the meantime, in view of the discovery of the foot and Wilson Confident Latin mouth disease in the District, the public again is urged by the department to boil all milk unless it is known that it

has been effectively pasteurized. The plan to publish a list of dairymen selling pasteurized milk, showing the rating of each for the last three months, was suggested by the Health Depart-

Opposition to this was offered by the dairymens' association on the ground that it wou'd be an injustice to certain dealers. The Commissioners, although tion of the spread of the foot and sumers where milk considered by the Health Department to be properly pas-

Summary

FRANCE - Heavy cannonading from Nieuport to Ypres. German attacks repulsed. German trenches blown up by mines in Argonne; attempt to cross Aisne defeated.

RUSSIA-Russian fleet reported to have left Helsingfors with the intention of engaging Germans. Counter offensive of Germans from Thorn declared checked. Battle resembling that in Flanders proceeding against Turks in Caucasus.

ENGLAND_Daily Mail correspondent estimates German casualties in Flanders during last four days at 100,000. Official report front front pays tribute to bravery of German troops.

AUSTRIA-Portion of Cracow in flames, inhabitants fled. Investment of the city began Saturday. GERMANY - Officially denied American aid to Belgian refused. Situation on both fronts declared satisfactory.

TURKEY - Continued victories over Russian forces claimed.

proved by the Commissioners late to

day or tomorrow. Many of the railroads whose cars were held for fumigation by orders of the Department of Agriculture, today asked the Interstate Commerce Commission whether or not the demurrage charge of a dollar a day could not be waived against shippers who could not release cars. "The commission will be glad to con-

tribute whatever it can to affording re-"Should the carriers, or any of them, collection of demurrage occasioned by culture, this commission will be glad to

Republics Are Neutral

give prompt and favorable considera

belief that the explanation made by the South American republics that they are maintaining strict neutrality in the European war would prove satisfactory. He said that, while these republies could tell the United States that their business, the fact that they have volunendeavoring to do full justice, they say. tarily declared their neutrality, showed they desired to co-operate with the

Plans for informing con- | War Stops Money Orders. | the proceedings and put us on Portugal has officially notified the tuerized may be purchased, are now Postoffice Department that it has disbeing worked out by Health Officer W. | continued the international money order Woodward, and probably will be ap- service because of the war.

| FRIZZELL'S BRIEF IN

Argues That Court of Appeals | Just ground of exceptions on this point and he did not except to the charge as given." Should Consider Only Two Points at Issue.

The brief of William J. Frizzell, representing the "home rule committee" from July, 1911, to March 3, 1913, a P. Newman from the judgment of the July, 1911, to November, 1912, say lower court, ousting him from the office sixteen months, part of the thirtyof District Commissioner, which was six months required for the actual filed in the Court of Appeals today, sets ber of his family was here and his forth arguments that the appellate tri- and their place of abode was in Chibunal should affirm the decision below cago, where the respondent had eson the ground that the legal points have tablished for himself and them what been decided.

and it is expected that an opinion will hotel, then a boarding house, then a be handed down January 4, if not be-

The contention of counsel for Mr. Frizzell is that the Court of Appeals should mother, all occupying the same dwelland himself, and wife's father and consider only these two questions: "Did the court err in holding that the burden of proof was primarily on the relator (Mr. Frizzell), and that he should open the evidence, and his coun- Mr. Newman was in Washington about sel open and close the argument to the five times all told; 'twice in the fall of be left to a public utilities commission "Did the court err in submitting to 1911, and winter of 1911-12, just a day or "Did the court err in submitting to 1911, and winter of 1911-12, just a day or "Did the court err in submitting to 1911, and winter of 1911-12, just a day or

the jury the question of whether the re- two each time, staying with friends. spondent (Mr. Newman) was for the and 'at least three times in the winter three years next before his appointment of 1912-13, remaining just over Sunday, to the office of Commissioner of the Dis- or a day (Rec., p. 41). trict an actual resident of the District. and had not during that period claimed residence elsewhere?"

Arguments In Brief.

It is argued in the brief that the other assignments of error presented in Mr. Newman's brief were covered in the decision of the Court of Appeals on the first appeal to the upper court. As to the burden of proof being on

Mr. Frizzell, the brief of Mr. Frizzell says that Mr. Newman's counsel "are strangely inconsistent." It is argued that had Mr. Frizzell offered no proof as to the non-residence of Mr. Newman "It would have been the duty of the trial judge to instruct a verdict for the defendant."

Continuing the argument as to th burden of proof, the brief says:
"The fact of ineligibility was not the only fact in issue, for the answer of the respondent denied not only that he had not been an actual resident of the District of Columbia for three years, etc., and that he had claimed residence elsewhere, but also refused to admit or deny that Mr. Frizzell is a citizen of the United States and a taxpayer in his own right, and prayed strict proof thereof (Rec., p. 31). shown by the previous decision in this ease, the relator's right to be regarded as an 'interested person' within the actions were none of this country's meaning of the quo warranto statute depended largely upon the fact that he was a taxpayer. Upon this point also the burden of proof was on him. "The respondent also denied that re-

lator had made any legal application

TAKOMA LNIE ASKS and the argument was with him, is, we It is contended that the issue of actual residence for three years was submitted to a jury under instructions which embodied all the princi-TRANSFER EXCHANGE ples contended for by Mr. Newman in the prayers of his counsel directed to that subject and "were more favorable than he was entitled to have

On the question of "actual" residence of Mr. Newman in the District guments by Washington and "That the evidence warranted and Maryland Company. required the submission of the ques-

ted and shown that the respondent was in fact absent from the District Issuance of an order requiring the exchange of transfers between the interests, against the appeal of Oliver of the three years From hard Capital Traction Company and the of the three years. From before Vashington and Maryland Railway Company was urged upon the Public of the latter company and suburban esidents at a hearing before the Commissioners today.

The lines of the Washington and Marykoma street to Takoma Park. The Capi- eral Reserve Board, as well as he, were tal Traction Company, it was declared as firmly convinced now as they were at the outset that the creation of the 43). 'His household consisted of real- by Henry W. Williams, represting the cotton loan fund would be of great Maryland Company, has refused to com- benefit to the entire country, and that ply with the act of Congress providing the general belief that the fund would for the issuance of reciprocal transfers. be successfully raised has been a con-The case was taken to the District Su- tr'buting factor in creating the impreme Court two years ago, but was dis- | dence which now prevails, particularly missed on the ground that it was not in the cotton market." one for judicial determination, but should

or to Congress. George T. Dunlop, representing the Capital Traction Company, argued that the act was not mandatory, and that lumbla-Fair and continued cold tonigh Congress did not impose upon the rail- and Wednesday. only respondent's declarations of inten- way companies the duty to operate in Maryland-Fair and continued cool tion and purpose to consider himself a confunction.

Questioned by Commissioner Sid- northwest winds. esident of Washington. Surely the dons, George E. Hamilton, president, said that to impose such an obliga- night and Wednesday; moderate northtion on the Capital Traction Company dent was for the jury and could not would result in a loss. This was rightfully have been taken from them denied by Attorney Williams on the the judge as asked by the appel- ground that there would be no addition to the fixed charges of the Capital Traction Company and that the and Affieck's: company would make a profit on U. S. BUREAU. company would make a profit on every passenger transferred from the lines of the Washington Railway and | 9 a. m........... 30 Maryland Company.

A petition bearing 1,086 signatures requesting the commission to issue an or- 12 noon........... 33 street northwest, between Fifth and Sixth der requiring the exchange of transfers streets—Andrew Day to Cora C. Day, lot between the two companies was presquare 478, \$250. Seventeenth street northwest-William sented by R. Hook, jr., of Takoma Park. Issuance of the order was urged by A. Gordon, trustee, to Hattle Cross, part original lot 13, square 154, \$6,500.
Wisconsin Avenue Park—Capital Realty Company et al. to Anna A. Baker and Augusta B. Swords, lot 24, square 1749, \$10. Charles A. Langley, representing the Woodburn and Chillum Heights Citizens' Association, A. J. S. Bordeau and William E. Fowler.

DENIES THAT COTTON POOL IS ABANDONED

Utilities Commission Hears Ar- Secretary McAdoo Says That the Regional Subscriptions Are Almost Complete.

Reports that the Treasury Department is preparing to drop the \$135,000,000 cotton pool were denied this afternoon by Secretary of the Treasury McAdoo, who declared that the reports "emanate undoubtedly from certain selfish inter-Utilities Commission by representatives ests." The required subscriptions are almost complete, he said. He denied emphatically that the plan has been bardoned or that it will I'kely fail. "The secretary said that, notwithat least bore the appearance of a land Railway Company extend from business situation, read an official in a furnished flat, then a little family

proved conditions and the greater confi-

WEATHER REPORT.

The forecast for the District of Co tonight and Wednesday: moderate Virginia-Fair and continued cool to

TEMPERATURE. The temperature today as registered at the United States Weather Bureau

11 a. m...... 35 2 p. m...... 36 | 2 p. m.....

TIDE TABLE

High tide-7:22 a. m. and 7:38 p. m.

通行を引進される。1894年/東京教の際は

Low tide-1:32 a. m. and 1:33 p. m. SUN TABLE.

· 海北 38 世 / 他似/ 基础/ 基础/

Reunion and Smoker Of Law School Class

-912, Georgetown University Law School will be held at the University lub on Thursday evening for the purtion in the almmni of Georgetown University Law School.

pose of perpetuating a class organiza-Preceding the smoker a committee on organization consisting of Paul B. Cromlein, Monie Sanger, and Arthur Lansdale, will submit a tentative plan to be pursued by the class in effect-

ing a class organization.

Harry I. Gerrity, John M. Laghlan.
Louis J. Korn, Frank I. Brown, and
Martin J. McNamara have arranged a very suitable program for the smoker Among the invited guests are Justice Ashley M. Gould, United States Dis-trict Attorney John E. Laskey, Daniel W. Baker, and Frank J. Hogan, all members of the law faculty of George

RUB PAINS FROM SORE, LAME BACK

Rub Backache away with small trial bottle of old "St. Jacob's Oil."

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trial bottle of old, honest "St. Jacob" Oil" from any drug store, and after using it just once, you'll forget that you ever had backache, lumbago or sciatica. because your back will never hurt or cause any more misery. It never dis-ap, oints and has been recommended



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