

# WASHINGTON CITY LETTER

On Saturday, May 12, Senator Bailey, addressing the senate, charged that Mr. Roosevelt had surrendered on the railroad and tariff questions.

"Let us have no more here or throughout the country of this talk of an iron man. He is clay, and very common clay at that."

The senate took up the railroad bill and immediately entered upon the consideration of the remaining Allison amendments relating to the jurisdiction of the federal courts over the orders of the interstate commerce commission.

The first of these pertained to the venue of courts and provided that in cases where two or more carriers were affected the venue should be in the district where either has its principal office.

Mr. Carter defended the president against the attacks on him, saying that "no one familiar with the president would charge him with cowardice, for his record for courage is certainly unexcelled."

Replying, Senator Bailey repeated his charges of inconsistency on the part of the president, charging that he had failed to revise the tariff and that he had receded from his decision to call an extra session of congress to take up the railroad question. "I love a brave man and a fighter," he said, "and the president is both on occasions," but he declared that he was without endurance and always allowed the leaders of his party to swerve him from his purpose.

He said if the president had been the heroic figure that he is reported to be he would have called the republican senators and members together and told them that if the right kind of bill was not passed it would be vetoed.

"May God save the country from such a bill as we are getting," he said.

Court review amendments offered by Senator Rayner and Senator Bacon were defeated.

An amendment was suggested by Senator LaFollette prohibiting federal judges who hold railroad stocks or bonds, or who use or solicit passes, from presiding in cases arising under the proposed law.

"I have some respect for the judiciary," said Senator Hale, and moved to lay the amendment on the table. The motion prevailed, 40 to 27, Senators Gallinger, LaFollette and McCumber voting in opposition.

The Allison amendment was then adopted without division as amended.

## Tillman Tells of Agreement

The Associated Press gives the following report of the sensational proceedings in the senate:

Senator Tillman in a lengthy statement during the consideration of the rate bill, accused the president of wavering on the rate bill. He referred specifically to the Long Amendment, saying that he did so with the purpose of making an explanation. He said the senators would be surprised to know that he had been in conference with the president.

On March 31, said Mr. Tillman, Senator Chandler told Senator Tillman that the president desired to get into communication with Mr. Tillman for the purpose of getting sufficient democrats lined up together to defeat obnoxious amendments to the railroad rate bill. Mr. Chandler quoted the president as being entirely at outs with the senatorial lawyers, including Knox as well as Spooner and Foraker, and that the chief executive deliberately and with care stated that he thought there should be co-operation on the following basis, namely, an amendment expressly granting a court review, but limiting it to two points; first, an inquiry whether the commission had acted beyond its authority ultra vires and second, whether it had violated the constitutional rights of the carrier.

Mr. Chandler stated that the president repeated that he had reached a final decision that the right of review should be thus limited; that thus far he would go and no farther; that his decision would be unalterable. Proceeding, he said that Mr. Chandler had said that the president had assured him that he would be in favor of a restriction against the issuance of ex parte injunctions to meet the wishes of Senators Tillman and Bailey.

After informing Mr. Bailey of the purport of the Chandler interview, Mr. Tillman said that on the next day he had told Mr. Chandler that in his and Mr. Bailey's opinion there would be no difficulty in coming to an understanding on the basis proposed by the president. "On the evening of Monday Mr. Chandler told me he had assured the president and asked him not to be disturbed by the newspaper items growing out of

the talk about Senator Long's amendment, published in the newspapers as one agreed upon at the White House conference on Saturday. He then said that he and Mr. Chandler had continued their conferences and on April 5 the ex-senator had gone to the White House to make a favorable report to the president. On April 8, Mr. Chandler told him that he had conferred with Senator Allison, asking him to intervene in the conference then in progress, and that the Iowa senator had agreed to do so. Later Mr. Allison had seen the president.

On April 13, Mr. Chandler had advised that he (Mr. Tillman) and Mr. Bailey see the attorney general. Consequently they had met that official on the 15th, finding themselves in perfect accord with him except as to a small difference in the matter of injunction. "There was absolute accord from the first on the proposition that the court review should be limited to the inquiry whether the commission had exceeded its authority or violated the carriers constitutional rights." Mr. Moody had then agreed to supply the senators with a memorandum on his views, and had done so "and we have the original of it," said Mr. Tillman.

The next day Mr. Tillman said he had seen Mr. Moody and had assured him that twenty-six democratic votes could be secured for the compromise proposed, and had told him that it would be necessary to get twenty republican votes. "It was understood that we would work together to get the votes necessary to pass the compromise. The attorney general had expressed doubt of getting enough republican votes to secure the acceptance of the Bailey non-suspension proviso, but he said he felt sure of the Overman amendment." Mr. Moody had, he said, assured him that it was the fixed purpose to insist upon the Long amendment, and he (Mr. Tillman) had no suspicion of a change of front until May 4, when the president had his interview with the assembled newspaper men.

The reading of the statement evoked many smiles and some laughter from senators. There was especial merriment over a statement of assurance by the South Carolina senator that the president need not be alarmed over newspaper reports. He had, he said, told the attorney general that there was no danger of the result as to the bill if the president should adhere to his plans.

He then had the clerk read the Moody memorandum covering the point agreed upon as the basis of amendments. Mr. Tillman's time expired before he had completed his statement, but he was permitted to proceed by unanimous consent. He said that he and ex-Senator Chandler had been informed at the same time of the president's change of attitude. They had gone together to Mr. Bailey, and all three had repaired to the residence of Mr. Moody, "the fourth conspirator," and had found him apparently entirely innocent of knowledge of the change.

He admitted that he had hesitated about entering upon the negotiation with the president because of his "just indignation for a past wrong," but he had concluded to pocket his pride in the interests of a great cause. He also said that Senator Allison had promised him twenty-two votes on the republican side, hence he had felt justified in his assurances to the president's representatives. It would be useless to perform the agreement, said Mr. Tillman. "The senator from Rhode Island (Mr. Aldrich) has resumed control of the republicans," he said. As a slight murmur of mirth and through the senate Mr. Tillman remarked: "The senator need not shake his head. But I simply want to say that he has come nearer being unhorsed and thrown in the ditch than at any time since I have been in here."

This produced an emphasized smile in the senate. Turning his attention again to the president, he said that if the president had stood steadfast to his original declaration "we would have won out. As for the treatment of me I shall say nothing."

He closed by asking whether or not the president should be entitled to the glory of the legislation which was conceived in a democratic convention.

Senator Dolliver defended the president and Mr. Allison.

During the adoption of the final Allison amendment some time after Senator Tillman had completed his statement, Mr. Lodge came into the senate chamber. He said he had not heard Mr. Tillman, but that he had read a portion of his statement. He said he could hardly believe that part in which ex-Senator Chandler was quoted by Mr. Tillman as saying that the president

said he had "come to a complete disagreement with senatorial lawyers," mentioning Senators Knox, Spooner and Foraker. Senator Lodge, continuing, said he had gone to the official stenographer and obtained the exact sentence used by Senator Tillman and had called up the White House by telephone, that being the most rapid way of reaching the president.

"I read the sentence to the president," said Senator Lodge, "and he said in reply that the statement which I read to him—attributed to him by Mr. Chandler—was a deliberate and unqualified falsehood; that Senator Foraker's name was never mentioned at all in the conversations; that Senator Spooner's name was only mentioned by him to express a cordial approval of Senator Spooner's amendment. As to Senator Knox, he said that he did not agree with a portion of his proposed amendment, but thought that he made a very strong argument for granting affirmatively the jurisdiction or authority of the court.

"I think, Mr. President," continued Mr. Lodge, "that it is a mere act of justice to allow this statement to go out with that which was read and attributed to the late senator from New Hampshire.

As Mr. Lodge seemed to have concluded, Mr. Bailey asked if the senator would tell the senate whether it was admitted by the executive whether the alleged conference took place.

"I did not cross-question in regard to the statement made by the senator from South Carolina, for I did not hear the statement myself, and the president has not read one word of it. I imagine tomorrow when he has read the statement in full he will make reply which will satisfy the curiosity of the senator from Texas."

"It was not a matter of curiosity," responded Mr. Bailey. He explained that if it were true that the president had not held the conference, that ought also to go into the record, because he took it that the senator from South Carolina was just as willing as the senator from Massachusetts that the president of the United States should have the full benefit of the truth. "I think it is important," he continued, "for those of us on this side, who had no communication, to know whether an ex-member of this body assumed an authority not granted to him."

Mr. Lodge made the remark in closing that it must be obvious to the senator from Texas from what he (Lodge) had read that the president admits fully that he had a conversation with ex-Senator Chandler on the subject, as he has had with dozens and scores of senators of both parties in this chamber.

## Chandler's Written Statement

On Sunday, May 13, Senator Tillman issued the following statement:

"Senator Tillman said today that on Saturday, May 5, he insisted on having from ex-Senator Chandler a written statement of the various conferences by the latter in connection with the plan of the president to control the railroad rate legislation by alliance with the democrats of the senate, and Mr. Chandler gave him such a statement made prior to Saturday, May 12, and signed by Mr. Chandler. Mr. Tillman said that he would give out a portion of that statement relating to the interviews of Mr. Chandler with the president on March 31—which had become a subject matter of dispute, but would retain the remainder for use in case any other parts of his statement in the senate on Saturday should be denied.

"The following is the portion of Mr. Chandler's statement given out by Mr. Tillman:

"On Saturday afternoon, March 31, 1906, a friend of mine came into my office and told me of the White House conference of that day in which an understanding as to a limited court review had been reached with Senator Long and others, and he told me that the president wished to get into communication with the democrats and would shortly ask me to come and see him. While he was talking a messenger boy arrived with a letter to me from Mr. Loeb as follows:

"The White House, Washington, D. C., March 31, 1906. My Dear Senator Chandler: The president would be glad to have you come to the White House to see him at 8:30 o'clock tonight. Will you please let the bearer know whether you can come?"

"Very truly yours,  
"WILLIAM LOEB, Jr., Sec. to Pres.  
"Hon. W. F. Chandler, 1421 I street.

"I told the messenger I would be there.  
"At the time and place appointed the president said to me that he wished me to get into communication with Mr. Tillman, Mr. Bailey and  
(Continued on Page 13).