

PROUTY ON NEW LAW

Commerce Commissioner Says Railroad Act Must Be Tested in Courts.

SAYS RATES ARE GENERALLY TOO HIGH

Predicts Reduction of Passenger and Freight Charges.

HEARING BEGINS IN KANSAS CITY

Inquiry Into Car Shortage at Terminal at Month of Kaw.

CATTLE MEN MAKE MANY COMPLAINTS

Care Are Not Furnished Promptly and Shipments Are Too Long Enroute to Market—Hearing in Chicago.

KANSAS CITY, Dec. 20.—The Interstate Commerce commission car shortage hearing, begun in St. Louis, was taken up here this morning by Commissioner C. A. Prouty, aided by P. J. Farrell, attorney for the commission.

It is expected that the hearing will continue until Friday evening, when Commissioner Prouty and Attorney Farrell will depart for Washington, D. C.

"I said when the bill was passed," Mr. Prouty said, "that the first effect would be to stop the rebates. I believe they have been stopped."

Mr. Prouty, recurring to the reduction of passenger rates, said there had been some reductions in freight rates, too, as well as a few advances. "While this amounts to a reduction in the published tariff," he said, "it amounts also to largely increased revenue for the railroads. It must be clear that if they cut off all free transportation the railroads can afford to reduce passenger and freight rates."

Mr. Prouty continued: "The papers did not say too much when they said the passage of the rate law marked the greatest triumph of American progress, the triumph of the Roosevelt administration." He said that whatever might be the fate of the law finally, the people hereafter would control the business of rate making, all ship-ments have been made, not in the west, I admit, but east of Pittsburg and north of the Ohio, people are riding for 2 cents a mile. The commission has made no orders and expressed no opinion as to the effect of the rate law.

Commissioner Prouty said today in an interview in speaking of the so-called rate law: "I have no doubt that eventually all states east of the Mississippi and north of the Ohio will be on a 2-cent basis, and by eventually I mean, of course, within a reasonable time for such legislation company of Kansas City, the first witness, testified in reply to a question that S. T. Fulton of Chicago, assistant to President Winchell of the Rock Island railroad, holds \$10,000 stock in the Crow company. He admitted that Mr. Fulton had received this stock without paying for it, but said he obtained the stock before he became employed by the Rock Island.

Murdo MacKenzie, president of the American Live Stock association and manager of the Standard Land and Cattle company, testified that he had received many complaints from the southwest of financial losses from shortage of stock cars.

"What is the reason for this shortage?" asked Commissioner Prouty.

"The railroads use the cattle cars for other commodities," replied Mr. MacKenzie.

Mr. MacKenzie said he had known of sheep being held for six or seven weeks waiting for cars, and finally they were driven from Albuquerque to Kansas in order to get them to market. The shippers had experienced more or less delay every fall, but this year the delay was the most severe yet. In one case it took four days to ship cattle from Texas to Kansas City, and in another instance cattle shipped from Texas to Kansas City had been sidetracked in Chicago for twenty-one hours.

Hearing at Chicago.

CHICAGO, Dec. 20.—Commissioners Harlan and Lane of the Interstate Commerce commission today continued the investigation into the shortage of cars on railroads which was begun in Minneapolis two weeks ago.

The first witness was W. H. Hiddle, vice president of the Chicago, Rock Island and Pacific railroad. He declared that conditions in the south at the present time are worse than those in the north. This was caused, he said, by the inadequate terminal facilities in the south. At Houston, he said, traffic on all of the roads is congested throughout the year. "I believe," said Mr. Hiddle, "that the railroads are doing everything in their power to relieve existing conditions. The fault lies mainly with shippers, who, having inadequate storage facilities at their places of business, use cars for the purpose. In some cases the cars stand for weeks at a time at the terminals because of the failure of shippers to handle them quickly. My opinion

LIBERALS HOLD THE OFFICES

Defeat of Educational Bill is Not Followed by Appeal to Country.

LONDON, Dec. 20.—There will be no dissolution of Parliament as the result of the action of the House of Lords in defeating the government's education bill. Although the rejection of this, the main liberal measure of the session, is the most serious rebuff Mr. Henry Campbell-Bannerman's cabinet has yet suffered, not regarded as being sufficiently important to necessitate an appeal to the country. Whether at the present moment an earnest could successfully be made in connection with the educational bill, means the question of the future of the government, a great doubt. The only immediate effect of the vote taken by the upper house, therefore, will be to give an enormous impetus to the radical agitation in favor of curbing the veto power of the peers and to furnish the nonconformists with a new gain and ammunition in the fight for the disestablishment of the Church of England.

There is today a widespread impression that a purely secular educational bill will be introduced during the next session of Parliament, while no doubt the cabinet during recess will consider what means are possible to prevent the Lords from nullifying prolonged labors of the Commons and to deter their veto of measures passed twice by the lower house.

It is the general view of the politicians that the peers, by last night's action, have entered upon a constitutional struggle, which will close its work in the educational bill. The liberals promise that there shall be no cessation of the fight until the constitutional issue is settled whether the liberal party is to be forever checkmated by the "standing committee of the tory peers."

Edmund Edward this morning received the king at Buckingham palace. It is understood that his majesty wished to be fully informed regarding the cabinet's views on the political situation as affected by the education question.

Birrell May Succeed Bryce.

In well informed parliamentary circles Augustus Birrell, president of the first fac-tory as a candidate for the position of secretary for Ireland, which seat will become vacant when James Bryce will be transferred to the British embassy at Washington. In this event Dr. N. C. MacNamara would be the minister of education, and the appointment of Winston Spencer Churchill to the Irish secretaryship is receiving but a lukewarm reception from the nationalists, who desire a man with a longer parliamentary record. Furthermore, there is some talk of the resignation of Mr. Churchill's seat in the house from Manchester, where he has a formidable opponent in A. J. Balfour. It is believed that the nationalists would warmly welcome Mr. Birrell. It was noted during yesterday's debate in the House of Commons that the references of John Redmond, the Irish leader, to Mr. Birrell were particularly effusive.

The Morning Post, which advocated the appointment of a Canadian as British ambassador at Washington, today editorially congratulated the government upon the selection of Mr. Bryce and says it thinks this choice will be regarded on both sides of the Atlantic as a proof of friendly feeling.

The paper considers also that Mr. Bryce fully appreciates the positions of Canada and Newfoundland.

CHURCH DISLIKES NEW BILL

Proposed French Law Said to Contain Maximum Oppression with Minimum Appearance.

ROME, Dec. 20.—A semi-official note, issued by the Vatican today, declares that the text of the new French government bill amending the church and state separation bill of 1886 is as bad as the former regulations, "being a maximum of oppression with a minimum appearance," and aggravates the position of the church in everything without this being apparent to the general public.

PARIS, Dec. 20.—The teachers and students of the famous St. Cyprien's seminary here were expelled today. Among the students were a number of British subjects and one American, who read an energetic protest. He claimed they were under agreement with the French government. The foreign students also announced their intention of calling the attention of their embassies to the matter.

TWO RULERS ARE BETTER

Shah Signs Important State Papers and King Oscar Passes Good Night.

TERRAHAN, Persia, Dec. 20.—The shah maintained his strength fairly well during the last twenty-four hours and was able to sign some of the more important orders referring to state business.

STOCKHOLM, Sweden, Dec. 20.—King Oscar continued to make good progress toward recovery. The physicians' bulletin this morning reads:

The king passed a good night. His temperature was 38.1 last night and is 38.5 this morning. His pulse is 70. There is still some mucus in the trachea.

CHAMBERLAIN LOSES MEMORY

Mind of Statesman Affected as Result of Celebration of Seventieth Birthday.

LONDON, Dec. 20.—The Chronicle states that Joseph Chamberlain greatly weakened his strength at the celebration in honor of his seventieth birthday at Birmingham, with the result that he lost his memory completely; that the past treasurer was a blank to him and that he could not remember what had taken place here at the request of the defendant companies to allow them to introduce testimony in rebuttal. The next hearing probably will be held in St. Louis.

STANDARD OIL METHODS

General Manager of Company Says Methods Adopted Are Essential to Trade.

NEW YORK, Dec. 20.—The hearings in the case of the state of Missouri against the Standard Oil company, the Waters-Pierce Oil company and the Republic Oil company, which began here Tuesday, ended suddenly today. The hearing was opened here at the request of the defendant companies to allow them to introduce testimony in rebuttal. The next hearing probably will be held in St. Louis.

The method employed by the Standard Oil company and its subsidiary companies in Missouri was described as "the block system" already in use by a witness who testified today in the hearing of the case instituted against the Standard Oil company, the Waters-Pierce Oil company and the Republic Oil company by the state. The witness was P. C. O'Connell, general manager of the sales department of the Standard Oil company. He declared, in his opinion, the plan adopted by the Standard Oil company was an absolute necessity to the furtherance of trade. He said he knew of no agreement between the Waters-Pierce Oil company and the Standard Oil company of Indiana other than those already uncovered. He never knew of any rebates allowed by any of the agents.

The giving of rebates was against our policy," he said.

COAL BEGINS TO ARRIVE

North Dakota Fuel Famine Will Be Broken if Weather Continues Good.

MINNEAPOLIS, Dec. 20.—Upon the mere frisking whim of the weather depends much of the success of the winter villages which have been feeling the menace of a fuel famine. Where reports of tardy arrivals of coal and of hopes for relief are coming in today, tomorrow may renew the menace if blizzards set in. Meanwhile, the railroads are bending every effort to rush coal into the imperiled districts. In the main conditions seem better. Though there is still great difficulty in getting cars, shippers are inclined to credit the transportation companies with willingness to aid. Not enough cars are available to satisfy the demands, but loaded cars are moving without delay. It is believed, too, that there is a considerable amount of fuel in transit.

Relief from one source is afforded by recent arrivals of coal with which it is being reshipped in the same cars and hurried into the northwest. More of this coal is expected and as long as the northwestern roads can make prompt returns of the empties, further help from this source may be expected. Falling temperatures are reported from most of the towns in the northwest. No sub-zero weather is reported.

BLIZZARD WOULD TIE UP TRAFFIC

Arriving in Minneapolis and Rushed into Affiliated Districts—Helena Outlet Gas.

HELENA, Mont., Dec. 20.—Owing to the coal shortage, the Helena Light and Railway company has announced that tonight will close its works temporarily at least. For the last several days gas has been made from kerosene, but this is no longer available. While the fuel supply is limited, there has been no actual suffering in Montana.

Helena Short of Coal.

EL PASO, Tex., Dec. 20.—A Herald special from Carlsbad, N. M., says: The water works were shut down today for lack of coal. The entire city was without water after noon. The Pecos Valley railway has but a few trains of coal to run. There probably will be no return trains from north or south unless they can get coal at Pecos or Amarillo, Tex.

NEW YORK FIGHTS ICE TRUST

Attorney General Files Bill to Dissolve Combination Alleged to Be Illegal.

ALBANY, N. Y., Dec. 20.—Attorney General Julius Mayer in the name of the people of the state of New York today began an action against the American Ice company in the supreme court of New York county for the dissolution of the so-called "ice trust."

The complaint alleges as a principal feature of the "scheme and arrangement" by which the company secured a practical monopoly of the natural and artificial ice output and distribution, especially in Greater New York and the communities in that vicinity, that it secured control of the Maine ice field and caused a reduction there last year of the usual harvest from 1,500,000 tons to one-third of that amount. The sources of supply are alleged to be similarly controlled.

The key to the situation in New York City is pointed out as lying in this company's control of the "ice bridges" or land depots, by which means it is alleged the company is enabled to fix the price of ice, resulting last summer in an increase from \$8 a ton at the bridge to \$14 and \$1 a ton to the independent dealers who are alleged to be controlled by the company.

It is said that by the time the ice reaches the poorer customers it costs at the rate of from \$9 to \$14 a ton.

Correspondence of the company with its agents and others is quoted to show that at the very time when the company was urging its customers to be careful in their purchases and consumption of ice, owing to the shortage of supply, it was informing its agents that the ice situation from the company's standpoint was satisfactory and that offers were being received from various sources, especially from Maine independent producers, of ample supplies, and the company was at that time refusing to accept these offers on any terms. It is contended the efforts of the company were designed to create a popular impression that an ice famine was impending in order to forestall public clamor against the enormous increase in the price to consumers.

It is declared by the attorney general that on the Hudson river the American ice company owns all but seven-eighths of the ice houses and that it contracted with the Mountain Ice company, operating in New Jersey and Pennsylvania, to restrict its sales in Brooklyn, whereby the free pursuit of the ice business in that borough was prevented. It is also alleged that the company is engaged in a conspiracy with various independent concerns along the Hudson river and elsewhere to prevent their entering the field of competition in production or distribution of either natural or manufactured ice.

The methods alleged to have been pursued by the company in the control of the ice trade, traffic agreements, control of canal stock and other devices to restrict output of both kinds of ice and limitation of distribution and sale.

HARRIMAN MUST FIX DAM

Southern Pacific Held Responsible for Break in Bank of Colorado River.

WASHINGTON, Dec. 20.—President Roosevelt will ask E. H. Harriman, head of the California Development company, to have repaired at once the break in the left bank of the Colorado river, across the Mexican boundary line, the overflow of which is causing such great damage in the Imperial and Colorado valleys in southern California. This company is said to be responsible for the damage, as the break occurred at a concession from the Mexican government.

The president's decision was reached after a conference with Senator Flint of California, Director Wolcott of the geological survey, and P. H. Newell of the reclamation service, and in view of the impossibility of obtaining an appropriation from congress to do the work before the holiday recess.

Copies of the letter to Mr. Harriman also will be sent by the president to the governor of California and the chambers of commerce of the various cities of the state.

SSRs kind of memorandum also will be delivered to the various chambers of commerce and other bodies which are the subject of the estimate. The estimated amount of money required to repair the break is put at \$500,000, and the expectation is that the president will use his efforts with congress to reimburse Mr. Harriman for at least a part of the cost. The settlement of the matter is expected to be completed in a matter of diplomatic negotiations with the Mexican government.

The president made public the following telegram sent to Governor Pardee of California, dated today:

"I have just received from you a telegram in my power in matter. Break in on Mexican soil, and we have absolutely no power to require any action to be taken by Mexico. We are hurrying forward in every way the negotiations for such permission. It is granted complete cannot act."

In a note to Director Wolcott, the president says:

"Mexico has behaved admirably and has expressed willingness to do anything within reason that we desire in the Colorado river matter. The only thing that is not to do the work. The immediate work must be done by Mr. Harriman's company, as pointed out in my telegram to him. But we should be prepared to put a definite request before congress immediately upon his assembling. So do I must, of course, know just what separate or joint responsibilities there should be as between the country and the California Development company. Please formulate a plan of action and submit it to the State department, so that Mexico may be fully informed."

NEW YORK, Dec. 20.—At the office of E. H. Harriman it was said that the reported action of the president in asking Mr. Harriman to make repairs in the break in the Colorado river could not be understood there, inasmuch as Mr. Harriman is not in any way connected with the California Development company. It was said that the Southern Pacific railroad already is co-operating with the government in making necessary repairs, although that company has no connection with the California Development company.

MASKED BANDIT SHOTS MAN

Cash Drawer of Leadville Depot Robbed and Agent is Fatally Wounded.

LEADVILLE, Colo., Dec. 20.—A masked bandit here early today, after shooting and fatally wounding Joe Dale, ticket agent at the Denver & Rio Grande depot, robbed the cash drawer of its contents and escaped. A posse is in pursuit of the bandit.

FREE POSTAGE FOR THE BLIND

Senator Burkett Introduces Bill in the Senate for That Purpose.

(From a Staff Correspondent.)

WASHINGTON, Dec. 20.—(Special Telegram.)—Senator Burkett today introduced a bill providing for carrying free of postage in the mails reading matter for use of the blind. The bill provides that any reading matter in Emboss type, whether in Braille, New York point or Moon type, shall be carried in the mails free of postage to or from any blind person desiring to read the same. Such matter shall be forwarded and exchanged free with Canada and other countries when free postage is granted. The bill further provides that states or territories and blank paper with which to emboss such matter should be carried as second class matter at the rate of four ounces or fractions thereof for 1 cent.

CANAL BUILDERS REPORT

Isthmian Commission Tells Secretary of War What It Has Done.

STEGOMYIA IS COMPLETELY ROUTED

Nearness Are Not Satisfactory Workmen, but Spaniards Seem to Do the Work in Better Style.

WASHINGTON, Dec. 20.—The annual report of the Isthmian Canal commission to the secretary of war, under date of December 8 and made public today, it says in part:

During the year the first stage of canal work, that of preparation, has virtually been completed. The commission finds itself in position to enter upon the second stage, that of actual construction, of a rock canal at an elevation of eight-hundred feet, authorized by congress in June last.

The work of preparation has been at once the more difficult and the more important, if not done thoroughly and intelligently in the first part of the work of construction, would be handicapped from the start.

The work of sanitation throughout the canal zone has been conducted with great energy during the year. The most serious problem that confronted the health department was the elimination of yellow fever, which had been an important factor in the failure of the Elysian company, and was regarded as one of the most formidable obstacles to the construction of the canal during the last year, there has not been a single well-authenticated case of yellow fever during that year.

Great progress has been made during the last year in providing for the welfare and comfort of the workmen. It has been found that there was no sufficient buildings to provide shelter for the workmen, and that the existing buildings were overcrowded and provided almost universally with running water and electric lighting, and were generally furnished. In addition to these buildings, 25 separate houses and thirteen in-garages were built, and 100 new quarters, providing accommodations for 5,000 families. There are still many married men, however, who are unable to obtain a suitable home, but upon the completion of the houses now authorized these will be provided.

There are now employed by the American government and children on the isthmus, 11,000 men, 1,000 women and 1,000 children. In November, 1905, the number was approximately 11,000. In November, 1906, the number was approximately 11,000. The number of children was approximately 1,000. The number of women was approximately 1,000.

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