

## MAYOR WEAVER MAY PROSECUTE.

Will Probably Initiate Criminal Proceedings Against Certain Philadelphia Officials.

### HE IS ADVISED BY ELIHU ROOT.

The District Attorney Having Refused To Act, He Can Exercise His Right In The Premises.

Philadelphia, July 17.—As a result of advices received from Elihu Root, special counsel for Mayor Weaver, it is probable that the mayor will initiate criminal prosecution against certain persons who are prominent in municipal affairs. Mr. Root advises the mayor that in the face of the refusal of the district attorney, J. C. Bell, to take the initiative in bringing further prosecutions, the mayor should exercise his right to go before a magistrate and carry the prosecutions as far as the law will permit him. This opinion was sent to the mayor today and was the result of a conference held in New York last Friday. Those who participated in the conference were former United States Atty.-Gen. Wayne MacVeagh, who is special counsel for the committee of nine of this city; former Judge Gordon, private counsel for Mayor Weaver; Julian T. Davis and Joseph S. Auerbach, of counsel for the committee of 30.

The purpose of the conference was to decide whether the mayor should take the initiative in further prosecutions if the district attorney having refused to do so. Mayor Weaver and Judge Gordon last week requested that the district attorney, in drawing up indictments against Councilmen Caven and Hill, should bring the charge of conspiracy with certain other persons to defraud the city. Caven is under bail for violating his constitutional oath in his conduct of city contracts, and former City Hall employee bound to answer charges of forgery and fabrication of records in connection with the construction of the city's filtration plants. At the hearing given both men before the magistrate, the name of the contracting firm of D. J. McNichol & Co., which is constructing the greater part of the filtration system, was frequently brought up by witnesses. The members of the firm are former members of the local Republican organization: State Senator J. P. McNichol and his brother, Daniel J. McNichol.

The district attorney, in refusing to add the charge of conspiracy to the indictment drawn up against Caven and Hill, and to initiate criminal proceedings against "certain other persons," said that such charges based on the evidence taken at the trial and Hill's hearing could not under the law be made. He suggested that the mayor take the initiative. Mayor Weaver and Judge Gordon insisted that it was the district attorney's duty to begin prosecutions. Mr. Bell persisted in his refusal, and the New York conference followed.

#### MR. ROOT'S LETTER.

Mr. Root's opinion of the question was sent in a letter to Mayor Weaver today:

"New York, July 15.  
My Dear Mr. Mayor—I have discussed fully with Mr. MacVeagh, Judge Gordon, Mr. Davis, and Mr. Auerbach the facts bearing upon the determination of your present duty in regard to further criminal prosecution of the frauds against the city of Philadelphia clearly indicated by the testimony already taken and by the further evidence which your counsel has collected."

"It appears by the correspondence between Judge Gordon and Dist. Atty. Bell that you have chosen the evidence of grave crimes by a number of powerful and important persons in the city of Philadelphia to be laid before the district attorney, and that he has been requested to proceed with proper prosecutions for such crimes, either before the grand jury or before a committing magistrate, and that he has practically declined to do either, suggesting that you should proceed before a magistrate as a private prosecutor."

"The reasons which led the prosecuting officer to take this course I shall not discuss. The resulting fact alone is important for political consideration.

"I think your duty as mayor firmly to see that your officers are informed and when you find that they are neglecting it, or by criminal combination, to do your duty to bring the facts to the knowledge of the officer who is elected by the people to prosecute the crime. It then becomes his duty to prosecute and not yours."

"I think in detail of the action which you should take by the prosecuting officer that you should nevertheless, exercise your right to go before a magistrate and carry those prosecutions as far as the law permits you to."

"In doing this you should, I think, invite the aid and co-operation of the district attorney, giving him every possible opportunity to take the prosecutions and to perform the duty for which he was elected."

"Crimes committed by men who have political power are often sheltered by blind official indifference and inactivity, and then some one has to do more than his duty to secure justice and you will find the first public officer who has the greatest influence and against the resistance of those from whom the service ought to come. There is more at stake here than the mere punishment of isolated offenses. There is the question whether your city shall continue to be governed by criminals or shall take its place on the list of American cities capable of self-government. To secure the right solution of this question you cannot omit any proper and lawful effort."

"When you have carried the prosecutions through the hands of the committing magistrate, you will have done everything within your power, and if the case is still pending before the attorney and the augean stables remain uncleaned, the people of the city cannot doubt who is responsible for the failure."

"It is with great regret that I and myself unable to proceed further with

## LIVING TOO HASTILY AMERICAN WOMEN BREAK DOWN

Irregularities and Female Derangements Result—Cured by Lydia E. Pinkham's Vegetable Compound.

Owing to our mode and manner of living, and the nervous haste of every woman to accomplish just so much each day, it is said that there is not



*Mrs. Chester Curry.*

one woman in twenty-five but what suffers with some derangement of the female organism, and this is the secret of many unhappy homes.

No woman can be amiable, light-hearted and happy, a joy to her husband and children, and perform the duties incumbent upon her, when she is suffering with backache, headache, nervousness, sleeplessness, bearing-down pains, displacement of the womb, spinal weakness or ovarian troubles.

Irritability and snappy retorts take the place of pleasantness, and all sunshine is driven out of the home, and lives are wrecked by woman's great enemy—womankind.

Read this letter:

Dear Mrs. Pinkham—

I was treated for eight years with irregularities which had driven my health and brought on extreme nervousness and anxiety. Lydia E. Pinkham's Vegetable Compound proved to be the only medicine which helped me. Day by day I improved in health while taking it until I was entirely cured. I came at last to my son and household duties and now enjoy life more, as Lydia E. Pinkham's Vegetable Compound has made me a well woman, without an ache or a pain—

—Mrs. Chester Curry, 42 Saratoga Street, East Boston, Mass.

At the first indication of ill health, painful or irregular menstruation, pain in the side, headache, backache, bearing-down pains, nervousness, or "the blues," secure at once a bottle of Lydia E. Pinkham's Vegetable Compound and begin its use.

you in these cases. The assumption of other official duties, of which you are aware will prevent me. I have taken very great interest in the cases because they have given me absolute confidence in the sincerity of your purpose and in your pluck and I have a strong desire that the city of Philadelphia, whose history and good name are so dear to every American, shall be relieved from the strain which a corrupt and criminal combination is causing under the name of Republicans have put upon her.

"I wish you Godspeed in your further efforts."

"Very sincerely yours,

"ELIHU ROOT."

In the midst of the controversy between Dist. Atty. Bell and the mayor's counsel, Mr. Bell today sustained a broken leg through the falling of an elevator in an office building. Whether this accident will delay the trials of Caven and Hill is not known.

#### COMMISSIONER CALHOUN.

Venezuelans Are Surprised at His Appointment.

Carrasco, July 17.—Venezuelans were very much surprised on receiving the news that President Roosevelt had appointed Judge Calhoun a special commissioner to Venezuela to investigate the claims of America. The Constitutional, the government organ, says:

"The claims of Americans or others existed there have been already submitted before competent authorities. It may be that the government requires information regarding the case of the New York & Bermuda Asaphite company, which is still pending. All other cases have been decided by mixed commissions in conformity with the Washington protocols."

#### A SNAKE STORY.

A Woman Kills a Blue Racer Fifteen Feet Long.

Lapeer, Mich., July 18.—Mrs. M. Erickson, of Lapeer while rowing on Long Lake struck with her oar a blue object which she quickly discovered to her alarm was a large snake of the species known as the blue racer. The snake attacked the boat and wriggled part way into it when Mrs. Erickson shot and killed it with a small rifle which she had with her. The snake measured 15 feet in length and 16½ inches in circumference.

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## WILLIAMSON ON WITNESS STAND.

Government Showed that He Was at Prineville for Some Time, Strengthening its Case.

### THERE BEFORE FILINGS MADE.

Testifying in His Own Behalf, He Merely Entered General Denial of Allegations.

Portland, Or., July 17.—Congressman John Newton Williamson was on the witness stand in the United States circuit court in his own behalf. His testimony was feature of the day's proceedings and his cross-examination a feather in the cap of the government. The defense has contended that Williamson was at Prineville only for a short time in July, 1902, and when the same thing was affirmed on the stand by Williamson he was confronted by Dist. Atty. Bell, who with the signature of the Prosecutor, had in his under date of June 16, 1902, was found

the signature of John N. Williamson. The congressman said the signature was not his own, but he confessed that the name "Prineville" appeared to him in his writing. Moreover, he was not prepared to swear that he was not in Prineville, but the time of his arrival was strengthened by the government's case.

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