

SECY. ROOT COMES TO WOOD'S DEFENSE

Justified the Acceptance by the General of a Silver Set from the Jai Alai Co.

HE COVERED EVERYTHING.

Was Given Great Latitude in Telling His Story—There Will be Two Reports.

Washington, Dec. 16.—The senate committee on military affairs tonight concluded its investigation of charges against Gen. Leonard Wood, filed for the purpose of preventing his confirmation as major-general. Secy. Root was the only witness today. He was on the stand for two and a half hours at the forenoon session and occupied the attention of the committee tonight from 8 o'clock until 11:20. The committee will meet tomorrow to prepare its report. It is understood confirmation will be recommended by a vote of 8 to 2.

A MINORITY REPORT.

A minority report will be made by the opposing members of the committee. The testimony of Secy. Root is practically the only defense that has been made of Gen. Wood in the hearing, which has extended since about the beginning of the extraordinary session of Congress. This testimony, however, covered the entire range of the evidence produced against Gen. Wood and was supported in many instances with correspondence and other data subsequently taken from records at the war department covering the period of Gen. Wood's administration as governor-general of Cuba.

ROOT TAKES RESPONSIBILITY.

Secy. Root undertook to assume the whole responsibility for the orders issued by Gen. Wood affecting the judicial system in Cuba and concerning the concession granted to the Jai Alai company.

At the forenoon session of the committee Secy. Root was given every latitude in telling his story of the affairs in the island and refuting the charges that had been made by a number of witnesses, but at the evening session questions were asked by Senator Teller, which confined the secretary to the Runcie letter, the Jai Alai concessions, the Rathbone trial, Gen. Wood's friendship for Bellairs and the question of military service. Many of the questions were pointed and in some cases were severe upon Gen. Wood, but in every case Gen. Wood found a warm defender.

The secretary's statement was an elaborate and carefully prepared defense of Gen. Wood. He made a specific reply to each of the charges that have been urged so far against Gen. Wood's confirmation and assumed responsibility for many of the things charged against Gen. Wood.

among others, it is understood, the granting of a license to the Jai Alai.

ADMINISTRATION IN CUBA.

He devoted particular attention to the attack upon the integrity of the official accounts of the Cuban treasury while under Gen. Wood's administration and he was prepared, with any amount of data, to answer to the charges of loose and faulty accounting and auditing. He took occasion to say that the weakness of this charge might have been established long ago had the senate printed the accounts which he transmitted to that body last winter in answer to a resolution.

ROOT'S RESPONSIBILITY.

Secy. Root was asked especially about the charge which Maj. Rathbone made that Gen. Wood had influenced the courts in the prosecution of Rathbone and had tampered with the courts. The secretary explained at length the court system in Cuba, saying that the court of first instance was in reality an officer directed to prosecute and to obtain evidence. He was something like a grand jury in power to go out and obtain evidence, mingle with the people, procure affidavits and otherwise collect evidence against alleged offenders. He said he knew what Gen. Wood was doing in this matter, and approved it. The secretary said that in fact he directed the prosecution of the offenders be vigorous, and Gen. Wood was acting in this matter under orders from the war department.

NOT A GAMBLING GAME.

The secretary took up the subject of the Jai Alai company concession and said that this was not a gambling company, nor was the game pelota, played under the management of the company, a gambling game any more than was a horse race or a game of baseball. Men could bet on the results as upon other games of skill. He said that the concession or right of the Jai Alai company was granted before the American occupation, and that the concession for which Gen. Wood had been criticized was more of an addition to the building of the company. The only question in regard to this grant was whether or not it would be contrary to the Foraker amendment. The whole matter was referred to the war department by Gen. Wood.

The subject was first considered by Judge Magoon, law officer of the bureau of insular affairs, who, after a most careful review of the case, had held that the extension did not come within the Foraker amendment preventing the granting of a franchise in Cuba. The secretary said he reviewed Judge Magoon's opinion and came to the same conclusion. The authority granted to the company was then approved by the war department, so that Gen. Wood in this matter acted under the instructions and with the approval of the war department.

FROM MAJ. RATHBONE.

The committee received today a communication from Maj. Estes G. Rathbone asking that he be called again to direct attention to a number of things which he said the committee had ignored. He asked that his several requests for the subpoena of Col. Lebo, Fourteenth United States cavalry, be acted upon. He suggested that Col. Lebo be questioned to bring out the fact that Gen. Leonard Wood was not with his command on the first day's fight at Santiago on July 1, 1898. Request also was made that Maj. Gen. S. S. Sumner be examined on the same subject.

RATHBONE'S WITNESSES.

Attention was called by Maj. Rathbone to the fact that the committee had been asked several times to subpoena Maj. Orlando Tucker of Havana, N. Nathan of Denver, Lieut. Brooks, ex-auditor of Cuba, and W. H. Lancashire, an ex-auditing officer of Cuba. The committee is asked in this statement, unless it is satisfied that Gen. Wood knew the character of the correspondent, Bellairs, when he made Bellairs his

friend and recommended that the Associated Press retain him in its employ, to call Mr. Cairns, formerly special agent under Gen. Bliss in Havana. Other witnesses asked for by Maj. Rathbone were Senator Hanna and Senator Teller, Albert Miller of Canton, O., and Francis E. Leupp, Washington correspondent of the New York Evening Post. In this connection the committee had been asked to obtain correspondence between Gen. William Ludlow and the adjutant general of the army, growing out of an interview in the New York Evening Post concerning yellow fever conditions in Havana and Cuba under the Brooke and Wood administrations.

UNIVERSITY OF CALIFORNIA ROBBED

Berkeley, Cal., Dec. 16.—W. A. McKowen, secretary of the board of regents of the state university, today confessed to Prest. Benjamin Ida Wheeler of that institution that he is a defaulter to the amount of \$20,000 or possibly more. He says he could not state the exact amount. Most of the money had been lost at the race track. He said that the method of bookkeeping in use placed little or no check on the use of the money entrusted to his care. He was placed in charge of Town Marshal Edgar.

McKowen's defaulters are supposed to have covered a period of five years. The fact of his crime and his arrest immediately thereafter followed the discovery that McKowen had attempted to pay a racing debt with a check made out to him personally by Mrs. Phoebe Hearst. This check was for \$1,000 and was handed over by McKowen to Bookmaker Jim Davis in payment of markers for \$1,200 on the races. Davis got McKowen \$40 in change and deposited the check in the Western National bank, from which it turned up to expose the affair.

President Wheeler said today: "This morning McKowen came to my house shortly after 8 o'clock with Mr. Smythe, in whose house he lived, and confessed to me that he was a defaulter. I have suspended him from office, pending the action of Gov. Pardee, who is president of the regents, and have placed the office in charge temporarily of my private secretary, Victor Henderson."

"From what we have thus far learned

it appears that McKowen at different times since 1898 has used sums of money that came into his hands, and instead of depositing them with the treasurer, whether as fees or donations of the university, has appropriated them to his own use.

"He covered this up, so far as we now know, by taking corresponding amounts from university funds by charging them as expenditures under the head of one or the other university fund."

"He says he has not falsified his bookkeeping by making false entries or in any other way. So far as we know, in this fiscal year the loss amounts to \$4,200."

"The total amount we do not know. He said he thought it would be \$20,000 or more. He had spent it on the race track."

President Wheeler spoke highly of McKowen's personality and was visibly affected when telling how his trust had been betrayed.

McKowen has been in the university altogether about 20 years. His salary was \$8,400 a year.

He is unmarried and is about 40 years of age.

At the meeting of the finance committee of the board of regents held this evening it developed that former Secy. McKowen's defaulters will reach at least \$40,000 instead of half that amount, as was at first supposed.

It was brought out during the conference that the peculation covered a period of seven years and that the disgraced university official has scarcely any money of his own. Gov. Pardee was not present at the meeting but is expected to attend tomorrow. Regents John A. Britton and John Foster of the finance committee attended the session, while a third member, L. W. Hellman, who is ill, was represented by E. F. Heller. President Wheeler and Private Secretary Victor Henderson, who has been placed temporarily in charge of the secretary's office, and Atty. Snook were also present at the session.

McKowen was consulted frequently during the conference, and at its conclusion was given into the custody of the sheriff. Regent Foster, chairman of the finance committee, says the scandal will be led to the bottom. Britton and Foster, as well as X. McLaughlin, who has been retained as an expert, have discovered that none of the stolen money was taken from the general fund of the university, but from private benefactions, turned over to him.

The next step taken by the regents' committee will be to revise the antiquated system of bookkeeping which made it possible for McKowen to cover up the theft. McKowen was only under a \$5,000 bond.

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