

OLNEY REPLIES TO BRYAN'S LETTER

Ex-Attorney-General Presents His Argument Against the Proposed Rate-Making Legislation.

IT TENDS TO GOVT OWNERSHIP

Delegation of Such Power Would be Surrender by Legislature of Most Important Function.

New York, Sept. 28.—The reply of the conservative wing of the Democratic party to W. J. Bryan's recent open letter to the president on railroad rate legislation is contained in an article by Richard Olney in the October number of the North American Review, published today. In what is practically his first public utterance in two years, Cleveland's former secretary of state presents his final judgment against the proposed legislation in the form of a brief, covering not only the law but the public policy involved in the agitation.

The following are some of the salient features of Mr. Olney's argument: "The importance of the rate-making power is not to be considered simply in its relation to the carrier. The most important bearing of the power is upon the public interests the carrier serves. It is a matter of common knowledge, of which the courts take cognizance without proof, that the great carriers of the present day are the railroads. It is equally a matter of common knowledge that the rates charged by the railroads affect all classes of the community, that they determine very largely the outcome of all private enterprises, and that upon them hinges only too often the material well-being, if not the very existence, of towns and cities and the welfare and large sections of country. It is a matter of common knowledge, also, that the exercise of which is fraught with such consequences, is not to be classed legally or practically with the power of determining the 'sup' quality of life. The latter power will be delegated to an executive officer or board. But to delegate the former, the ultimate rate-making power for railroads to such an officer or board would be a surrender by the legislature of one of its most important functions."

In discussing the effects of government regulations upon railroads Mr. Olney says: "The situation to be anticipated, then, is that railroads—private properties and representing government investments aggregating billions of dollars—will find themselves controlled in the vital matter of their charges, not by their private owner, but by two public bodies—one representative of local interests and the other of national interests, and both antagonistic to the interests of the private owners concerned. The two boards will aim at the lowest possible rates, each in behalf of the particular business under its charge, and will therefore be in constant rivalry with each other in the endeavor to extract from the carrier the best service at the smallest cost. "Under these conditions anything like a stable, reasonable or stable rate-making becomes impossible. A situation is created intolerable alike to the carrier and to the public, and the sure outcome—unless the whole scheme of government rate-making be abandoned—is government ownership."

WORKING WOMEN

Their Hard Struggle Made Easier—Interesting Statements by a Young Lady in Boston and One in Nashville, Tenn.



All women work; some in their homes, some in church, and some in the whirl of society. And in stores, mills and shops tens of thousands are on their never-ceasing treadmill, earning their daily bread. All are subject to the same physical laws, all suffer alike from the same physical disturbances, and the nature of their duties, in many cases, quickly drags them into the horrors of all kinds of female complaints, ovarian troubles, ulceration, falling and displacements of the womb, leucorrhoea, or perhaps irregularity or suppression of "monthly periods," causing backache, nervousness, irritability and lassitude. Women who stand on their feet all day are more susceptible to these troubles than others. They especially require an invigorating, sustaining medicine which will enable them to bear easily the fatigues of the day, to sleep well at night, and to rise refreshed and cheerful. How distressing to see a woman struggling to earn a livelihood or perform her household duties when her back and head are aching, when she sits she can hardly drag about on a stand up, and every movement causes pain, the origin of which is due to some derangement of the female organism. Miss F. Orser of 14 Wrentham Street, Lydia E. Pinkham's Vegetable Compound Succeeds Where Others Fail.

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Both point to existing instances of government ownership of railroads—the one claiming that the results to the public are distinctly advantageous, the other that they are at least not as detrimental as is sometimes declared. "Ours is a government in both state and nation," says the Democratic party, "which have not been fully and finally passed upon by the national supreme court; and which, if submitted to that tribunal half or even a quarter of a century ago, would in all human probability have been determined adversely to the jurisdiction of the general government."

HUNGARIAN AFFAIRS.

King-Emperor's Attitude Attributed to German Influence

Vienna, Sept. 28.—M. Polony, vice president of the Hungarian Independent party, in an interview in the Freie Presse today attributed the opposition of the emperor to the demands of the Hungarian coalition, to German influence. He declared that the German government, which met Hungary's requests for concessions in a conciliatory spirit, with a request for refusal, has, through Ambassador von Wedel, at Vienna, advised the emperor-king against making the slightest concession in the question of the language of command in the Hungarian army.

Carnegie Tech. Appointment.

Pittsburg, Sept. 28.—The Carnegie technical school announces the appointment of Henry Hornbostel, Ph. D., to a professorship in architectural practice in the school of applied science. In the University of California competition he received the highest award of any American architect.

Battle With Footpads.

Berkeley, Cal., Sept. 28.—In a desperate battle with four footpads early this morning Policeman John J. Lostrange shot and killed one of the men, and only now lies unidentified in the Berkeley morgue. Lostrange was accompanied by one of the highwaymen, and in his hands, but the other quickly drew his revolver and fired. The bullet penetrated the man's jugular vein and he dropped dead after running 20 yards. He had three companions who made their escape. A revolver was found by the side of the dead man, and on his person was a safe-cracking outfit, which lead the officers to believe that the quartet were in West Berkeley for the purpose of blowing up the bank there.

HUGHES DEMANDS MORGAN'S BOOKS.

George W. Perkins, Member of the Firm, Objected and Offered to Present Copy of the Entry.

BUT THEY WILL BE PRODUCED

Some Hot Passages Occurred Between Committee's Counsel and Witness.

New York, Sept. 28.—Several sensational incidents developed at the session of the legislative committee on life insurance investigation today. The first was when George W. Perkins, vice president of the New York Life Insurance company and member of the firm of J. P. Morgan & Co., objected to producing the books of his firm showing a certain transaction of that firm with the New York Life. Mr. Perkins offered to present a copy of the entry in question, but Mr. Hughes, who had demanded the books after several refusals on the part of Mr. Perkins. The books will be produced later.

When we get national supervision we won't have these conflicts between the different states. Mr. Perkins testified to a number of transactions in which he represented Morgan & Co., as seller and the New York Life Insurance company as purchaser. In another session was sprung later in the day when Vice President Hughes, A. Buckner of the New York Life Insurance company detailed the advances made to agents and the state superintendent of insurance as "comprising renewal premiums." It was brought out as a matter of fact that these advances were loans, but were not carried as such. Mr. Perkins testified that advances were made to agents sometimes as inducements to leave other companies and enter the employ of the New York Life.

A situation of conflict in Buffalo in 1901 between the Equitable and the New York Life was brought out. In order to get agents of the Equitable away from that company liberal advances and liberal contracts were made by the New York Life. Mr. Buckner testified that these advances to agents in the Buffalo branch of the New York Life, in 1902 alone, exceeded by \$45,000 the amount really earned by these agents. Later Mr. Buckner acknowledged that this was most extravagant, and said that in 1903 the amount was cut down by half, and by half the remaining amount in 1904.

A copy of a contract and a confidential letter to David H. Desbaker of Buffalo, one of the agents in question, showed the inducements held out for him to enter the employ of the New York Life. The confidential letter or supplementary contract reads as follows: "New York, Oct. 11, 1901.—(Confidential)—David H. Desbaker, Buffalo, Dear Sir: Referring to your agreement with this company of even date herewith, and subject to all its terms and conditions, it is agreed that if the business closed down for by your business on this date and Dec. 31, 1903, term insurance excepted, equals \$100,000, you will be entitled to a bonus of \$100 in cash; if you write and pay for \$500,000 in that time you will be entitled to an additional bonus of \$1,000 in cash. "If the amount equals \$800,000 you will be entitled to and be paid a still further sum of \$1,000 in cash; and if the amount equals \$1,000,000 you will be entitled to an additional \$1,000, making a total, in that event, of \$4,000. "Now, the New York Life Insurance company is so sanguine that you will write this later amount, it agrees that your bonus shall not be less than \$2,500 on the business written by you between this date and Dec. 31, 1903, irrespective of the amount and in addition to any other source of compensation under your contract that \$2,500 is to be available as herein described, \$2,500 in cash when you sign the contract and the remaining \$1,500 will be due you absolutely as a bonus on Dec. 31, 1903. "But this \$1,500 remaining bonus shall be available to you in the following manner: As it has to be absolutely liquidated and paid by you on Dec. 31, 1903, if you are still in the service of the company, \$500 available when the first \$50,000 of business is paid for, the when the second \$50,000 of business is paid for, \$500 when the third \$50,000 of business is paid for. "It shall also be a matter of contract between you and the company that when any year your business exceeds \$100,000, all paid up business (term insurance excepted), you will be entitled to a commission of 5 per cent on renewal premiums paid on the third and fourth years of the contract, in addition to the rates specified in section 20 of that agreement. "To further facilitate your business with the New York Life Insurance company it is mutually understood that you will have a working balance to your credit of \$1,000 for the first year of your contract. Said \$1,000 is available to you in cash not exceeding \$20 a week. This \$1,000 is given in advance and is to be charged to your account. "It is further understood and agreed that this \$1,000 is to relate to only one year of your contract, your bonus to extend only up to the time mentioned. "And it is further agreed in the contract that this term shall not apply to any other business you may contract with the company. Yours truly, THOMAS H. BUCKNER, Fourth vice president."

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25 shares. He thought the actual owner was James H. Hyde, as he turned the checks for dividends over to Mr. Hyde.

Mr. Winthrop was again called to the stand just before adjournment. Mr. Buckner having given way to explain a trustee's account brought up earlier in the day. Mr. Winthrop presented a typewritten statement of the account and said the loans would be paid off in a few days and the collateral entered on the books of the company. Before Mr. Buckner retired, however, he was asked to present a statement of the expenses of the Paris office, with a record of the real estate held there and the business that comes under that jurisdiction. Mr. Buckner had been questioned most of the afternoon on the foreign business and its cost to the home office. The committee will resume its session tomorrow.

Decision on Taxation.

San Francisco, Sept. 28.—Judge Seal-walk handed down an opinion today in which he denies the right of the city and county of San Francisco to tax shares of stock in a corporation when part only of the corporate property has been assessed in this state.

Five People Murdered.

Eona, Tex., Sept. 28.—Mrs. A. J. Condit and four children, a daughter of 13 and three boys from 5 to 10 years old, were murdered in cold blood at their home near here today. The mother and daughter were assaulted and their bodies brutally disfigured. A baby about two years old was the only one left alive. All of the men who have been indicted with some blunt instrument. Their heads were crushed and their throats cut with a knife or razor. Officers were informed at once and the entire country is out on search in search of the murderers. It is supposed there were two of them.

Beautiful Women.

Plump cheeks, flushed with the soft glow of health and a pure complexion, are all you need. Take a small dose of Herbine after each meal; it will prevent constipation and help digest what you have eaten. Dr. Williams' Pink Pills for Pale People, writes, May 31, 1902: "We have used Herbine in our family for eight years, and found it the best medicine we ever used in the treatment of bilious fever and malaria." Sold by E. C. M. I. Drug Dept.

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SATURDAY EVENING SALE SPECIALS—REMARKABLE PRICE REDUCTIONS. Ladies' Black Velvet Belts, trimmed in rows of soutache braid, with gun metal buckle and prettily style black shirred Satens Belt, excellent 35c grade, on sale Saturday evening at 19c. HOSE SUPPORTERS AT 19c—Fancy frilled Elastic Hose Supporters, all colors, 25c grade—Saturday eve price, 10c. TOILET SOAP AT 13c—Witch Hazel, Royal Glycerine, Honey and Oatmeal Toilet Soaps, large 10c bars, Saturday eve sale price—THREE BARS FOR 10c.

75c, \$1.00 AND \$1.50 DRESSER SCARFS, 49c. Saturday Night Special, 7 to 9. You'll buy them without looking twice. 200 Handsome Scarves, made of French Laysen—beautifully finished and designed with the home stitch, some with pat centers, included are some special designs, a vast assortment of hemstitched and scalloped edges—blend, work and fancy open effects—worth 75c, \$1.00 and \$1.50 Saturday night any of 49c.

TAPESTRY COUCH COVERS. Saturday Night Special, 7 to 9. 20 Oriental Striped Tapestry Couch Covers, all in both sides and fringed all around, size each value \$1.75; on sale Saturday night (one to a customer) at 98c.

GENTS' SUSPENDER DEPT. Saturday Night Special, 7 to 9. 50 dozen Fine Suspenders (Just Arrived, \$1.00 Values) 49c. The Celebrated CROWN MAKE, conceded to be the BEST in the WORLD, made of French Wools in SILK and LINEN, with fine Kid and Cash trimmings. We want you to have a pair of these suspenders. If you can not come yourself, ask your wife or sister to procure a pair for you. Saturday night only, 22c for Saturday night, limit 1 dozen to a customer. 14c at 49c.

HEMSTITCHED PILLOW CASES. 100 dozen HEMSTITCHED PILLOW CASES, size 42x58 and 45x58, the kind you usually pay 25c and 22c for. Saturday night, limit 1 dozen to a customer. 14c at 49c.

LADIES' FINE BLACK KID SHOES. Ladies' Fine Black Kid Shoes, light or heavy soles, new fall styles, worth \$2.50, go 1.95 for one night only at 1.95.

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Cut Glass Special This Week. Beautiful, rich deep cut, genuine American cut glass bowl or napkin, sold by others for \$7.50, our price—\$5.00. Phone 65 for the correct time.

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