

BY TELEGRAPH

PER WESTERN UNION TELEGRAPH LINK

AMERICAN.

WASHINGTON, 10.—Delegate Carey to-day introduced a bill to authorize the Union Pacific Railway Company to make running or traffic arrangements with, or to become the lessee of any railroad which connected with its lines of railway. This privilege is granted upon the following conditions:

First—That the arrangement shall be approved by at least two-thirds of the Union Pacific directors including three of the Government directors.

Second—That if after an examination by an officer of the Interior department it shall be found that the arrangement does not impose upon the Union Pacific a pecuniary obligation per annum exceeding five per cent. of what the officer finds to be the cost in cash per mile of the railroad and property of the other contracting party.

The following conditions were made to-day:

J. Whitaker, Collector of Internal Revenue, District of Oregon; T. Jennings, Indian Agent, Green Bay, Wisconsin; F. F. Clausen, Assayer, New Orleans.

The bond of Wm. T. Trenholm, as Comptroller of the Currency, was approved by the Acting Secretary and Solicitor of the Treasury to-day and he subsequently qualified and entered on the duties of that office to-day. The bond is for \$100,000.

The Treasury Department has received a certificate of deposit for \$25,000 in the case of George Q. Cannon, of Utah, who was held in that amount of bail and which was forfeited by reason of his failure to appear for trial.

To-night Senator Voorhees urged the workmen to organize and promised his vote and influence to start such legislation as they desired. He was followed by Representative Weaver, of Iowa, who covered about the same ground.

Resolutions were passed endorsing the course pursued by General Master Workman Powderly in relation to the strike on the Gould system of railways, heartily commending his appeal for aid for the strikers, calling upon all opposed to monopoly to contribute liberally and promptly and demanding of the national government the building and improvement of highways and waterways for the direct benefit of the people instead of middlemen and speculators.

WASHINGTON, 19.—The announcement that Attorney General Garland was to appear before the Telephone Investigation Committee, caused a large attendance this morning. It was nearly three quarters of an hour after the regular hour of meeting when the Attorney General appeared, looking pale and rather feeble. With a courteous salute to the committee, he immediately took the stand, and, on invitation of the Chairman, he began to make a statement of his connection with the Pan-Electric.

He wished, he said, to lay before the committee and reaffirm the matter contained in his statement to the President on October 8th last. In addition he wished to explain two or three points of that statement. In February 1883, General Atkins had said to witness that he believed the Rogers inventions were of great utility if properly handled and that money could be made out of them. Being a poor man like himself, General Atkins had desired witness to enter into this. "I told him," said the witness, "that I had never undertaken to make any money except by law and poker. I had always lost at poker and generally won at law. I was willing to go into this if he thought it offered any inducements."

Continuing, witness said Senator Harris made substantially the same statement about the invention, and two or three days afterwards he (witness) had been introduced to Mr. Rogers and his son at their home. He briefly told of their organization of the Pan-Electric Company, as detailed by Senator Harris and other witnesses, and then turned his attention to the applications made to him to bring suit against the Bell Company. It was an inference and not a fact, he said that the Pan-Electric had made the application. The inference was founded on two reasons, viz.: First, that Col. Young came with the other gentlemen (in the latter part of July) and witness knew him to be the treasurer and secretary of the Pan-Electric; and, second, because witness had on May 25th received a letter from Rogers requesting suit to be brought as a stockholder. That the company coupling these facts together, witness took it for granted that the Pan-Electric made the application. Witness had treated Mr. Rogers' letter as personal, and he knew Rogers had no authority to make the application. That such an application must be made from the president of the company. Therefore, the letter had remained unanswered and a personal paper had not been filed. In July Van Benthuyzen had presented his application for a suit, basing it on the law, which, he stated, had been passed at the last session of Congress. Witness heard of the law before that. Had some search made, but could not find the act. The application, however, was so well written and apparently set out the passage of the bill so positively, that witness felt that the bill had become a law. The application had been referred by witness to the Interior Department, where it should have gone in the first instance, and witness had heard no

more of it until it had been returned last January, with other papers.

After receiving Van Benthuyzen's letter, witness had set to work to examine into the matter, for though he had no intimation to that effect, he was satisfied other applications would be made. Looking over the authorities, he concluded he could not order suit, and when Van Benthuyzen, Young and others came to him, he had determined that he would not touch it at all under any circumstances. When witness was still in the Senate, Senator Platt had come to him one day with a bill to authorize government suits, and had asked his opinion of it. Witness had looked it over and had regarded it as unnecessary; that it would do no good. That was all he ever said or heard of the bill until it had been brought to his attention through the application in the early part of the fall. A Mr. Humphrey of the Globe Telephone Co. had called upon him at the Department about the application. "I thought he was going to jump over me," said the witness. Humphrey had insisted that he (witness) ordered the suit to be instituted and had said it was very curious because he (witness) was in another company, that his (Humphrey's) rights should be disregarded. "He got mad because I would not do anything about," said the witness, "and we parted not with mutual respect and admiration at all."

Witness denied that he had ever given an opinion about it. The opinion he had given and the only opinion was to the effect that the Pan-Electric inventions were infringements; that they were improvements upon the telephones that were differently patentable—a well recognized principle.

While a stockholder he had been very active in attending meetings, for the reasons that the place of meetings was inconveniently situated and they were held at night, when witness rarely went out of his house. Although witness was attorney for the company, yet Mr. Young and Senator Harris usually drew up the legal papers, and when they were referred to him, witness made such alterations as seemed to be necessary. These papers had been submitted to witness in the Senate Judiciary room, but it was a mistake to say that any board meetings had been held in that room. Witness was satisfied that he had never attended a meeting of the company since the last presidential election.

Turning his attention to the ordering of the Memphis suit, witness said that he had arranged to leave Washington on August 27th, and spend the entire month of September at his home in Arkansas. He had chosen that time because he had found September the best month to be out of Washington, and because he could shoot deer in Arkansas in that month under the game law. "The deer did not become ripe until September," said he. Mr. Goode had returned about the middle of August, but witness had said nothing to him about the application he had received, because he did not know exactly what to say. He supposed the gentlemen who had made the application would find their remedy if they supposed they had one. When the witness had come back to Little Rock, he received a dispatch from the New Orleans Times-Democrat saying that his admiring newspaper friends were complimenting him on ordering the suit against the Bell Company. He replied that he had not ordered any such suit. He had returned to Washington about October 1st, and when he called at the White House the President had told him the papers were speaking of the case, whereupon he had made the explanation that had been published. Witness had never opened his mouth to Mr. Goode about it, because Solicitor Goode under the statute was perfectly free and independent, and witness had no more control over him in his (witness) absence or disability than he had over the gentlemen in Congress. He had never to this day spoken to Mr. Goode about the first suit, or the one alleged to be pending. Mr. Goode had said something about counsel and the practice of the Government in dealing with counsel. He did not know what was in the bill. Had never seen the paper on which the bill was predicated, and had never talked with Secretary Lamar, or the gentleman who sat with him. He had even declined to talk with the President about the suit. One of the gentlemen in Secretary Lamar's department, Mr. Zach Montgomery, an old college friend and appointed at his solicitation, had declined to sit on the case because of his friendship and old acquaintance with the witness. He had seen some notice now and then "about Garland being the recipient of a block of stock as a gift." Of course there had been no gift about it. As to the question of propriety, there was no more impropriety in his position than in the case of gentlemen in Congress holding railroad stocks, or Congressmen going over to the Supreme Court to practice for money. It was a legitimate business, and witness had never learned of any legislation being asked. His only regret was that it had not "panned out." If any question had come up in Congress connected with the company he should not have voted for it. He had recommended Dr. Rogers and his son to Messrs. Cox and Hewitt because he regarded them as very competent men in their line. Witness had talked with Architect Clarke about Harris Rogers' application for appointment as House electrician and about putting in Rogers' telephones, but after consultation with the President pro tempore of the Senate, Mr. Clarke had refused to make the appointment. Thurman inquired if the witness re-

garded the stock as a gift. He replied in the negative. Five or six persons had come together for the organization of a company and they had made assessments, the first move being to give a note for \$11,000, which was followed by assessments of \$30 or \$100 each. He did not regard the inventions as having any marketable value. The company was to establish their utility and put them on the market.

Chairman Boyle—Did you contemplate using your official position for the advantage of the enterprise?

Witness—Not at all. If I had been a private citizen I would have done much better than when in office.

He added that he had no more idea of using his official position than of jumping into the Potomac River with a millstone around his neck. The company was simply an undertaking by a half dozen impecunious gentlemen. They had never tried to boom business and scatter stock upon the country, at least he had never heard of it.

The Chairman asked why the witness wanted to put the telephones in the Capitol.

The witness replied that they wanted to exhibit the instruments to the public. It was not the intention to bring them before Congress.

In answer to a question by the Chairman, the witness said he had never had a patent case in his life.

Mr. Hall inquired for the witness's understanding of the reason for referring the application to the Interior Department.

He replied that it was simply for information and such suggestions as they might see proper to make in the premises. It was advisory of course. Referring to his vacation the witness said, that believing Mr. Goode would not return in season he was about to send for Mr. Maury. Under the statute Mr. Goode had the right to act as well in his (witness) absence as in his disability, and he had expected when he had refused to entertain the application that the gentlemen would go at once to Mr. Goode. He did not know that they would follow, and had not suggested it. He had gone to his home at Hominy Hill, Arkansas, leaving instructions to send no departmental letters to him. His house was 100 miles from Little Rock and 17 miles from anywhere else.

Mr. Ranney took up the examination at this point. He questioned whether the witness regarded his stock as a purchase, as he had said it was not a gift.

Witness replied it was not precisely a purchase. It would be difficult to define it in one word, still, taking the assessments into consideration, it might be called a purchase. He was \$400 out by the assessments.

Mr. Ranney began an inquiry into the contracts of the company, but the witness knew very little about them.

Mr. Ranney wished to know to what extent he had acted as counsel for the company.

Witness replied that as he had stated he had looked over the legal papers brought to him by others, but had not performed any other duties as attorney.

Mr. Ranney took up the legal phase of the case and examined the witness at some length as to his understanding of the issues litigated in the Dolbear, Drambaugh and other cases.

Witness had never understood from cases he had read, that anything more than a question of infringement had been decided in each case. He had never understood that the issue was Bell's broad claim to the act of telephony.

Mr. Ranney asked why the witness, feeling a party had a right to be heard, and that they should not be deprived of that right—and the duty devolving upon the Solicitor General—why he had not referred them to the Solicitor General.

Witness answered that he did not want to be concerned in the matter at all. After he had examined it, he concluded that it would be better for him not to suggest what the applicants should do. Certainly the gentlemen looked mad when he had refused to touch the matter.

Mr. Ranney—Did Casey Young look mad?

Witness—Casey did not look well pleased.

Continuing he said that Mr. Young did not open his mouth after introducing the gentlemen. It was due to all sides that he should state the fact that after he had declined to take any action in the matter of ordering the suit, a number of prominent gentlemen (legal gentlemen) had written to him insisting that, notwithstanding his connection with the Pan-Electric, it was his duty to have brought the suit. Some of the most prominent men in the country had written to that effect.

Mr. Ranney objected to the statement. He did not care to go into what he had written.

Witness remarked that he was simply trying to show his position at the time.

Mr. Ranney wished to know if the writers had felt that it would be improper to the applicant that he was disabled and refer them to the Solicitor General.

"It would not have been improper," responded the witness, "but it was a question of delicacy with me."

Mr. Ranney—Don't you think you were a little over-sensitive?

Witness—No, sir, with me it was a case like that of Lorenzo Dow's man—if you do you will be damned, and you will be damned if you don't. [Laughter.]

Mr. Ranney, referring to the previous testimony concerning the witness' refusal to hear the application and the

subsequent search for the missing law, asked how he knew another application would be made.

Witness replied that he did not know that; he only supposed that the parties would return to request a reference of their application to the Solicitor General. Then they had also threatened to appeal to the President.

Mr. Ranney inquired if it had occurred to the witnesses as a reason for not telling Goode of the receipt of the application, that if he had told him of his application, that Mr. Goode might feel bound to reject it, while if he said nothing Mr. Goode would act upon the original application and might grant the request.

Witness responded firmly in the negative.

As Mr. Ranney still pressed the witness for his reason in remaining still, he remarked that after what had occurred, it seemed to him that it was with the utmost propriety that he had kept silent. He thought it would have been extremely indelicate to have said anything about it. Later, on referring to the Times-Democrat dispatch about the order for the suit received by him at Little Rock, witness said that when he received it, he had to think some little time to recall just what it referred to.

Mr. Ranney pointed out what he said was a discrepancy in the testimony relative to the withdrawal of the original application. Van Benthuyzen had shown that he told the Attorney General he intended to make application to the District Attorney, while the witness did not remember any such statement.

Witness replied that he had "sawed off" the conversation very short, and he still failed to recall any such statement.

Mr. Oates—Since you have been Attorney General have you done any act or anything directly or indirectly to enhance the interests of the Pan-Electric Company, either as counsel for the company, or stockholder, or as an interested party.

Witness—I cannot call to mind any thought or any word of mine since I have been Attorney General that is calculated in the remotest degree to increase the value of that stock or enhance its value in any way. I have not been at a meeting and have had no conference with the gentlemen connected with it at all.

Mr. Oates then asked whether it was a very unusual thing for the District Attorney to make such applications, to which the witness replied in the negative.

The committee had no further questions to ask and the examination of the Attorney General was concluded at this point, and the committee adjourned till Wednesday.

New York, 19.—About half past four this afternoon the Third Avenue line started the first of the 25 cars they proposed to run over their line. Inspector Barnes and four men were on the platform. At 64th street a big fellow rushed out, grasped the horses by the bits and drew a knife to cut the reins. He had not accomplished his purpose when Inspector Barnes "put him asleep" with his club. The man was left senseless in the street and the car went on. The next car was driven by a new driver, and when at 59th street one of the horses fell on the pavement crowds of strikers along the walks cheered in derision. The tumult grew greater, and finally the crowd began hurling bricks from the new building on the corner. Windows were smashed and the car demolished. Two officers were hurt by the missiles. Two police then charged the crowd and 10 of them were injured. Eight persons were taken, and in the pockets of two of them were found licenses of the Fourth Avenue line, the men of which road have no grievances, and are out because ordered to tie up.

The Telegram says that several uptown clubs have made up a list of 200 fashionable young men of their membership who will take out licenses and volunteer to drive cars for the tied up lines without pay, on the sole proviso that the public shall be allowed to ride free of charge.

St. Louis, 19.—The Bridge and Tunnel and the Belt Line companies have at last employed a sufficient number of men to man all of their engines and switches, and they now announce their readiness to do all the transferring across the river, and between the various railroad yards in East St. Louis which may be required. Their inability hitherto to engage full crews has been the only impediment to the full resumption of operations by the different roads.

PITTSFIELD, Mass., 20.—At 6 o'clock this morning the village of East Lee was inundated and devastated by the breaking away of the dam at Mud Pond Reservoir, a mountain lake about 2½ miles from the village. The pond covered many acres of swamp and was increased from its original size by extensive dams, built by a club of manufacturers as a storage place for water.

East Lee village, whose half dozen paper mills are situated on the stream received its first news of the accident when the flood came pouring down the streets, the water being from four to six feet deep and bringing with it trees, portions of houses, barns, fences, wagons and every form of movable property. The people fled to the slopes of the valley, among which the torrent was pouring, and saw

HOUSES MOVED AND TOPPLED ABOUT LIKE CHIPS

on a river. The flood passed East Lee and went on down the road destroying gardens, lawns, fences and moving

smaller buildings. It had not power, however, to wreck utterly the larger houses, though the damages will amount to many thousands of dollars. As soon as possible the people went up the line of the flood towards the pond and found the river worse as they approached the starting point of the torrent. Fortunately the track of the flood was in a sparsely inhabited country, but what destruction there was for it to do in wrecking three or four houses along its way was thoroughly accomplished. Much stock besides other property is lost. Explorers have already found the bodies of eleven persons and are searching for others. The scene is one of terrible desolation.

THE BODIES RECOVERED

and identified are thus far as follows: Mr. White, wife and two young daughters, Mr. King, wife and Mr. King's son and wife. Eleven bodies so far have been found and three persons who were living in the track of the flood are missing. White's carriage shops are destroyed. The Harrison Garfield Paper Mill is undamaged. Decker's, Verran's and Gilmore's paper mills are also badly damaged. John McLaughlin's machine shops were totally wrecked.

WASHINGTON, 20.—Grand Master Workman Powderly and Messrs. Hayes and Turner of the Knights of Labor arrived in Washington this morning and were at the Capitol at an early hour. Mr. Powderly repaired at once to the room of the appropriation committee, where he had a short chat with Mr. Randall.

The special committee of the House of Representatives to inquire into the labor difficulties of the Southwest, held its first public session to-day. The committee consisted of ex-Governor Curtin, Chairman, and Messrs. Barnes, of Missouri, Crain, of Texas, Outwaite, of Ohio, Parker, of New York, and Buchanan, of New Jersey. All the members were present except Stewart, who was absent by leave of the House. Among the persons in attendance were as representatives of the Knights of Labor, Powderly, Hayes and McDowell, members of the Executive Board, and Frederick Turner, Secretary; as representatives of the railroad interests, Wager Swayn, counsel, and as representatives of the Women's League of America, Mrs. Charlotte Smith and three other ladies. A corps of stenographers were on hand, and will make a full report of the proceedings for the railroad companies.

Powderly was the first witness. The chairman addressed him: "You understand that this committee is raised by the House of Representatives for the purpose, if possible, of getting down to the reasons for the unrest and disturbance which now exist in the country, especially as to the conflicts between labor and capital and employers and employees. This committee is fully sensible of the course you have taken in your previous life and of your disposition to reconcile the unrest of the people, and, therefore, we call you as the first witness. Be pleased now to state to the committee in your own language your impressions as to this matter."

"While I was in the West," said Mr. Powderly, "I heard from men of little abuses which I do not think the manager of the Missouri Pacific Railway knows anything about. Along the Iron Mountain Railway they have a system of taking 25c. a month from the wages of a man who receives \$1 a day, and 50c. from the wages of a man who receives \$2 a day, and so on in proportion for what they call the hospital fund. Then the men claim that as soon as they are taken sick they are discharged and are denied the right of entering the hospital. Then there are instances, which can be proved where men have made contracts to buy land from the company on regular yearly installments, and where, having paid all but the last installment, they were discharged from the employment of the company. In that section of the country it is different from the East. Men cannot go into the next town and get a situation, and the consequence has been that in at least one particular case a man was obliged to remain idle so long that he lost his property. The men claim there are several instances of that kind."

Chairman—Can you have witnesses called before the committee to show these facts?

Powderly—Undoubtedly, if I am correctly informed.

Mr. Buchanan—In your inquiries you have found that these causes of discontent exist?

Powderly—Yes.

Chairman—Will you state the purpose of the organization of the Knights of Labor? Whether its purposes are protection to the interests of labor, and whether it is peaceful in all its actions?

Powderly—The aim of the organization of the Knights of Labor is to benefit the laborer and to secure a better feeling between him and his employer. All our methods are peaceful. We never counsel anything of a violent nature. A member of the organization may once in a while commit acts of violence. We cannot help that. It is a matter beyond our control, because when men feel they have endured wrong there is no law which can properly restrain them.

Chairman—Do I understand that the Knights of Labor as an organization protect labor, not only on railroads but also in mines and factories?

Powderly—We attempt to do that. Our association is intended to be a National one. When I said I was willing to expose everything in connection