

PANAMA CANAL EXPENDITURES.

In Future None Are to be Made
Except by Authority of
Congress.

THE BOND PROVISION IS OUT.

Commissioner's "Press Agent" Says He
Is Its Historian and Assembles
Data of All Kinds.

Washington, Dec. 12.—The emergency appropriation bill to provide the isthmian canal commission with funds to carry on the construction of the Panama canal will contain no general legislation. This was decided by the senate committee on appropriations at a meeting lasting all of today, and at which it was agreed to report the measure appropriating \$11,000,000, the amount named by the house bill.

The first section of the bill, in relation to the issuance of bonds, was struck out. A bill containing this feature was introduced in the senate by Mr. Teller, and it will be dealt with by the finance committee. The bill was amended further to provide that in the future no expenditures shall be made for the canal except by authority of Congress, and when appropriations have been made by Congress.

Secy. Taft of the war department, Theodore P. Shonts, chairman of the canal commission, Joseph B. Bishop, secretary, and other officials of the commission, including the purchasing agent, were before the committee, and were subjected to pointed inquiries as to the manner of making expenditures.

Mr. Taft and Mr. Shonts urged that the appropriation be increased to \$15,000,000, the amount named in the bill before it was amended in the house. They admitted, however, that \$11,000,000 would be sufficient to carry on the work until April. In view of the fact that Congress will have plenty of opportunity to legislate by that time, it was determined not to restore the \$5,000,000 cut out by the house.

The examination of Mr. Bishop, who had been referred to in the house debates as a "press agent" for the commission, was of a personal nature, in that he was asked to define his duties. It was shown that in addition to acting as secretary he is a sort of diplomatic agent, charged with meeting any possible contingency that may arise. In the absence of Mr. Shonts and Mr. Leon Pepperman, the assistant chief of administration, Mr. Bishop says he assumes their duties in Washington, even to the extent of signing checks, and that he deals directly with the secretary of war in relation to canal matters.

He said he was the historian for the commission, and assembled data of all kinds that might be of use for any purpose. He admitted that to some extent this information was used for the public press. In his capacity of literary secretary Mr. Bishop explained that he was not expected to create public sentiment, but to keep it normal. In explanation he said that there had been a determined effort on the part of the opposition to direct public feelings against the canal, and that before he entered the employ of the government his services had been sought by those interested in more liberal compensation than he is now receiving.

When asked to name the opposition interests, Mr. Bishop specified the Nicaragua, the Tehuantepec and the Darien canals, and ventured the surmise that the transcontinental railroads also were concerned in the opposition to the canal. In reply to questions as to the activity of the railroads, he said that he had no positive information that they were opposing the canal enterprise.

Mr. Shonts defended the action of the commission in employing a literary secretary, saying that practically every railroad or corporation of any character found the services of such an agent of "inestimable value."

The appropriation committee took up the question of the making of reports by officials of the canal commission, and in that regard the provisions of a bill adopted by the senate committee on inter-oceanic canals last Congress were agreed upon. Those provisions were placed in the house bill as amendments and after into details as to the manner of requiring reports to be made to Congress.

If the finance committee reports promptly the Teller bill in relation to the bonds, it is possible that in the interest of saving time this may be returned to the bill as a new section, and the other amendments decided upon by the appropriation committee dropped temporarily, to be dealt with later by the isthmian canal commission. The effect of this would be to place the appropriation committee on record against general legislation and give the bond feature of the house bill the endorsement of the finance committee, and at the same time avoid a new bond bill in the house. The bill will be reported to the senate early tomorrow.

TAMPA TOBACCO CASE.

Judge Holt Decides in Favor of Seigas, Suarez & Company.

New York, Dec. 13.—Judge Holt, in the United States circuit court yesterday, decided in favor of Seigas, Suarez & Company, claimants in the much-discussed Tampa tobacco case seizure. The court directed the jury to give a verdict for the claimants on the ground that the tobacco in question, consisting of 49 bales, could not be forfeited to the government without proof of fraud. The 168 bales of leaf tobacco involved were valued at \$20,000. They were imported at Tampa and there examined and paid duty and were shipped to New York and deposited in a free warehouse. The government afterwards claimed that they were fraudulently invoiced and re-examined them. At Tampa they had been classified as six bales of wrapper, 29 bales as containing less than 15 per cent of wrapper, and the balance containing no wrapper. The New York examination resulted in a report that there were 46 bales containing wrapper to the extent of about 40 or 50 per cent. The government secured the bales and proceeded to their confiscation.

TO REGULATE INSURANCE CO'S.
Seattle, Wash., Dec. 13.—Gov. John H. Johnson, of Minnesota, accompanied by his wife, arrived in the city last night. He made the first announcement of the plan which he originated and which has been taken up by President Roosevelt to secure uniform legislation in all of the different states of the Union, regulating the operation of insurance companies.

"The insurance commissioner of Minnesota is now in New York," said Gov. Johnson, "gathering information from the investigation of the New York Life and Mutual Life companies. The purpose of the investigation is to secure data on which a call will be issued to regulate the industry."

BAD STOMACH MAKES BAD BLOOD.

You can't make sweet butter in a foul churn. Every farmer's wife knows this. Your stomach churns and digests the food you eat, and if foul, torpid or out of order, your whole system suffers from blood poisoning. You will have foul breath, coated tongue, bad taste, poor appetite and a whole train of disagreeable symptoms. Dr. Pierce's Golden Medical Discovery, which is not a fever-uge composed of whisky or alcohol, being entirely free from intoxicants, is a great regulator and purgative of the stomach, liver and bowels.

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Don't accept a substitute for a medicine which performs such cures and which has a uniformly successful record of nearly forty years to its credit. It's an insult to your intelligence for a dealer to try to over-persuade you to palm off upon you in its stead some inferior article with no record to back it up. You know what you want; it is his business to meet that want.

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sued for a meeting of the insurance commissioners and the attorney general of all of the states to frame legislation to be passed by all of the states regulating the operation of insurance companies.

MISSOURI SUITS AGAINST STANDARD OIL COMPANY.

New York, Dec. 13.—Henry Wollman, who will act with Attorney General, H. H. Rogers, in the suits brought against the Standard Oil company by the state of Missouri, said yesterday that subpoenas have been served upon James A. Moffatt, one of the executive committee of the company and Frank O. Barstow and Howard Page, who are officials of either the Standard company or some of their allied corporations.

Henry H. Rogers had before been served with a subpoena, as had John D. Archbold. According to Mr. Wollman, both these men have stated that they will appear in his office on Jan. 5 to give their deposition.

"We are having some little difficulty," said Mr. Wollman, "in serving some of the others with subpoenas, but by Jan. 5, all of them who are in the state of New York will be served."

When Mr. Wollman was asked if he thought he would be able to serve a subpoena upon John D. Rockefeller in this state, he said:

"I do, but in case we should not succeed by Jan. 5 I understand that Attorney General H. H. Rogers will take Mr. Rockefeller's deposition in Virginia or New Jersey, or wherever Mr. Rockefeller happens to be; meanwhile the proceedings here will go on alive. You know I have never made the statement that Mr. Rockefeller is endeavoring to evade the service of a subpoena upon him, nor do I wish to be understood in any way as making that statement now, or intimating anything to that effect."

It was the general opinion in Wall street yesterday that Mr. Rockefeller, who is now at Hot Springs, Va., would soon come home and take steps to accept the service.

Owing to the postponement of the Standard Oil proceedings in this state from Dec. 4 to Jan. 5, new orders of subpoenas had to be obtained from Justice Stover.

RUGBY FOOTBALL PROHIBITED.

St. Louis, Dec. 12.—A resolution absolutely prohibiting the playing of Rugby football by students of the public schools, including the high schools, as representatives of their respective institutions, was introduced tonight at the meeting of the board of education. According to the established procedure the resolution was referred to a committee, but previously a majority of the members of the board spoke in favor of the resolution.

REBATES AND DISCRIMINATIONS

Atty. Gen. Moody Addresses Letter to U. S. District Attorneys About Them.

MUST ENFORCE ELKINS ACT.

Method Suggested Is Indictment—Where Possible Would Have the Punishment Imprisonment.

Washington, Dec. 12.—Atty. Gen. Moody today sent a circular letter to all the United States district attorneys, \$5 in number, directing them vigilantly to enforce the provisions of the Elkins act against rebates and discriminations of all kinds by carriers. The method of proceeding suggested is by way of indictments. It is the expectation that this letter will result in the prompt investigation of all complaints made of discriminations by carriers, followed by indictments where the evidence warrants. The department, it is said, has investigated thoroughly all cases of discriminations brought to its attention, but it has no facilities for a prompt investigation of discriminatory practices all over the country, and it has been felt that these cases were of a nature that could not be safely entrusted to the discretion of the district attorneys.

Following is a copy of the letter sent today to the district attorneys:

"An act entitled, 'To further regulate commerce among foreign nations and among the states,' approved Feb. 10, 1887, (25 Stat., 847), commonly known as the Elkins act, is directed against rebates and other discriminatory practices by common carriers. It makes such practices misdemeanors and provides for their punishment by fines. It further provides for their prohibition by the injunction process of the courts. There is no provision that criminal prosecution shall be by special direction of the attorney general, but in section 3 it is provided that proceedings for injunction shall be begun 'whenever the attorney general shall direct.'"

"You are directed diligently to investigate all complaints which may come to you from any source of violations of this law, and upon your own initiative to make investigations if there appears to you to be any reasonable ground for suspecting violations of this law. In every case in which you can secure sufficient evidence you will submit that evidence to the grand jury with a view to securing an indictment. Whenever it is practicable, it is desirable that indictments should be returned both against the shipper and the carrier. In some cases, however, it may be impossible to obtain sufficient evidence without aid of the testimony of one of the guilty parties to the transaction. In such a case it would be wise to use

Thomas W. Lawson tells, in Everybody's for December, how "Standard Oil" used the depressed tendency of the market, following the assassination of McKinley, to bring about the assassination of Amalgamated Copper.

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such testimony, of course affording to the witness or witnesses immunity from prosecution.

"Under the Elkins law the only penalty for its violation is a fine. I suggest, to you, in all cases where the evidence would warrant it, that an in-

dictionment for conspiracy to commit an offense against the United States based on section 540 of the revised statutes be obtained. The supreme court has held in *Clune vs. United States* (159 U. S., 590, 595), that a conspiracy to commit a crime, itself punishable only by fine, may be punished by imprisonment. In the event of obtaining a conviction upon a charge of conspiracy of this kind, you are directed to present to the court the desirability of inflicting the penalty of imprisonment, to the end that these unlawful practices, which have received almost universal condemnation, may be discouraged and prevented as far as existing laws will accomplish that result.

"Your attention is especially directed to that part of the act which renders unlawful any rebate, concession or discrimination in respect of the transportation of any property in interstate or foreign commerce, whereby any such property shall be by any device whatever transported at a less rate than that named in a tariff."

"I desire to impress upon you the importance of exercising every effort to execute these directions. You will report to the department from time to time any action which you may take upon this subject. Very respectfully,

"WILLIAM H. MOODY,
"Attorney General."

HARRIMAN REFUSES TO TALK OF RYAN'S TESTIMONY

New York, Dec. 12.—E. H. Harriman refused last night to comment upon the testimony of Thomas F. Ryan before the insurance investigation committee yesterday, in which the witness said that Mr. Harriman attempted to secure an interest in Mr. Ryan's Equitable holdings. To all questions he replied that he had nothing to say.



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