

## ROOSEVELT NOT ACTING DICTATOR

### No Ultimatum to Congress on Rate Bill.

### ACCEPTS NO COMPROMISE

### Hepburn Bill Accords With His Opinions.

### JUSTICE TO RAILROADS

### Official Statement of President's Attitude on Legislation—Senate May Reject the Joint Statehood Bill.

WASHINGTON, Feb. 2.—President Roosevelt is not trying to dictate to Congress what it shall do or not do regarding railroad rates or any other problem of legislation. He has not delivered an ultimatum on subjects of legislation, and has not held over the heads of Congress the threat of an extraordinary session. If he does not obtain the legislation for which he is hoping.

This statement is made by authority; also that suggestions of a compromise on any sort on rate regulation which do not embody the substance of the President's message on the subject have not been appealed to the President. It can also be said that he doubtless would refuse to accept a compromise which would affect any essential feature of the proposed legislation. What is known as the Hepburn bill, now under discussion by the House, embodies substantially the President's views as set forth in his last annual message. In the early days of the present session he thought the measure proposed by the Interstate Commerce Commission was the most practicable offered, but after mature consideration it seemed to him that the Hepburn bill was the better.

Members of the Senate committee on interstate commerce have assured the President that either the Hepburn bill or a measure resembling it in essential features will be reported to the Senate. The report of the Senate committee will not be unanimous, but it will represent the views of a majority of the members. The report will be supported, it is said, by Senators Cullom, Dooliver and Clapp, and possibly by other Republicans and by Democratic members of the committee.

### Wants Justice to Both Sides.

It can be stated that, while the President desires that such rate legislation shall be established, he is firm in his attitude that the shippers shall be dealt with entirely justly. He wants nothing in the law that would affect unfairly the rights or the property of the railroads. It is confident that legislation to be framed substantially on the lines of the Hepburn measure will prove fair alike to the railroads and to the people. He is not trying to dictate matters of detail, and, of course, will preserve an open mind as to proposed amendments which do not affect the material and substantial features of the bill. Senators Dooliver and Clapp had another talk with the President today on the rate regulation question after a meeting of the Senate committee at which the subject was under consideration.

### Prospects of Joint Statehood.

The President is interested deeply in both the Philippine tariff and the statehood measures. Concessions as to either one of them have not, it is stated, been given serious consideration. At the White House it is understood that an effort is to be made in the Senate first to eliminate Arizona and New Mexico from consideration as a joint state and, if that should fail, secondly, to incorporate in the statehood bill a provision to submit the question of joint statehood to the voters of the two territories. It is early yet to say with any degree of accuracy what the result of the latter proposition may be. Senator Beveridge, of Indiana, chairman of the committee on territories, has assured the President that in his judgment the measure, as it stands, ultimately will be enacted into law.

### Many Factions on Philippines.

A vigorous fight is being made on the Philippine bill. Just now it is not a question of there being merely a majority and a minority for the Senate particularly is divided into several factions on the measure, each one of which represents a different view. Whether these divergent views can be resolved and the measure practically as it stands, enacted into law or not, remains yet to be determined. Secretary Taft, who is a staunch advocate of the bill, has let it be understood that no compromise involving an increase of the tariff rates on Philippine sugar and tobacco imports over the 25 per cent rate provided in the measure will be accepted, if his views are to obtain.

### SENATE COMMITTEE LINES UP

### Divides on Right of Appeal—Majority for Hepburn Bill.

WASHINGTON, Feb. 2.—Railroad rate legislation will be voted on by the Senate committee on interstate commerce on February 16. An agreement to take final

action at that time on all the measures pending before the committee was reached today. The differences of the opposing factions have narrowed down to the court features of the bill, but they present a variance admitted to be fatal to a harmonious committee report.

They may be summarized in this proposition: Whether there shall be a specific provision for review by the United States courts of orders of the Interstate Commerce Commission establishing rates before such orders become operative. On this question rests the fate of the favorite issue of the President as submitted to Congress in his annual message. The Hepburn bill before the House does not contain this provision in direct terms. This bill meets with the approval of the administration.

The supporters of the measure, as well as of the Dooliver-Clapp bill, which is built on similar lines, contend that common carriers have the same rights as other persons and can go into the courts and secure an injunction against an order of the commission and that there is no reason to enact into law something that is already provided for by existing statutes. The opposition forces, which call themselves the conservative element, hold that without the specific provision demanded by them the Interstate Commerce Commission will be all-powerful. They take the stand that a common carrier should not be compelled to go into court to have a wrongful rate righted.

Members of the Senate committee maintain there is no significance in the reaching of an agreement to vote on February 16. The arrangement carries with it an agreement to meet on February 9 and thereafter and consider the various bills before the committee. It is expected by the committee that before that time the Hepburn bill will have passed the House. In that event the House bill would furnish the basis for discussion and the prospects are that efforts will be made by the opposition to amend the bill rather than to attempt to bring one of their own bills out of the committee.

Canvasses of the committee have been made today by the administration forces and by the opposition. Both claim a majority of the committee, but neither side is willing to be quoted upon the line to which the committee will stand. It is admitted that the administration measures come nearest to meeting the Democratic ideas. If this should prove true, the Hepburn bill or the Dooliver-Clapp bill would be reported out of the committee. In fact, so it is claimed, by a vote of 5 to 5. It is claimed that three Republicans and four Democrats are absolutely for the administration measure, which secures a majority on that proposition. The opponents are not disposed to contest this view, but agree that unless two Democrats are added to the majority, the Hepburn bill or the Dooliver-Clapp bill will be reported with a majority vote.

### VICTORY FOR ADMINISTRATION

### Fixing of Date for Vote on Rate Bills in Committee.

WASHINGTON, Feb. 2.—(Special.)—Today's decision of the Senate committee on interstate commerce that in two weeks, February 16, it will vote on the railroad bill before it and decide upon one to report to the Senate, is hailed as a crowning victory by the administration forces. They declare that the measure that the President wants will go into the Senate and be passed in due time without further modification, and that it will in effect the Hepburn bill that is now under consideration by the House.

The Senators who have become known as the President's friends, however, do not go quite so far. They are equally positive, however, in the declaration that the measure to be agreed upon will be satisfactory to all interests and that they will be with the majority of the committee in reporting it.

The friends of the railroads wanted an amendment agreed to that will enable the railroads to go into court as soon as the rate is fixed by the Interstate Commerce Commission, if they hold it unreasonable or unjust; they to give bond to reimburse the shipper in case the rate is later found to be reasonable. On the other hand, it is believed by many that they will not.

### Almost Loses His Title

### ACTRESS ADVANCES TO KISS DOWIE'S UNKISSED SON.

### Courage Fails at Moment, and Youth Blushes on Tents of the Prophet's Plans.

NEW YORK, Feb. 2.—(Special.)—Gladstone Dowie, the "unkissed" son of John Alexander Dowie, of Zion City, was a passenger on the steamer "La Plata," which arrived today from Kingston, Jamaica, where he had left his father convalescing from the recent illness which so alarmed the faithful.

Upon a dare, Miss Beattie Sexton, a charming actress, came near causing Dowie to lose his record as an "unkissed" son. She tripped up to the young man as she was about to leave the ship's hands with him, and then reached up to kiss him on the cheek. Her nerve failed her at the last moment, however, and, turning to the group that had been watching her expectantly, she said laughingly:

"Oh, I simply couldn't. It would be a shame."

Mr. Dowie, who had raised his yachting cap as he shook hands with Miss Sexton, blushed violently.

"My father is not ill, as has been reported," said he, interviewed later.

"The man he appointed to look over things at Zion is merely his deputy, and in no way his successor. My father is in the Tilden Hotel, in Kingston, and is feeling quite well. He is merely suffering from overwork, and will return in May as well as ever. He is cheerful and is in constant communication with Zion City."

"With a few months we shall take up some of the options we have on the tracts of land in the northeastern portion of Mexico and locate a Zion colony there. The main Zion colony will remain, however, at Zion City, Ill."

## DEMAND MORE RIGID INQUIRY

### Seattle People Indignant Over Conduct of Valencia Investigation.

### CAPT. COUSINS ON STAND

### He Intimates That Tug Car Could Have Gone Nearer the Wreck.

### Other Seamen Defend Him in Testimony.

SEATTLE, Wash., Feb. 2.—The imputation of cowardice on the part of the tug Car is left by the testimony of Captain N. E. Cousins, of the Pacific Coast Steamship Company's steamer Queen, given today before inspectors Whitney and Turner, acting as a board of inquiry into the Valencia disaster. Captain Cousins bluntly declared that the Car did not go as close in to the wreck as did the steamer Queen, and ran out again without even seeing the people clinging to the rigging. He claimed he had great difficulty in signaling the Car to stop long enough to let him speak to her through a megaphone before she hurried away to join the tug Salvor and seek safety.

Captain Cousins claimed, too, that he was ordered away from the scene of the wreck after he had reported the presence of survivors clinging to the rigging. That report was made to Captain Patterson, port captain for the Pacific Coast Steamship Company, and J. B. Pharo, assistant manager, when the tug arrived. The former then ordered Captain Cousins to return to Victoria, get his passengers and proceed to San Francisco, speaking the Topeka on the way out.

The facts that a heavy wind was blowing toward shore; that the surf was breaking in six or seven fathoms of water; that the beach was obscured by rain and mist, and that in the storm a boat easily able to reach the wreck could not get back to sea again, were urged by Captain Cousins today as his reasons for failing to send out a lifeboat. He claims five sea captains with him on the Queen agreed it would be impossible to get a lifeboat back again.

He insisted, however, that he was determined to remain by the Valencia until the weather moderated sufficiently and would have stayed there but for the fact that Captain Patterson ordered him to sail south. Captain Cousins claimed he took the Queen, which draws 21 feet 4 inches, inside the 15-fathom circle, a half mile.

### He Feared Uncharted Waters.

The coast is not surveyed inside this circle and Cousins declared he knew nothing of the bottom and could not learn anything by sounding, making it imperative that a lighter-draft boat be used to get closer to the wreck.

Right on the heels of Captain Cousins' testimony that his lifeboats could not get back to his ship, comes an open letter to inspectors Whitney and Turner, which propounds these pertinent questions:

"After declaring that it would be suicidal to lower his lifeboats to rescue the Valencia's people, why did he (Captain Cousins) leave Victoria two hours after warning with a load of passengers to traverse the same waters with the same inefficient lifeboats and crew?"

"Suppose he had been wrecked, what show would his passengers and crew have had in those boats?"

Again the demand is made in the open

letter that inspectors Whitney and Turner answer the following interrogatories:

First—Why, two or three days before Admiral Kewport came here on his tour of inspection, did they go to Tacoma and condemn 30 out of 130 tug life-preservers found on vessels of the Puget Sound mosquito fleet, yet allow the Valencia and other Pacific Coast Company boats to retain life-preservers of the same kind aboard ship.

Second—Knowing that the Valencia had carried sugar for about 15 years, and knowing also the manner in which sugar honeycombs iron and steel, why did they allow her to run with her bulkheads in such a condition that they were utterly useless when the ship struck?

Third—Captain Johnson, the unfortunate master of the Valencia, according to press reports, was until four

years ago employed in an inland city in Pennsylvania. How did the inspectors come to issue a master's license to him when the law requires a man to serve a term of years at subordinate positions aboard a seagoing ship before a master's license can be issued to him?"

### Captain Johnson Not a Mariner.

The eligibility of Captain Johnson to command the Valencia has been questioned on the ground that he had had no sea service save for about six months. It is claimed he had only been in Puget Sound boats prior to that time.

The Commercial Club today telegraphed Secretary Metcalf that his plan for reviewing the Valencia testimony is unsatisfactory. A more rigid inquiry is demanded.

Public memorial services were held this afternoon at the First Presbyterian Church and Dr. F. L. Wharton, pastor of the Methodist Church, who is making an investigation of the Valencia wreck, announced today that he would preach Sunday on the "Rotteness of the System." The Eagles, Elks and other secret societies, two Seattle commercial organizations and all the newspapers have demanded of the Government a more sweeping inquiry.

In face of these material evidences of general dissatisfaction with the inquiry inspectors Whitney and Turner are conducting, and the manifestation of a strong public sentiment against the laxity of the proceedings, today's investigation showed no change in the manner of its conduct. It drifted along like a pleasant little party. The inspectors listened placidly to what was offered without interposing any discourteous or rudely searching questions. There was an apologetic tone in the inquiries they made of Captain Cousins. Captain Cousins was allowed to testify as he desired and the other witnesses did likewise.

There are only a few more witnesses, including Pharo, Patterson and the Topeka's officers, yet to be called.

### Captain Cousins' Defense.

Captain Cousins said: "When I arrived at Victoria, at 4 o'clock in the afternoon, I called up the Pacific Coast Company at Seattle and informed them of the wreck of the Valencia. J. D. Pharo asked me if I was sure it was the Valencia. I said 'yes.' He ordered me to proceed to the scene, which we reached at 9 o'clock that night. It was too dark to do anything, and we lay over under the cape until the next morning. At Carmanah Light we learned the wreck was 18 miles to the westward.

"We went in as close as possible the next morning. We met the tug Car, which went in to about three-fourths of a mile of the wreck, while we stood off about one mile. I did not dare to go nearer, as the weather was thick and often I could not see the shore line. Moreover, I spoke the steamship Topeka, Captain Patterson, who informed me that I was to proceed to San Francisco with passengers, the Topeka remaining to pick up what survivors there were."

### Obedy His Orders.

"I obeyed orders and returned to San Francisco. I could go no nearer the wreck than 12 feet high, and because of the weather, which was very thick."

"I went in as close as I thought best

(Concluded on Page 5.)

## CONFESSES SHE IS MRS. MIZNER

### Widow of Mr. Yerkes Blushingly Acknowledges Her Marriage.

### DENIES SHE GAVE DOWRY

### Mizner in Few Minutes Persuades Her to Proclaim Fact in Dramatic Style—Denies Engagement to Miss Crater.

### Only a Youthful Fancy.

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NEW YORK, Feb. 2.—(Special.)—After persistently denying her marriage to William Mizner for three days, the widow of Charles T. Yerkes exercised her feminine prerogative this afternoon and acknowledged her young husband in the presence of a mass meeting of reporters. The acknowledgment was made with dramatic effect 15 minutes after Mr. Mizner had entered the house with a look of determination in his eyes.

The situation had become so strained that it was up to the sturdy and self-confident Mr. Mizner to declare himself a real husband or go into retirement. When he arose to a late breakfast in his modest apartment at the Hotel Astor today, an intimation from Mueschenheim, the proprietor, that there were other couples arrived with the breakfast. Not that there was anything personally objectionable in Mr. Mizner, but so many people were inquiring for him and camping out in the corridors to see him that the other guests were seriously discommoded. Mr. Mizner was going to leave today, anyhow, and after breakfast left in a cab.

### Promises She Will Talk.

When the home of the late Mr. Yerkes was reached, Mr. Mizner sprang out of the cab and beckoned to the newspaper reporters. Plainly he was there on business. The young men of the press gathered around.

"Listen," declared the youthful bridegroom. "I'm going in there to see my wife. In 15 minutes she'll give you a statement. You take it from me."

With that he ran up the steps. The big doors were opened before he reached them. In 15 minutes the butler stepped out and invited the reporters to enter. They were escorted to a small Japanese room on the south side of the great reception hall. In a few minutes young Mizner entered. He was beaming.

### Bride Appears on Stage.

Mr. Mizner led the reporters out of the Japanese room into the hall. There was a stage wait of at least a minute. Mrs. Mizner did not appear.

### Mr. Mizner in a Voice that reverberated throughout the mansion.

Instantly Mrs. Yerkes-Mizner stepped out of a door and walked across the gallery. Her face was wreathed in smiles and her eyes twinkled. Advancing to the edge of the gallery, she placed both hands on the railing and looked down at the group in the hall below. The reporters bowed and Mrs. Mizner bowed. It was like a scene in a play.

### "Gentlemen," said the lady on the balcony. "I am very glad to see you. There is only one thing I can say. I am married and very happily married."

In answer to a reporter's question, Mrs.

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said: "As to the report that I settled \$100,000 on my husband, it is absolutely false. It has made Mr. Mizner indignant, and I resent it, too. I am convinced he was not actuated by any such motives as some have intimated. He was extremely kind to me through all my troubles."

### When asked as to the report that she was not in complete possession of all her faculties when the ceremony was performed, Mrs. Mizner, with some heat responded:

"That is absolutely false. I married Mr. Mizner of my own free will."

### Did Not Jilt Miss Crater.

The bridegroom was asked: "Won't you say a word about the report from Denver, published in several papers, that Miss Edith Crater, of that place, is about to bring suit against you for breach of promise?"

Mr. Mizner flared up. "The publication of that story is an outrage," he cried. "Some papers are doing their best to rake up a scandal, but I'll show them a thing or two. I've sent for my attorney to be here this afternoon. It isn't that I care about myself. The story doesn't injure me any." As he said this, Mr. Mizner thrust the fingers of his left hand inside of his waistcoat.

"But his hurting one of the sweetest girls that ever lived. I know all the Crater family well, have known them for years. They are most estimable people. You notice they don't publish any statement from the girl. Why don't they publish a statement from Miss Crater? I'll give \$25,000 for such a statement. I'll give \$25,000 for the signed and substantiated statement of any woman that I've broken a promise to marry her."

"Then there was no foundation for the story at all, Mr. Mizner? What was it, merely a youthful fancy on your part?"

### Mr. Mizner smiled in sudden good humor.

"Oh, yes, possibly that was it," he laughed.

### "One account says that packages used to come to Miss Crater addressed Mrs. Edith Mizner. Is there any truth in that?"

"None at all. I never sent any packages to Miss Crater that I can remember."

### As Mr. Mizner ushered his visitors out, allusion was made to the statue by which Mrs. Mizner stood when she declared that she was really, truly married.

"The statue is that of an undraped young lady, holding a mirror in her hand. I'm sure I don't know who the lady is," the new master of the Yerkes mansion asserted in answer to a question.

### MIZNER EXPLAINS IT ALL

### Bride Angry When Fact of Marriage Leaked Out.

NEW YORK, Feb. 2.—William Mizner, the young San Francisco man, who on Tuesday night married Mrs. Charles T. Yerkes in her home at 86 Fifth avenue, returned to the Hotel Astor at midnight last night, after several hours' absence, and said generally to the reporters: "I have just paid a visit to Mrs. Mizner at her home, 86 Fifth avenue. We had a long talk and discussed the situation thoroughly. I tried to persuade her to