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PORTLAND, OREGON, SATURDAY, MARCH 17, 1906.

PRICE FIVE CENTS.

ROAST TO DEATH AMID WRECKAGE

Unknown Number Die in Colorado Wreck.

FAULT OF SLEEPY OPERATOR

Certain That Thirty-Five Are Burned to Ashes.

SINGLE FAMILY

Huge Engines Meet Full-Speed and Lock Together-Flames Do Work So Thoroughly Only One Body Is Identified.

TUEBLO, Colo., March 16,-Con of life place the number of dead at Rio Grande officials insist that the exact number of persons on the

accompanied with horrors exceeded only by the Eden disaster, which occurred August 7, 1904, on the line of the same railroad, resulted from head-on collision of two passenger rains on the Denyer & Rio Grande Railroad four miles east of Florence. Colo., at an early hour this morning he trains were the Utah-California Express No. 3, west-bound from Denver, and the Colorado-New Mexico Express No. 16, east-bound from Leadwille and Grand Junction. They met on a sharp curve and were less than 200 yards apart when the engineers discovered that a collision was imminent.

It is known that the engineer of the west-bound train put forth every possible effort to bring his train to a undstill, but his efforts were fruit; less and, atthough he succeeded in obecking the speed of his train, the rush that followed was beyond his power to prevent and he went to his death with his hand on the throttle. faithful to his charge. This much is couched for by his fireman, who, seeing the usclessness of remaining in the face of sure death, jumped and saved his life. Of the conduct of the engine ecew of the east-bound train, it can only be stated that they died at their post, for no one lives to tell the story of their beroism.

Dead Burned to Ashes.

The disaster was made more horrible by the manner of the death of many of the passengers, variously estimated from 26 to 35. Fire swept over the wreck engulfing the victims in a cauldron, of flame and leaving only clastred and blackened bodies to tell the tale of slaughter.

A list of injured given out by officials of the railroad company comprises 22 names. None of the injured are dangerously hurt and it is believed all will recover quickly. A list of dead made up from close investigation by responsible persons (the railroad of-

RECAUSE OPERATOR SLEPT. He Neglected to Give New Orders and Arrest Is Ordered.

DENVER, March 16 -- It is reported here that an operator's failure to de fiver a train order was the cause of the disaster on the Denver & Rio Grande Railroad early today near

The first orders given to the two trains were that they should meet at Adobe. Later, it is understood, the disputcher wired S. F. Lively, operator at Swallow, 10 miles east of the seems of the wreck, to hold the westomed train there until east-bound train No. 16 should pass. When No. Is reached Florence its crew was notified to run on to Swallow, Meanorders at Swallow, pushed on west-

It is said Operator Lively was asleep Smallow. When asked by the dis-patcher at Pueblo if it had passed be answered "No." A warrant is out

ficials refusing to make a list for publiention) follows:

The Dead.

WILLIAM HOLLIS, engineer No. 16. WALTER COSSLETT, engineer No. 3. EDWARD E. BAIRD, Deputy Sheriff, ARCHIBALD WHITNEY, prisoner on way penitentlary at Canon City in charge of MRS. WILLIAM BURNSIDE, daughter and daughter's child, all of Kanzas, town

TAYLOR HEWITT, Lebo, Kan. MRS. LILLIAN HEWITT, Lebo, Kan. PEARL HEWITT, 15 years old, Lebe MRS, CATHERINE HEWITT and baby MRS. WINONA HEWITT, Lebe, Kan. ED COWLEY, Levo, Kan.
FRED JONES, Lebo, Kan.
MRS ED COWLEY, Lebo, Kan.
PRED LIMECOOLEY, Denver.

The Injured. Inpured-Patrick Murphy, Florence, Colo.

broken, right hand and mouth cut; L. C. Ramsbottom, San Francisco, neck hurt; W. R. Page, Tampa, Colo., back injured; I. Kinsel, New York, head slightly injured; A. Gerber, New Fork ear torn; C. M. Wright, New York, head slightly injured; James Page, Whitewater, Colo., head cut; F. H. Sweeney, Clinton, Mo., foot crushed; J. L. Lotton, Beilflower, Mo., hip crushed; G. C. Cark, Portland, Colo., head cut; J. C. Vezie, Denver, neck alightly injured; J. S. Reef, Leadville, neck injured; B. J. Jones, Denver, back hurt; A. L. Kneus, Ouray, Colo., neck hurt.

Neglect to Deliver Orders.

In a blinding storm which made it a ost impossible for the trainmen to se shead the two trains collided head-on at oint midway between Portland and Adobe, 5 miles west of Pueblo, at 2:30 clock this morning. Immediately fellowing the collision several of the wrecked cars burst into flames and were consumed, a number of passengers being surned to death. Over 30 others were injured, but of these it is not thought any were fatally hurt. The wreck is attributed to the failure of an employe of the road to deliver an order which changed the meeting place of the two trains.

The Utah & California Express No. 3. restbound, left Pueblo over an hour and a half late, and was given orders to meet the Colorado & New Mexico Express No. 16, castbound, at Florence. This order was changed, and the westbound train was cited to pass the cantbound train at



Wreck Occurred. Beaver, about 12 miles east of Florence. The order should have been delivered to the train-crew at Swallow, but for some reason still unexplained the operator there neglected to do so. In the meantime the eastbound train had received its orders and expected to meet the westbound train at Beaver.

Vain Attempt to Stop.

Both trains were running at the usual speed, the deep snow and high wind making it necessary to exercise exceptional care. Suddenly both headlights flashed out from the darkness, and it was realined for the first time that something was leged to have been destroyed; falled to wrong. According to the story of Fire-man J. H. Smith, of the westbound train, give any facts whatever concerning Engineer Walter Coslett opened the emergency brakes and the train was the affairs and business of the Land Ofchecked for an instant, but the slippery fice he contended, did not make them ofrails and the momentum of the heavy train carried it on.

Helper Demolished, Engines Crash.

From the stories told by several of the trainmen who survived and were in the forward part of the train, the impact was scarcely noticeable, but the crushing, grinding noise that followed warned them that something had been struck. The helper engine on No. 3 evidently acted as a sort of cushion, minimizing the force and weight of the heavy mountain engines that haul the trains where the grade does not require assistance. This helper was crushed together like so much paper, and the monster machines ran through, locaing themselves together as if in a death struggle. The baggage-car of No. 3 broke in two, and the three coaches squeezed together. The baggage and mail car and coach of No. 16 buckled, but none of the cars were telescoped, as

Passengers Roast to Death.

Hardly had the trainmen and passengers reached a realization that all was not right when to their horror a sheet of fire ran through the cars on both sides of the engines, and in a twinkling the crackling sound of breaking timbers startled them to action. In the forward coach of the westbound train every seat was occupied by passengers, most of whom were homeseekers on their way to the Northwest. A number of foreigners were among life without making any attempt to reach safety outside the burning car. Paralyzed with fear and with prayers upon their lips, they sank to the floor of the car and were roasted alive.

The cooler ones of the car seeing their danger, rushed for the windows and doors and, with the aid of the passengers in the rear of the train and those members of the train crew were were unburt, manared to reach the open air. Many of them were injured more or less seriously by the rough handling they received or from flying glass and timbers.

No Possibility of Rescue.

Although many were willing to undertake the risk, efforts to rescue those who remained in the burning cars would have H. D. SUDDUTH, fireman No. 16, been suicidal, as the heat was unbear able. When the occupants of the two standard and two tourist sleepers of the westbound train saw that nothing could done to check the flames, they aided the trainmen in pushing back the sleepers and these cars were not damaged in the least. The alcepers on the eastbound train were also pushed back, and soon after they were placed out of the reach of the leaping flames. The wrecked cars were soon reduced to a mass of smouldering ruins

Pick Up Pieces of Bodies.

Communication was opened with the Pueblo offices of the railroad from Portland, a mile or so away, and a relief train with physicians was dispatched to the wreck at once. As quickly as possible

Demurrer to Indictment for Destroying Letter-- Books Fails.

SECURES FURTHER DELAY

His Lawyer Argues That Description of Books Is Too Indefinite, but Judge Overrules Them-To Appeal on Demurrer.

OREGONIAN NEWS BUREAU, Wash ington. March 16.-Representative Binger Hermann met, with defeat in his first efort to stave off trial in this city on the indictment charging him with destroying To letterpress copybooks, alleged to have formed part of the records of the General Land Office. Justice Gould, in the Supreme Court of the District of Columbis, immediately upon completion of the argument, overruled the demurrer, but before the time could be set for bringing Hermann to trial his attorneye gave no tice that they would resort to further delay. They will ask either to be furnished with a bill of complaint more specifically describing the documents alleged to have seen destroyed or will ask the court to permit an appeal to the Circuit Court of Appeals in a last hope of having the in dictment overturned.

Hermann was not in court today, bu was represented by his attorneys, A. S. Worthington and H. P. Gatley. Argument was begun at 10 o'clock, and it was noon when Justice Gould overruled the

Wants Further Particulars.

Mr. Gatley opened the argument on th demurrer, contending in general that the licient certainty and completeness; that the indictment falled to state the commission of any offense under section 3405 revised statutes, and that it did not set forth any specific record alleged to have been destroyed. He said it did not appear from the indictment that any public record had been destroyed. The language of the indictment, he said, does not show that the letters destroyed were official letters or that the books containing them were official records. He said that there is no reported decision of a presecution under section 546, under which this in

dictment was drawn, He contended that the indictment failed to describe the contents of any books althem. To allege that the letters concerned ficial, for many such letters might have been written, being official in character,

Judge's Pertinent Question.

This led Justice Gould to inquire: "What kind of letters could be written about the affairs of the General Land Office that would not be official?" The question seemed to stagger counsel Mr. Gatley contended that, even if th

letters were assumed to be official, there was nothing in the indictment to show that the books containing them were pubment was faulty in not rectting the facts about both letters and books. At some length Mr. Gatley assalled the wording of the indictment, which recited that "among" the records of the Land Office there were certain letterpress copybooks "a more particular description of which and contents thereof is to the grand jurors

EXTRICATES ZION CITY FROM ITS DIFFICULTIES



Wilbur Glenn Veliva, who, as re-

ported, is extricating Zion from its pecuniary difficulties, but declares ing capital, is the deputy general overseer of the affairs of Zion throughout the world. His appointannounced in Shiloh Tabernacle on the evening of February 7 last, Overseer Vollva coming especially from Australia to assume the office. He is a native of Marion, Ind., and was born in 1870. After being graduated from Union Christian College at Marion, Ind., and from Hiram College. Ohio, he entered the ministry of the Christian church, being then but 19 years old. He held pastorates in several states before joining the Dowle organization, of which he was ordained overseer in 1991.

intence." He argued that, because these books were "among" the records of the Land Office, it did not follow that they Land Office, it did not follow that they formed part of the records, "any more than a mousetrap among the records could be held to be a part of them."

In closing his argument, Mr. Gatley dwelt at length upon the meager description of both the letters and books as given in the indictments. He argued that, it the grand jury had been in possession of ample evidence to show that the books contained official letters, it would have been able to give more definite descriptions of them. The jury in returning the indictment, recited its inability to give a description of either, because the "books are not now in existence.

Says Books Were Official.

Assistant District Attorney Adkins, defending the indictment, contended that it sufficiently alleged that the books destroyed were "official documents" which bad been intrusted to Hermann as Commissioner. The fact that the letters are described in the indictment as "official" is an indication that they were shown be fore the grand jury to have been of a public nature. The documents having been destroyed, he contended that the description set forth in the indictment was

United States Attorney Baker, after citing authorities, maintained that the indictment sufficiently describes the books to make it appear that they are, in the opinion of the grand jury, public docuents. It was not necessary, he said, to show signed letters. It was enough to know that the books were official and belonged to the department and have been destroyed. He contended that the indictment was sufficiently explicit.

Mr. Worthington, in closing, dwelt par ticularly upon the meager description of the books, asserting that the grand jury did not know what was in the letters copied in the books, did not know the ass of the letters, by whom written or to what they related. It could not, therefore, know them to be official records. He declared that letters relating to the business of a Government office. but not of an essentially official character, might be destroyed without the slightest violation of the law or propriety.

Judge Thinks Description Enough. Justice Gould, in overruling the demurrer, observed that the objection of coun sel for the defense to the indictment

that of the indefiniteness of the allegations, seemed to be answered by the language of the indictment in averring that the letters in question were official. that they concerned the affairs and business of the office, that copies were required to be kept, and that the defendant at the time was in charge of the Gen eral Land Office and had the care and supervision of all such papers and documents. Justice Gould thought these allegations were sufficient to designate the opies alleged to have been destroyed as official records.

official records.

Justice Gould said be was somewhat impressed with the argument of co.msel that the defense was entitled to a more definite description of the charges against him, but, in the opinion of the court, this consideration was met by the express declaration of the grand jury in ther facts concerning the records in question were unknown to the jury.

Hermann May Appeal.

case be set for trial on April 9, but counsel for Hermann interposed to ask that no action be taken until Monday, when they will either ask for a bill of particulars or will ask for a special appeal to carry the demurrer to the Circui-Court of Appeals.

TRAGEDY CAUSES FATHER'S AND SON'S FUNERAL.

Going to Philadelphia to Bury Parent, Young Burnap Accidentally Kills Himself.

PHILADELPHIA, March 16 .- (Special.)-The double funeral of Captain George J. Burnap, U. S. N. retired, and his son, George Payne Burnap, who was accidentally shot a few hours after his arrival in this city to attend his father's funeral, was held today from Christ's Church, Germantown.

The younger man had arrived in Philadelphia Tuesday afternoon, having come with all possible speed from California to pay the last tribute of respect to his father, who died the Wednesday before. Late that night, while he was in his brother's room, a revolver slipped from the top of a trunk to the floor and was accidentally discharged, the builet penetrating young Burnap's body, inflicting a wound from which he died a few hours

Captain Burnap was buried with naval honors. The casket was borne by six sailors from League Island Navy-Yard.

MORE READY TO AGREE!

France and Germany Take Four Days for Separate Negotiation.

ALGECTRAS, March 16 .- Postponement of the plenary conference on Morocran reforms until March 20 arouses among the delegates hopes that Germany and France meanwhile will reach a basis of accord. The symptoms of agreement were more favorable today, when the representatives of neutral nations energetically endeavored to influence mutual cor

The French and Spanish delegates, however, still claim that their acceptance of the principle of inspection of Franc Seanish police gives an efficacious guarantee that the interests of the powers will be properly safeguarded. Both sides now appear to be less uncompromising.

It is the opinion of influential delegates

ncluding the Americans and Italians,

COME TO FRONT

Parker Urges Bourbon Democrats to Name National Ticket.

FLING AWAY SELF-DENIAL

Defeated Candidate Tells South Carolina Men Who Furnish Brains and Strength Should Assert Themselves.

Alton B. Parker, of New York, tonight. in an address before the Manufacturers' Club of this city, urged Southern Democrats to take the leadership of the party. Judge Parker said in part "In 1896 you tried Nebruska and since that day no old Democratic Northern State has accredited one of our party to the United States Senate and in none has there been a friendly Governor. All the Democratic training schools of the North-elementary, intermediate and higher-were closed and have remained so. The party paralysis was complete and almost fatal, In 1994, houing to cure or palliate it, you advised returning again to New York for your candidate, only to meet the worst defeat in our party's history,

Twelve Years of Famine.

"It is now nearly 12 years since any an professing devotion to your party has been chosen in the Nation or in any other Democratic Northern State to fill an important executive office. At the last election perhaps eight out of ten of the voters then under 30 were ranged with our opponents, and today the party organizations are lifeless. their one-time leaders are dead or have abdicated, or worse, have become Republicans, while in more than one state the threat hangs over them that they may become the victims of the apoller or the corruptionist

South, Come to the Front,

"When such condtions confront you, should you persist any longer! While the Democrats of Nebraska and New York and other Northern States have brought forth fruits meet for repentance-or at least so long as they are threatening to give themselves and the party over to further destruction-should you not assert yourselves You have borne the heat and burden of the day. Your statesmen have demonstrated their ability not only to take care of the interests of their YESTERDAY'S Maximum temperature states and their section, but they have TODAY'S Pair Pariety and their section, nonbeen the only dam against aggression at home and the threat of discredit abroad. Among them are men with the Immediately Mr. Baker asked that the knowledge, experience, honesty and courage to represent their fellow-partisans without the surrender of principle and their fellow-countrymen with safety and honor.

Grasp Great Moral Issue,

"I, myself, placed at the front for a time, have every reason to be grateful to Democrats everywhere, especially to those of the South, I appreciate the honor thus conferred upon me and have no regrets for the past; but no one, I think, can know better than I how futile our effort has been in the past and how unpromising the outlook is for the future, unless we throw aside 'isms' and grasp the great moral issue now so clearly perceived by the people

"The time has come when the really effective Democrats of the country should be recognized and when they themselves should no longer hesitate decline or refuse to seek or to accept those honors which are their just due for work well done."

Hull Victim of Ingratitude. DES MOINES, March 18.-Congressman

INDIANA MAN WHO WILL BE GOVERNOR OF ALASKA.



Wilford B. Hoggatt, of Boonville,

Ind., who has been nominated by the President to be Governor of Alaska. was for 14 years in the Navy, and during the Spanish-American war was mber of the naval strategy board at Washington. Later, while ice, he conducted a notable explorsince has entered the salmon canning business and acquired considerable

J. A. T. Hull returned from Washington today and began at once his campaign for renomination which has been threatened by the announcement of the candidacy of ex-Secretary of State G. L. Dobson. In a statement given out for publication, Congressman Hull says that he secured the appointment of Dobson as Consul to Birmingham, England, but that Senator Allison opposed it. Later he secured him a position in China, but that did not suit, and now Dobson is rewarding him by becoming a candidate for his seat in Congress.

MAY PUNISH DUMB WITNESSES

Ohio Legislature Enlarges Power of Graft Investigation Committee.

COLUMBUS, O., March 16.-The House today passed a bill giving the Drake investigating committee power to punish vitnesses in contempt.

The bill makes it a misdemeanor, shable by a fine of from \$100 to \$5000, for any person to refuse to answer a subpena issued by a legislative committee, or to refuse to answer questions or produce oks, papers, etc., demanded by the committee

It is believed that so soon as the Gov ernor signs the bill a new subperm will be issued for Cashier Davis, of the Cin-cinnati Bank, who secured his release on a writ of habeas corpus, following his first arrest. The committee is investigating the municipal affairs of Cincinnat CHARLOTTE, N. C., March 16,-Judge and Hamilton County.

CINCINNATI GRAFT INQUIRY

enate Committee Seeks Facts About Sale of Roads to County.

CINCINNATI, March 16.-The Drake ommittee of the State Senate investigat ng the public offices of Cincinnati and Hamfiton County resumed its work this afternoon, Judge Howard Perris, of the Superior Court, who had sold a turnpike

to the county some years ago, being the first witness called.

George R. Scrugham and George Laugel followed Judge Ferris and the testimony of all three was simply as to the sale price to the county of turuplkes in which they were juterested and the condition they were interested and the condition of these roads when in their possession.

Further sittings of the committee, it was said today, may be curtailed by the pressure of legislative work and the reasure of legislative work and the com-nittee may, for this reason, suspend its sittings until after the adjournment of the

Urge Building of Colliers:

WASHINGTON. March 16.—Repre-sentatives Calder, Waldo and Fitzger-ald of New York, and Representatives Knowland, Needham and Gillett of California appeared before the House com-mittee on naval affairs today to urge the appropriation of an additional \$60,000 for the construction of colliers to be built at the Brooklyn and Mare

Engineer Favors Lock Canal.

WASHINGTON, March 16.-Frederick WASHINGTON, March 16.—Frederick
P. Stearns, a Boston engineer, who was
a member of the Board of Consulting
Engineers that reported on the type
of canal feasible to be constructed
across the Isthmus of Panama, advocoted the lock canal project before the

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HOUSE ENJOYS FIRST FILIBUSTER

Grade of Lieutenant-General Is Cause.

STRUGGLE TO KEEP QUORUM

Prince Springs Surprise and Members Rally.

HOT ASSAULT ON CANNON

Friends of Corbin and MacArthur Resist Effort to Abolish Grade Before They Reach It-Decision Comes Monday.

WASHINGTON, March 16 .- For an instant in the House today there was a een on guard to prevent legislation which would take away the rank of Lieutenant-General in the Army, and the chances of Generals Corbin and MacArthur for promotion. Prince of Illinois, whose bill abolishing the grade in question is the regular order of business under call of committees, slipped into the legislative breach. There was an imme diate call to arms on both sides, and for three hours the friends of the Generals filibustered against the bill.

The net result was that the previous question is ordered on the bill and an amendment is pending, having been offered by Grosvenor of Ohio, which extends the time of the operation of the bill so as to allow the promotion of the two officers named. On this amendment the House was voting, but without a quo um, when adjournment was had until Monday, when the vote will be completed. At present it stands 78 ayes and 51 noes

Previous to this, the first real fillbuster of the session, there had been four hours of debate on the legislative bill. Shackleford opened the programme with a xvere criticism of Speaker Cannon, which e was not allowed to finish. Then foilowed a somewhat lively debate on the

Land for Rubber Plantation.

Before proceeding with the legislative bill, the House considered a bill permitting the leasing of 6000 acres of arid lands in La Plata County, Colorado, to the P. F. U. Rubber Company, for the purpose of cultivation of rubber plants.

Brooks (Colo.) explained that there was evidence of a rubber famine in this country; that last year 75,000,000 pounds of rubber were imported, and that the price had increased 300 per cent during the past three years. The land in question, he said, was unfit for agricultural purposes,

and had no mineral value. Gaines (Dem. Tenn.) proposed an amendment to prevent "the rubber trust" from getting control of the enterprise.

Shackleford (Deni. Mo.) was given permission to discuss the bill, and began to criticise Speaker Cannon regarding the statehood question. He was stopped before he had proceeded far, and the objection was fatal to further consideration of the bill. Before referring to the statehood matter, Shackleford had this to say about the manner in which Brooks got his

bill up: Cannon Called a Despot,

"The gentleman was not recognized until he had first surrendered his constitutional rights as a representative of the people Big stramer stranded on Atlantic Coast and and crept into your private room, Mr. passengers rescued with difficulty. Speaker, there to supplicate you to extend Speaker, there to supplicate you to extend to him your grace.

"No member can submit any matter to first sought and found favor in your sight. The Constitution contemplates that the Speaker shall be the servant of the House. In defiance of the Constitution you have made yourself its master. Wright makes great run in billiard contest. You have packed every committee so that no bill can be reported without your consent. Unless you are willing, no member can move to discharge a committee from

up in the House. "You sit an enthroned despot subjecting the reports and destinies of this great people to the dictates of your own un-

bridled will. "Who stands today between a progrestrade. Page 15.

Call money becomes firmer at New York. to which they are entitled? You, sir: only you! You crack your whip and a majority of this House cowers at your feet. You turn your thumbs down and the House deals a deathblow to prostrate,

bleeding Oklahoma." Here Shackleford said he had read in the morning papers that "Uncle Joe" had given it out flatfooted that he would not permit the House to concur in the Senate amendment on the statehood bill, and

then proceeded: "What a horrible announcement to be made in a free country." The confusion in the House throughout

Shackleford's remarks was such that very few members knew what he had said. when Tawney stopped him with an objec-

Hot Words About Appropriations.

The House then proceeded to consid-

eration of the legislative appropriation bill. Hot words between Littlefield of Maine, and Crumpacker of Indiana constituted the climax in a general criticism of growing appropriations by

Previous to this colloquy a running

(Concluded on page 2.)