

FALSE, MALIGIOUS, SAYS ROOSEVELT

Not Using Offices to Help Taft Along.

CHARGES ARE PURE INVENTION

Congressmen Generally Decide Appointments.

TAFT MAN TURNED DOWN

Foulke Draws From President Plain Answers to Charge That Officials Are Coerced Into Support of Taft's Candidacy.

WASHINGTON, Feb. 3. — President suitation or mutual agreement, not as a matter of convenience and expediency, but as a matter of right on his part, to nominate whomrecent public statements that he has made use of Federal patronage to fur- continued. ther the Presidential interests of Secretary Taft. The answer is in the form a letter from Mr. Foulke to the President suggesting the need of such a statement. The President begins by characterizing the charges as "false and malicious." He follows this with an analysis of all appointments sent by him to the Senate for its action, to show that in no case has the proximity of a Presidential contest

Charge of Abusing Patronage.

Mr. Foulke's letter, dated February 5,

eays:

On January 13 I laid before you an article in the Indianapolis News (a paper supporting the candidacy of Mr. Fairbanks), accusing you of using the Federal paironage to secure the nomination of Mr. Taft, and naming the peaterfices in particular I spoke of the fact that certain Tart men had been nominated in Ohio and you answered that that was true, that you would be very weak if you allowed the power of appointment in that stafe to be used only as a means of attack upon the Administration.

my return home I observed other arti-making similar charges in various pa-for instance, the following in the New Evening Post of January 16:

Two Typical Attacks.

"We are now getting daily leasons in civil service reform from the White House which ought to attract National attention. The appointment of Taft workers to post-offices in Chio and of the totally unit George W. Wanamaker as appraiser of this pert is may followed by the President's refusal to reappoint a good Hughes man as

Challenged to Show Proof.

To this you answered January 19:

"Will you produce the name of a single usan whom I have coerced or influenced; will you give me the name of any official who has been controlled by the threat or implied threat or dismissal, or from whom I have demanded support for Tatt. In fact, will you give me one particle or justification for the fears you expressed? Name the man whom I have removed because he was not for Taft or threatened to romove becaus he was not for Taft. You cannot do so, and as you cannot, why do not you recaus he was not for Taft. You cannot do so, and as you cannot, why do not you repeat this challenge to the newspapers in question; assert that their words are absolutely false and challenge them to make good?"

good?"
I accordingly wrote to the Star asking it to name a single case of coorcion referred to in its pravious issues. It published an answer to my leiter, but failed to name any instance of the kind. I then wrote again, calling sitention of this failure and asking if I were not forced to conclude from its own affects that its own charges were absolutely without foundation. This second letter, however, it would not publish, though it still continues to repeat its general charges of abuse of patronage.

Charges of Coercion.

These charges also continue to be circulated by other newspapers in all parts of Thus the Boston Herald of

the country. Thus the Boston Herald of January 25 says:

"Federal officeholders may be commanded to use thehir influence and their authority in behalf of a candidate. Such a command has been issued and the President should know of it. Somebody has instructed postmasters that they must obtain from their subordinates either their resignations or their piedges of support for Taft delegates to the convention. Even in Massachusetts efforts of this kind have been made recently, but, happily, they have been stopped, partly because the postmasters on whom the attempts were made have the courage to resist and partly from other causes."

ansea."
In view of these relterated complaints,
would not a detailed statement of your
ecent appointments, the men by whom they
are recommended, your reasons and the
stinciples upon which you have acted in
making them. inciples upon which you have acted in whing them as well as a statement in re-red to the alleged coercion be the best othed of exhibiting the facts?

False and Malicious.

in his reply to Mr. Foulke, Mr. Rooserelt says:

The statement that I have used the offices in the efforts to nominate any Presidential candidate is both false and mallicious. It is the usual imaginative invention which flows from a desire to say something injurious. Remember that those now making this accuration were busily engaged two months ago in asserting that I was using the offices to secure my own renomination.

Since the present Congress assembled two

Since the present Congress assembled two months ago. I have sent to the Senate the names of all the officials I have appointed for the citize period since Congress adjourned on the 4th of March last, that is, for II mostles. Excluding Army and Navy officers, scientific experts, health officers and those of the revenue outer service, I have made during this period about 1352 appointments subject to confirmation by the Senate, 1164 being postmasters. The appointments in the diplomatic and consular services and in the Indian service have been made without regard to politics. In nominating judges I have treated politics as a nating judges I have treated politics as a

wholly secondary consideration, and, instead of reiving solely upon the recommendation of either Senators or Congressmen, have always conducted independent inquiries myself, pernenally, through members of the bench or har whom I happen to know, or through Attorney-General Bonnparte, Secretary Taft, who was himself a judge, Secretary Hoot, because of his great experience at the bar, or Sonator Knox, who was formerly Attorney-General. In a number of other offices, chiefly assistant secretaries or heads of bursains here at Washington, but albo governors of territories or men holding peculiar position, and also in a few other was, notably those of inarshala in certain of the Western states, but including various officers also here and there throughout the Union, I have either felt that the poreitin was of such a character that the initiative in the choice could only with propriety come from me or one of the Cahinet officers, or else I have happened personally to know, or to know of, a man of such peculiar qualifications that I estred to appoint him on my own initiative.

Names Men Recommended, but-There remain the great buk of offices, in ectorships of customs, the appraiserships, the and offices and the like, numbering some 1250 or thereabouts. It is, of course, out of the question for me to examine or have knowlof such a multitude of appointm and therefore as regards them I normally ac-cept suggestions of Senators and Congressmen, the elected representatives of the people in the elected representatives of the people in the localities concerned, always reserving to myself the right to insist upon the man coming to the required standard of character and of capacity and also reserving the right to nominate whom-soever I choose if for any reason I am satisfied that I am not receiving from Senator or Congressmen good advice or if I happen personally to know some peculiarly fit man, where the man has done well in office, I prefer to reappoint him, and do so when I In man, where the man has done well in office, it prefer to reappoint him, and do so when I can get the content of the Senators from his locality; but if they refuse, the reappointment cannot be made. Ordinarily, as a matter of convenience, the appointment can best be settled by consultation beforehand, the advice

ever he chooses, the custom is necessarily dis-Bolters Are Disappointed.

of Schatter or Congressman, who is e and has peculiar means of knowing the of his constituents, being taken. But

In the South Atlantic and Gulf States, which of a letter addressed to William Dudley have contained neither Senators or Congress-Foulks, of Richmond, Ind., and includes men of my own party, I have been obliged to these states I have appointed a large number of Democrats, in certain states the Democrats appointed out-numbering the Republicans. For my advice in appointing the Republicans I have relied, whenever possible, not upon officeholders at all, but upon men of standing and position, who would not take office and on whose interfity I could depend. In all of these states I have done my best, when came to appointing Republicans, to put the I came to appointing Republicans, to put the best men in office, and I have every reason to believe that the average of my appointees is very high. At present various efforts are being made to get up bolting delegations from the Southern states, and the meetings at which these so-called delegates are chosen are usually announced as "non-officeholders" conventions. As a rule this means only, so far as it means anything, that they are held funder the lead of persons who wish to be put under the lead of persons who wish to be put under the lead of persons who wish to be put in office but whose character and capacity are such that they have not been regarded as fit to be appointed under this Administration. n thuse cases, be it remembered, that the failure to secure office is not the result of the political action of the men in question; on the contrary their political action is due to their failure to secure office.

Wanamaker Peculiarly Fit.

Discussing the appointment of George W. Wanamaker as appraiser for the port of New York, the President says: Mr. Wanamaker's appointment was recom-mended by the three Congressmen from New York County and by the two Senators, the ap-pointment being made precisely as the hun-dreds of similar appointments of postmasters. of Mr. McKinley, Mr. Cleveland and my other appraiser who has rendered good service in that place, and his appointment is the pro-

motion of a proper man.

The refusal to appoint a good Hughes man

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YESTERDAY'S Maximum temperature, 42 degrees; minimum, 26 degrees. TODAY'S-Generally fair; northerly winds. Foreign.

Crush to see bodies of King and Crown Prince at Lisbon causes death of child and injury to many. Page 2.

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Claims of illegitimate children reveal esca-pades of Alfonse XII. Page 8. National. President Roosevelt answers in detail charge

he used offices to help Taft. Fleet sighted near Cape Pillar and is now in Pacific Ocean. Page 2

Polities. Taft is sure of entire Ohio delegation. Page L to speak at Kansas City tonight

Domestic. Liquor men send circular to ministers proposing high itcense. Page 2. biles ready to start on race to Paris

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Pacific Count. Rebate charges render Southern Pacific liable to \$80,000,000 fine. Page 1. Cadwallader, Yale athlete and society man,

arrested with burglars' tools on Systematic work to exterminate plague in-fection at San Francisco. Page 4. Prominent Spokane man sheets son-in-law

in business quarrel. Page 3. Feared that certain interests want Washing-ton's direct primary law declared unconstitutional. Page 3. Tapanese newspaper reviews the situation, Pogo 8.

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proinsula plant; will, spend \$3,500,000 within next year. Page L Whitman, of Scattle, preaches on China's moral and mental needs. Page 8.

George W McMillan declines to enter shrievalty race. Page 9. Sig Edgar Vincent, famous English finan-

cier, visits Portland briefly. Page 14. Federal officials oppose Cleeton's appoint-ment; probe his records Page 4. Benjamin Young preaches on life of Abraham Lincoln. Page 8.

Dr. Clarence True Wilson gives his impres-sions of Hall trial in Sunday night sermon. Page 12.

Prosident Elliott, of North Pacific, visits city: discusses lumber tariff. Page 9. Rev. J. D. Corby preaches first anniversary operation the one at Troutdale will be sermon Page &

STORY OF PLANS

Will Spend \$3,500,-000 on Plant.

STATEMENT OFFICIALLY MADE

Big Work Will Be Finished Within a Year.

DEPENDS ON RAILROADS

When Transportation Problems Have Been Settled Plans Will Be Rushed to Completion-City Is to Be Industry's Center.

In the first and only authorized state ment which has been given out either here or anywhere else regarding his company's plans in the Pacific Northwest, Louis F. Swift, president of Swift & Co. last night declared that the mammoth Portland plant, which will represent an outlay, of \$3,500,000 and which will be erected on the Peninsula, will be completed and ready for operation in all de partments in one year. Portland is also to be made the center of the packing in-dustry of the Pacific Northwest, and the Troutdale plant, near Portland, eventually is to be abandoned, at least so far as the packing side of the business is concerned. To what use, if any, the Swift people are to put their present extensive and valuable property at that

point was not vouchsafed. The Swift people are ready and prepared to go shead with construction work just as soon as the rallroads have indicated what connections on the Peninsula they will establish, and when they will be ready to do the work. When these connections with necessary terminal facilities have been decided upon, work on the packing plant will be rushed to com-

In the official interview, H. C. Gardof Swift & Company, who will have di-rect charge of erecting the plant, acted as spokesman for President Swift, and entered into as full a discussion of the plans of the Swifts as the head of the big concern deemed wise to give out for publication at this time.

Reasons for Secrecy.

Mr. Gardner, in explaining why the appraisers, internal revenue collectors and the public could not be taken fully into the lng business at any other points where like, which are confirmed by the Senate, are made, and in conformance with the custom which has obtained throughout my term of service and throughout the terms of service and throughout the terms of service. some of the companies already in the incresors. In this particular case, as it field here, or erect its own plant on the pens, Mr. Wanamaker is peculiarly fitted the position, being already an assistant that there were a number of other conthat there were a number of other considerations which, if disclosed now, might interfere with their consummation.

It was also clearly brought out that if as collector of customs at Plattsburg refers to Portland ever intends to wrest the bulk the case of Walter Witherbee, and the accuration in this case is particularly comic, because Mr. Witherbee was an open and avowed cities, the merchants and shippers here Taft man, the classmate of Secretary Tart's will have to establish a direct steamer line from here to the North. brought out in answer to the direct question as to whether Swift & Company intended to enter that field, now monopolized by various Seattle and Tacoma packers.

"Swift & Company," declared Mr. Gardner, "are in the packing business and packing business alone. They are not in the transportation business, nor in the cattle-raising business." Discussing the general plans of his company, Mr. Gardner continued:

Ridicules Printed Stories.

"A great deal has been printed in the papers that has been news to us. We are working out our plans for establishing a plant here as rapidly as we can. They are not altogether completed as yet, but the object of our present visit is to continue negotiations and arrangements for carrying out our plans. You may say that Portland is to become the center of the packing industry of the Northwest. It is also true that we are prepared to go ahead with our work just as soon as we can dispose of the necessary preliminaries.

"We cannot go ahead with our construction work until we have completed our negotiations with the railroads, which are to make connections at and build terminals at the site of our plant. but we do not expect any trouble in making satisfactory arrangements with both systems. These matters will probably be taken up while we are here, but I don't care to go into that just now. But as eoon as the railroads have arranged for the necessary connections we will be prepared to begin work on our plant, and to continue work until the plant and stock-yards are completed. It will probably take us about a year to have the plant ready

for operation. Will Take Only a Year.

President and General Manager C. C. Colt, of the Union Meat Company, who ls Swift & Company's local representative and who has been in constant touch with President Swift since his arrival, agreed with Mr. Gardner that the work should not take more than a

year. Continuing, Mr. Gardner said: "As to what our plans are with reference to the Troutdale property ? don't know that I ought to discuss that now, but I think it is safe to say that when our Peninsula plant is ready for operation the one at Troutdale will be

EVENTS OF COMING WEEK

PORTLAND, OREGON, MONDAY, FEBRUARY 10, 1908.

The progress of the American battleshtps, political developments in Portugal, the Ohio Republican primaries, the British Parliament in Lieutenant-General Stoessel at St Petersburg, the return of C. W. Morse from abroad, the start of the New York-Paris automobile race, and Secretary Taft's speeches are among the more important matters that will account automobile attention. that will engage public attention

The battleship fleet, wifich has now passed through the Strait of Magellan, will be lost to communication with the world until Friday. Although the feet will not stop at Valparaiso, it will steam close in to

shore and salute the town. The tor-pede-boat flotilla accompanied the enttleships through the strait as fur as Cape Pillar, where the smaller versuels were to take an inside pass-age to the north, arriving at Tal-cahuano, the flotilia's next stop on

Financial Debate in Senate.

The long-promised debate in the Senate on the financial question will begin Monday with an argument by Senator Aldrich in support of his bill permitting the issuance of emersency currency by National banks. Senator Warren, chairman of the committee on military affairs, will make an effort to secure consideration of his Army pay increase bill. In the House appropriation bills will continue to receive attention and the political debate will be resumed at

the first opportunity.
On Monday Secretary Taft will address the Young Men's Republican Club at Kansus City and on Wednes-day he will deliver a speech at a banquet in celebration of Lincoln's birthday at Grand Rapids. Mich., Priday he will abend the graduating exercises at the West Point Mill-tary Academy, and Saturday he will speak at the annual banquet of the Tale Alumni Association at Hartford, Conn.

William J. Bryan is expected to speak Monday at Buffalo.

Republican Primaries In Ohio. Primaries will be held Tuesday in Ohio to elect delegates to the Republican State Convention, which is o select delegates to the Republican National Convention. On Thursday and Friday Wisconsin Democrats will hold their state convention in Milwaukee to nominate delegates o the National Convention. The 20,000-mile automobile endur-

ance contest from New York to Paris will begin Wednesday. Another international marriage will take place in New York City on Saturday, when Miss Theodora Shonta will become the wife of the Duc le Chaulnes of France.

The boxing bout between Tommy Burns and Jack Palmer, of Newcastle, will take place in London

George Meredith, the writer, will enter upon his sith year on Wednes-day and dans are under way for a celebration of the econom in Lon-don. President Roosevelt has written a congratulatory letter.

lishment. The impression seems to have prevailed here that we are planning to secure vast cattle ranges and raise live-stock, but that is not true. We have not gone into the stock-raiswe have packing-houses, and I see no



Campaign, Who Has Routed For

reason why we should here in Oregon We have not done it in Chicago, and Illinois produces the finest cattle anywhere in the country."

The argument that we will be in a cattle country out here, and therefore ought to go into the stock-raising. business is not good logic, for we have been just as close to the source of supply in other cities as we shall be here. And as for establishing a line of river steamers to bring live-stock to our yards, that doesn't look like good sense. If that were being considered why should we negotiate with the railroads to extend their lines to our plant? No, we will be in the market to buy cattle; let the stock-raisers therefore possible that there may be appointment of Rev. Edward J. Harna, raise them; let the transportation companies haul them; all we intend to do is to engage in the packing business;

Transportation a Problem.

just that and nothing more.

"It is an open question with us yet these contests, if they are ever made. whether we shall be able to make satisfactory arrangements for power with companies that are here already, or whether we shall find it more advantageous to erect our own power plant connection with our packing ho

"We are not particularly concerned as to when the Harriman people build their tunnel and trestle out toward the the management of the canvass for the peninsula, that portion of their line not having anything material to do with ident at the coming Republican National our plans. The Harriman line is now completed to Macgly Junction, and it is retary of War in a statement which he the extension from there that we are gave to the press today while passing and kept closely in touch with affairs

UNANIMOUS FOR

Taft May Have Whole Ohio Convention.

ONLY TWO DOUBTFUL COUNTIES

No Opposition Ticket Runs in Great Majority.

SMALL FORAKER STRENGTH

Dubious Spots Are Knox and Cuyahoga Counties' 70 Delegates. Taft's Manager Sure of 745. Matter May Get Into Court.

COLUMBUS Obio. Feb. 9 .- Next Tuesday, the county primaries, at which delegates to the Republican State Convention on March 3 are to be selected, will be held throughout Ohio. An overwhelming majority of these delegates will be in favor of William H. Taft for President, and the convention may be unanimously in his favor. Under a recent decision of the Republican State Central Committee, it will not be necessary to hold actual primaries unless there is more than one ticket in the field, and by virtue of this ruling, in 52 out of a total of 88 counties in the State, the regular Taft delegates will be chosen merely by certification of their names. In the remaining 36 counties, primaries will be held. In only four of these is there opposition to Taft. In but one county, Cuyahoga, in which is the city of Cleveland, does the fight against him show any signs of consequence.

Taft Has Majority of Delegates.

The convention will be attended by 815 delegates, of which number Taft is cortain to have 745, almost certain of 753, and his political managers are con fident that he will have them all.
The dublous spots are Knox County,

with seven delegates, and Cuyahoga County, which has 63 delegates. The contest in the latter county is the more serious, not only because of the greater number of delegates involved. but because the Foraker faction has sought to bring the matter into Court, and will, it is expected, ask the Su-

to file the case before that body. City of Cleveland have brought about conflicting claims as to the validity of the two county committees. The Taff people claim theirs is the only legal body, and the Foraker faction is setting up similar assertions in behalf of its committee. The Board of Elections of Cuyahoga County recognized the Taft committee, but on order of State Courts, rescinded this action and declared in favor of the Foraker com-The primary, however, will proceed as though there were no legal questions involved, but if the case is must be called.

tered in the primaries against the Taft candidates. They are running as independents, and are not claiming to be either Taft or Foraker men.

Foraker Opposition Small.

In Lucas County, of which Toledo is the political center, there are two tickets in the field, but both of them have declared in favor of Taft. A slm-Har situation exists in Scioto County. where opposition to Philo S. Clark, a Republican leader, has brought a list of candidates into the fight. Both tickets favor Taft, however, and he stands no chance of losing in any event.

The 21 Congressional district conventions at which delegates to the Republican National Convention will be chosen date all the way from Feb runry 13 to February 17, with six as yet uncalled. As Taft will control the State Convention by an overwhelming majority, he is certain of the four delegates at large.

The Foraker people have considerable strength in the Sixth and Tenth districts, and the fight in the City Cleveland for State delegates applies Patrick William Riordan, of San Fran-also to the Congressional conventions cisco, whose recent mission to Rome of the Twenty-first district. It is contesting delegates from these three districts and there seems at present to be no possibility of breaking up a solid delegation for Taft, unless the Credentials Committee of the National Convention sustains one or more of

VORYS TO CONTINUE MANAGER Taft Says Hitchcock Was Asked to

Help in the East. COLUMBUS, O., Feb. 9.-That Arthur Vorys will continue in full control of nomination of William H. Taft for Presconvention, was made clear by the Sec-Mr. Gardner declined to state whether City. The statement follows:

"Mr. Vorys is in charge of the whole days. through Columbus on route to Kansan in this country. Archbishop Riordan

matter and will continue to be so until the end. The general headquarters will be at Columbus, but Mr. Vorys himself requested that the assistance of Mr. Hitchcock be secured because he felt the eed of some one to look after affairs n the East and South, and it was at Mr. vory's earnest request that the assist ince of Mr. Hitchcock was solicited and

secured.
"While the main headquarters will, of ourse, remain at Columbus, it may be that Mr. Vorys and Mr. Hitchcock will agree upon the establishment of headquarters in the East if it is found neces

PLANS FOR THE TAFT BANQUET

Expected 15,000 People Will Hear Speeches at Kansas City.

KANSAS CITY, Feb. 9.-The Republi an banquet in Convention Hall tomor row night, in honor of Secretary of Was Taft, promises to be a gigantic affair. One thousand persons will eat dinner or the floor of the big ball and probably 15,000 more will crowd the balconies and galleries to listen to the music and the speeches. The 250 boxes that encircle the arena, have been sold, but the gal leries and balconies are free to the pub At the banquet the speaker's table 80 feet long, will extend across the north end of the hall, and at it will be seated the Republican state officers, Republican state committeemen and other notable guests, as well as the speakers. The other tables will be set at right angles

with the main table. A platform has been erected on the east side of the hall, and the speakers will move to the platform after the close of the feast. The dinner is to be gin promptly at 6 o'clock. Two hours will be taken for the meal, during which time the spectators will be entertained by a military band and a big college glee club. The speaking will begin at 8 The address of welcome will be delivered by Mayor M. Beardsley, and the principal toasts will be. "The Republean Party," Judge Seiden P. Spencer, of St. Louis, and "We Have Put Our Hand to the Plow," Attorney-General Herbert S. Hadley, Missouri, Secretary Taft will be the last speaker, and is expected to make an important utterance. E. E. E. McJimsey, of Springfield, Mo., will be toast master.

ST. LOUIS, Feb. 9 .- Secretary Taft leparted for Kansas City at 11:28 clock over the Burlington Railroad, accompanied by Chairman Walter S. Dickey, of the Republican State Committee. Two carloads of local Republicans also accompanied Mr. Taft and will be guests at the Young Men's Republican Club dinner, at which he will sneak tomorrow wish. speak tomorrow night.

Taft Passes Through St. Louis.

ST. LOUIS, Feb. 3.-Secretary of War William H. Taft arrived in St. Louis onight, shortly after 6 o'clock, on his way to Kansas City. His train was two nours late. He spent two or three hours here, talking with friends and met mem bers of the two warring Republican fac-

Minor political considerations in the BIND CITIZENS AND BLOW UP AND BURN FACTORY.

> Destroy 45,000 Pounds of Tobacco Valued at \$10,000, Half Insured, Belonging to A. H. Cardin.

HOPKINSVILLE, Ky., Feb. 9.-Last night at 12 o'clock a band of about 150 mounted night riders, masked, heavily armed and wearing the insignia of a secret clan, invaded Fredonia, Crittenfiled before the Supreme Court and den county, captured James Scarberry, then decided by that body in favor of operator of the Cumberland Telephone the Foraker people, new primaries Company, and cut all telephone connections. They then forced Dave Potter, a In Knox County, seven men, all of clerk in a drug store, to open his store, whom are Foraker adherents, have en- in which they corralled several citizens and held them prisoners.

Leaving a large guard in the town, the others galloped to the village of View. five miles away, and blew up Alfred H. Cardin's tobacco factory, containing 35, 000 pounds of tobacco, and set fire to and destroyed Mr. Cardin's barn, containing 10,000 pounds of tobacco belonging to him and his croppers. The loss aggregates \$10,000, with \$5,000 insurance,

After firing volleys into the air the night riders returned through Fredonia and released their prisoners. Eighty per cent of Crittenden county farmers have tobacco pooled in the Society of Equity. Mr. Cardin is not a member. He is a prominent citizen, aged 73, and was and other valuables. The citizens of formerly a candidate for governor on the Populist ticket. The Planters Associa-

RIORDAN HAS RETURNED Affirms Belief That Hanna Will Be Appointed Coadjutor.

NEW YORK, Feb. 9.-Archbishop cisco, whose recent mission to Rome was both for rest and to advocate the of Rochester, as Coadjutor Archbishop of San Francisco, returned today or board the steamship Cedric.

While the Congregation of the Propaganda last month failed to take final action with reference to the appointment of a Coadjutor Archbishop of San Francisco, preferging to wait until further information could be obtained on the charges that Dr. Hanna had leanings toward modernism, Archbishop Riordan declared his belief that the Congregation would appoint Dr. Hanna at a future meeting.

The Archbishop said that three names had been presented for the Condittorship and that those would be debated by the Congregation, will meet in March to take up Western affairs. The Pope, he said, was in good health considering his advanced age, will remain in the city for several nadian Club,

LIABLE TO FINES \$80,000,000

Clear Case Against Southern Pacific.

REBATES PAID MANY YEARS

Company Admits Guilt on 4000 Separate Charges.

INQUIRY SOON TO OPEN

California Railroad Commission Has All Documentary Evidence, and Company Makes No Denial, but Will Attack Law.

SAN FRANCISCO, Feb. 0 .- (Special.)-Penalties unprecedented in the history of the prosecution of corporations in Califzing of the laws applicable to railroads, will be the outcome of the investigation to be instituted this week by the State Railroad Commission, in the rooms of the Chamber of Commerce, in the Merhants' Exchange building.

Assistant Attorney-General Raymond Benjamin said today that 4000 cases of rebating have been perfected against the Southern Pacific Company, practically through its own admissions. These cases will be presented to the Railroad Comnission by Attorney-General U. S. Webb, Mr. Benjamin and O. K. Cushing, spe cial counsel for the California Traffic Association. Should convictions be obtained on each of these cases, and the maximum penalty of \$20,000 be imposed for each violation of the law, the Southern Pacific will face an aggregate fine of \$80,000,000.

Evidence Is Conclusive.

In each case the evidence practically is enclusive, from bills of lading to the indorsed checks issued by the company to the shipper, in reimbursement. When the State Board of Railroad Commis sioners requested the Southern Pacine to submit its books to Mr. Benjamin, Peter F. Dunne, counsel for the railroad, eplied that the railroad's books would be available at any time. The complacency with which the railroad corporation greets the investigation forcordains that it will not fight the action of the Railroad Commission on merits but rath-

er upon the law involved. Section 222 of the state lecislation which creates the State Board of Railroad Commissioners, with their power to fix

rates, provides: "Any railroad corporation or transportation company which shall fall to conform to such rates as shall be established by such commission . be fined not exceeding \$20,000 for each of-

Only Recent Records Available.

In 4000 cases the railroad company failed to conform to the rate set by the Commissioners. The practice is of long standing, but the only records available are those subsequent to May, 1906. In some of these rebates the railroad refunded 53 per cent of the original charge to the shipper. In other cases the rebates averaged approximately 40 per cent of the total sum the company received from the shipper.

Traffic Director J. C. Stubbs, of the Harriman lines, arrived from Chicago tonight to act as Mr. Harriman's personal representative at the hearing.

BLOW UP BANK BUILDING

Robbers Secure \$1300 in Cash From Arkansas Institution.

JOPLIN, Mo., Feb. 9 .- Four men early this morning blew open the vault of the Bank of Sulphur Springs, Ark., and secured over \$1300 in cash, besides notes Sulphur Springs were aroused by two explosions, but by the time the officers tion has no organization in this county. reached the downtown district, the work of the thieves had been completed and four men were seen to mount their horses and ride westward. The mountains in this direction are filled with many gorges and it is believed that the men have made good their escape.

DEMAND TO KNOW POLICY

The bank building is badly wrecked

and the value is fotally destroyed

Socialist Leader to Ask Explanation of Moroccan Situation.

PARIS, Feb. 9 .- The recent fighting in Morocco, as well as the protest which Abd-el-Aziz, the Sultan, is reported to have submitted to Germany against French occupation and aggression in that country, has led M. Jaures the Socialist leader, to formulate a new interpollation on the subject. In the Chamber of Deputies tomorrow he will formally demand from the ernment another explanation of

The Temps advises M. Pichon not to most useless and most dangerous.

Bryan at Montreal.

MONTREIAL Peb. 8.-W. J. Bryan spoke before two meetings here today. Tomorrow he will be a guest at the Ca-nadian Club, where he is expected to speak on political matters.