

KNOX WOULD MAKE PRIZE COURT FINAL

Proposal to Extend Power of Permanent Tribunal Submitted to Nations.

BODY OF 15 IS SUGGESTED

Delay Would Be Obviated, Secretary Says, in Statement, and Method of Settling Disputes Peacefully Be Provided.

WASHINGTON, Jan. 5.—With a view of making international arbitration judicial in fact as well as in theory, Secretary Knox has addressed a circular note to the powers, proposing that the jurisdiction of the international prize court, authorized in 1907, by The Hague Peace Conference, be extended so as to make it a court of arbitration.

This note was dated October 18, 1909. No response have been received. A statement explaining the contents of the note and reasons why the proposal was made was given out tonight by Secretary Knox.

Permanent Court Afforded.

In his statement Secretary Knox says: "The advantage of investing the prize court with the functions of a court of arbitration is obvious. It is easier to utilize an existing body than to create a new institution, and, as the judges of the prize court must necessarily be versed in international law, they could well be entrusted with any questions susceptible of arbitration. The proposition has the very great advantage of providing the nations with a permanent court of arbitration for the peaceful settlement of controversies in times of peace, whereas the prize court, as such, presupposes a state of war without the capture of property is illegal.

"Utilizing the method of composition of the prize court, by thus investing it with the jurisdiction and functions of a court of arbitration justice would constitute this latter a tribunal, and the world would then have for the states freely consenting to and accepting the proposition one international judiciary to judge cases arising in peace as well as those arising in war. The court would thus be permanently constituted and would in reality be permanent, obviating the delay involved in the creation of a temporary tribunal and developing international law by a series of carefully considered decisions by judges carefully chosen and acting under a sense of judicial responsibility.

Method Would Be Equitable.

"Arbitration would not merely be, as both the Hague conferences have said, the most efficacious and most equitable method of settling disputes, but would be judicial in fact as well as in theory." Secretary Knox proposed that the nations confronted with constitutional objections in the matter of direct appeal from their national courts to the prize court might present instances, the judgment of their national courts, the question involved in the capture at issue, that the proceedings in such a case should be in the nature of a trial de novo, and that the judgment of the international prize court should be limited to the award of damages for illegal capture.

As constituted by The Hague conference, the prize court was to be a court of appeals, either from the national court in which the case was tried, or from the judgment of its appellate court.

United States Has Paid.

"The United States has not submitted a judgment of its national tribunals," explained Secretary Knox, although it has frequently presented questions involved in its courts to mixed commissions, and has promptly paid the awards when the decision of the mixed commission has taxed the United States with liability in a court of the Court. Appeal from a court of the United States might raise a delicate and difficult question of constitutional law and render difficult the ratification of the prize court by the United States.

"The difficulty is one of form rather than substance, for whether the principle involved in the judgment be decided by the judgment of a national court, or by the decision upon the legality of the capture.

MURDER JURY IS SECURED

Dean Case Will Consume Much Time at Chehalis.

CHEHALIS, Wash., Jan. 5.—(Special.)—Selection of the jury in the Dean murder case was completed at Chehalis today after recess. Good progress was made, but as there are about 30 witnesses to be called, the case is likely to continue until the end of the week.

MORSE PETITIONS OUT NOW

Absolute Pardon to Be Asked of President Taft.

PORTLAND, Maine, Jan. 5.—Petitions addressed to President Taft, asking for the absolute pardon of Charles W. Morse, who on Monday began his sentence of 15 years in the Federal Prison at Atlanta, Ga., are in circulation in this city.

PROMINENT FIGURES IN LAND AND FORESTRY DEPARTMENTS CONTROVERSY WHICH CONGRESS HAS BEGUN TO INVESTIGATE



—Photo copyright, 1909, by George Grantham Bain.

ABOVE—LOUIS R. GLAVIS, WHOSE CHARGES AGAINST BALLINGER FIGURE PROMINENTLY IN CONTROVERSY. BELOW—CHIEF FORESTER PINCHOT AND SECRETARY BALLINGER, THE OFFICIALS WHO ARE IN CONFLICT.

PROBE TO GO DEEP

Motives Will Be Sought in Ballinger-Pinchot Inquiry.

FULL AUTHORITY IS GIVEN

Jones-Humphrey Resolution, With Taft Indorsement, Presented to Congress—Nelson Likely to Head Committee.

(Continued from First Page.)

Senators; Paynter, Kentucky, and either Clarke, of Arkansas, or Hughes, of Colorado. The probable members of the House who will serve are: Dairiel, Pennsylvania; McCall, Massachusetts; Stephens, Minnesota; Martin, South Dakota; (Republicans; Howard, Georgia; Moon, Tennessee, or Shirley, Kentucky (Democrats).

There is said to be some doubt of the appointment of Senator Flint, of California, but it is reasonably certain that the other Republicans mentioned will be named and will serve. The resolution in the House today was referred to the committee on rules, but the Senate postponed action, upon request of Senator Lodge, who pleaded its importance as a reason for deliberation. Senator Jones, its author, had requested that it be referred to the committee on public lands. Action will be taken tomorrow.

Public Service Defended.

Senator Jones, in offering his resolution, declared that it was a "real compromise upon the state of public opinion" that the moment a man accepted a public office he became a scoundrel in the eyes of many. His acts were misconstrued and his motives questioned. "Insinuations and innuendoes," declared the Senator, "are freely made under the guise of public welfare, but in reality to foster some private interest. Popular views are taken advantage of to discredit an official, who, after investigating all phases of a subject, may reach a decision at variance with some private interest."

Senator Jones continued: "The press and magazines of the country for several months have been charging against the present Secretary of the Interior and his conduct of the office he holds. Those charges range from petty insinuations and innuendoes to direct charges of malfeasance and misconduct in office, which, if true, show that he has most unworthily discharged his trust. My own thought would cause an honest man to ask himself why he should accept such charges against a man whose whole life has been one of the highest rectitude and honor, who has discharged his duty in that office with a modesty which has been a model for his successors."

White Slave Bill Drastic

Minority Report Insists Rights of States Are Overridden.

WASHINGTON, Jan. 5.—Characterizing Representative Mann's white slave bill as "drastic and revolutionary," the minority report of the committee on interstate and foreign commerce, led by Representative Richardson, of Alabama, today filed in the House.

Power Sites Controlled.

He had recommended legislation to prevent the acquisition of power sites on the public domain, and had recommended the disposal of lands capable of being used for water power development upon substantially the following conditions:

First—"That the title to such lands be reserved to the Federal Government and only an easement granted for the purpose of developing and transmitting electrical power for private and public use, and for the storage of waters for power, irrigation, and other uses."

Second—"That such easement be granted for a limited period, with a maximum of six years, and be renewable by mutual consent of the parties upon agreed terms."

Third—"That entry shall be accompanied by a bond to be installed, and covering the maximum amount of money that shall be paid to the United States in full and in advance of the estimated cost of the project for the first ten years of operation, adjusted at each subsequent ten-year period and eventually determined by appraisement."

Fourth—"That the construction period allowed for the development of a project shall not exceed four years, or such further time as may be granted by the Secretary of the Interior upon a report."

Fifth—"That a moderate charge shall be made on the capacity of the project for the gross earnings of the project for the first ten years of operation, adjusted at each subsequent ten-year period and eventually determined by appraisement."

Sixth—"That all rights and easements shall be forfeitable for failure to make development within the limitations imposed, or upon entry into any contract or combination to charge or fix rates beyond a reasonable profit on the investment and cost of operation, or upon the agreement or combination to limit the supply of electrical current, or failure to operate the plant, and."

Inquiry Must Be Thorough.

These, said Senator Jones, were concrete proposals. None more comprehensive had been presented by the most radical conservationist. Referring to the purpose and scope of the inquiry, he concluded:

"This resolution has been drawn directing the committee to investigate along certain and specific lines, and then authority is given to it to make any further investigation that it may deem desirable. The intention is to secure the broadest and most thorough investigation. If the resolution can be made broader and more rigid, and a more thorough investigation secured, it should be done and will be welcomed by the Secretary."

"He wants no whitewash; he wants no partial investigation. He wants it rigid, thorough, complete and conducted without fear or favor. It is believed that this resolution will accomplish this purpose. It is not introduced in an unriendly spirit to any one, but simply in the interest of honesty, decency and good government."

MANNA CANAL BILL PASSED BY HOUSE

Commission Is Ousted and President Is Given All Power.

DEMOCRATS FIGHT TO LAST

By Vote of 119 to 102, Along Strict Party Lines, Measure Goes Through and on to Senate. Kiefer Joins Minority Ranks.

WASHINGTON, Jan. 5.—With the Democrats fighting every inch of the way, the Mann bill, providing for the administration of the Panama Canal zone and centralizing the government thereof in the President of the United States, passed the House today by a vote of 119 to 102. The vote was along strict party lines.

The minority kept the House in session until 6 o'clock tonight by offering amendments after amendments, and demanding tellers on each vote. A futile effort was made by Representative Richardson, of Alabama, to have the measure recommitted to the committee on foreign and interstate commerce, an eye and may vote resulting 104 ayes and 136 noes.

Kiefer Joins Democrats.

"Section two of the bill, which confers on the President military, civil and judicial powers, including the power to make laws, was the object of spirited attack. Representative Kiefer, of Ohio, joining the Democrats in the fight.

The attitude of the majority and minority on this section may be best described by a question propounded to Representative Townsend, of Michigan, by Representative Emerson, of Tennessee, and by Mr. Townsend's reply.

"Do you believe that Congress has any power under the Constitution to confer legislative powers on the President?" asked Mr. Garrett.

"Ordinarily, no," replied Mr. Townsend. "In this instance, yes. We are in Panama digging a canal, and it is necessary for the President to have the power to make rules and regulations for the government of the zone while that work is in progress."

Representative Mann, author of the bill, claimed that precedent for delegation of such power in the Executive was found in similar action by Democratic Congresses at the time of the Louisiana Purchase and when Florida was ceded to the United States by Spain.

Harrison on Defense.

Defending his party, Representative Harrison, of New York, said that disturbed international conditions made such action necessary, but that despite the government in those territories was continued no longer than was necessary to establish local government.

A motion by Mr. Hardwick, of Georgia, to amend the bill so that only a lost by the close vote of 35 to 50.

The bill, as it goes to the Senate, authorizes the President to have completed the Panama Canal and to appoint a director-general of the canal and the canal zone—thus doing away with the canal commission.

The bill invests the judicial power of the zone in one Circuit Court and such inferior courts as the President may confer, and also gives to the Supreme Court of the United States in civil cases involving \$5000 or more, and in criminal cases punishable by death or life imprisonment. Trial by jury is granted in all prosecutions for felony.

France Still Obstinate

Settlement of Hankow, China, Railroad Loan Is Blocked.

WASHINGTON, Jan. 5.—The French government continues to obstruct the settlement of the Hankow, China, railroad loan, according to State Department advice.

Milk Pays Big Profits

Cent Added to Price Means Threefold Dividend, Says Investigator.

NEW YORK, Jan. 5.—Milk at the increased price of 9 cents a quart will enable the large milk companies to pay dividends three times as high as the big ones of recent years.

Hunters Reach Butiaba

Roosevelt Party Will Go in Search of White Rhino.

BUTIABA, Jan. 5.—Colonel Roosevelt and his comrades arrived here today from Holma. The party will make a hunting trip on the Lado Enclave in search of the white rhino.

Taft Names New Court

Customs Jurists Chosen—Other Nominations Made.

WASHINGTON, Jan. 5.—President Taft today sent to the Senate the nomination of members of the new Court of Customs Appeals authorized under the Payne tariff law.

former Collector of Customs in the Philippines; O. M. Barber, of Vermont, a prominent lawyer of that state, and Man Devries, at present chairman of the Board of General Appraisers at New York.

Judge Hunt was formerly a member of the Montana Supreme Court, and later Governor of Porto Rico, from which position he was appointed to the Federal bench. He presided during the famous land fraud trials in Portland, during which many prominent citizens and politicians were convicted of defrauding the Government of public lands.

The President also nominated the following: To be Consul-General at Large—Charles C. Eberhardt, of Kansas.

To be Consuls-General—Maxwell Blake, of Missouri, at Bogota, Colombia; Robert Brent Mosher, of District of Columbia, at Hankow, China; W. H. Gale, of Virginia, at Athens, Greece.

To be Consuls—George E. Chamberlain, of New York, at Swatow, China; B. Merrill Griffith, at Pernambuco, Brazil.

To be Registers of Land Offices—Thomas H. Bartlett, at Lewiston, Idaho; Charles Demosley, at Tualatin, Ore.; Clyde B. Walker, of Idaho, at Juneau, Alaska.

To be Receiver of Public Moneys, at Vernal, Utah—Don B. Colton, of Utah.

Trains Delay Woolmen

National Association Is to Meet in Ogden Today.

Tariff and Conservation to Be Discussed—Portland Suggested as Next Meeting Place.

OGDEN, Utah, Jan. 5.—The 46th annual convention of the National Woolgrowers Association will be called to order in this city tomorrow and continue in session three days.

Among the subjects touched on in general discussion will be forest reservation, the impact on wool and conservation of natural resources. The Ogden midwinter sheep show is being held in connection with the convention.

Owing to delay in the railway, caused by prevailing storms delegates are late in arriving. President F. W. Gooding and the Idaho delegation arrived on a special train late today.

The delegates from Wyoming, Colorado and Eastern states did not arrive until after midnight in Portland, Ore., Denver, Colo., and Boise, Idaho, were suggested as places for the next annual convention.

Land Cases Go to Boise

Change of Venue Granted, Trials Are Set for February 15.

LEWISTON, Idaho, Jan. 5.—(Special.)—The North Idaho land-fraud cases, which the Government is prosecuting, W. F. Kottenbach, George H. Keator and William Dwyer for alleged conspiracy in acquiring Government timber lands, will be called for trial in the district court at Boise on February 15, according to a recent decision handed down by Federal Judge Dietrich.

At the recent session of the Federal Court in Moscow the defendants filed an application for a change of venue, and this was argued in Boise two weeks ago, resulting in the granting of the application. The demurrer to the indictments on the grounds of incompetent testimony was overruled.

Heike Is Placed on Rack

Federal Grand Jury Keeps Up Probe of Sugar Frauds.

NEW YORK, Jan. 5.—In its search for information about men "higher up" in the sugar under-weighing fraud, the Federal grand jury had before it today Secretary Charles R. Heike, of the American Sugar Refining Company.

Baggage Steamer Killed in Wreck

PITTSBURGH, Jan. 5.—L. N. Bardo, baggage steamer, was instantly killed and four other trainmen were seriously injured today, when a Wheeling-Pittsburg passenger train on the Baltimore & Ohio Railway and a freight

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train met in a collision at the mouth of a tunnel at West Alexander, Pa., near this city. Several scores of passengers were badly shaken, but none was hurt seriously.

SLAVERS HURRY TO COVER
Criminals Become Alarmed at Grand Jury Work.

NEW YORK, Jan. 5.—Alarmed by the activity of the special grand jury, headed by John D. Rockefeller, Jr., to investigate the white slave traffic, many persons believed to have been engaged in that business have fled to Philadelphia, Chicago, Pittsburg, Boston and elsewhere.

The identity of these alleged white slave traders was discovered by United States Secret Service detectives.

Important to All Women
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Thousands upon thousands of women have kidney or bladder trouble and never suspect it.

Women's complaints often prove to be nothing but kidney trouble or the result of kidney and bladder disease.

If the kidneys are not in a healthy condition, they may cause the other organs to become diseased.

You may suffer a great deal with pain in the back, bearing-down feelings, headache and loss of ambition.

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