

MAKE FARCE OF HEPBURN BILL

Desperate Act of Railroad Senators.

DRIVEN OUT INTO THE OPEN

Put Measure in the Hands of Roosevelt's Enemy.

MAY OVERPLAY THEIR HAND

Tillman, Who Takes Charge of Bill, Has Denounced It—Attempt to Weaken It With Court Review Feature.

OREGONIAN NEWS BUREAU, Washington, Feb. 23.—The greatest legislative farce of modern times was perpetrated by the Senate interstate commerce committee today in ordering the report on the Hepburn railway rate bill. Unable to longer hold the bill in committee, the five "railroad Senators"—Elkins, Aldrich, Foraker, Keane and Crane—resorted to unprecedented parliamentary trickery to make the report appear in the most ridiculous light possible and rob it of all effect. To some extent they succeeded, and, what is more, they so played their cards as to express their utter contempt for President Roosevelt and his views, and to administer a stinging rebuke to Senator Dooliver, the most conscientious advocate of effective rate legislation on the committee.

Fight Forced Into Open.
By vote of the committee, the Hepburn bill will be reported to the Senate in a way that does not bind any Senator, and leaves every Senator free to offer and to press such amendments as he may see fit. The bill, which reported by a majority of the committee, is virtually reported without endorsement or recommendation, but while this is true, the administration has gained the material point, in that the fight against the rate bill has been taken from behind the closed doors of the Senate into the open and light before the whole country. They must fight where their moves can be observed. This in itself is a great gain.

Why Railroad Men Chose Tillman.
When the railroad Senators saw they could no longer prevent a report on the Hepburn bill, they determined to make the report as much of a farce as possible, and, with that in mind, they voted to have Senator Tillman, the ranking Democratic member of the committee, make the report and manage the bill in the Senate. This would seem to give the appearance of a Democratic party measure. There were several other reasons for choosing Mr. Tillman. Primarily, Mr. Tillman is President Roosevelt's most bitter enemy. Time and again he has scathingly denounced the President on the floor of the Senate, only recently having ridiculed the current report that Mr. Roosevelt was entitled to credit for the progress being made with an honest rate bill.

Direct Slap at Roosevelt.
In naming Mr. Tillman the railroad Senators sought to show their contempt for the President and aimed to deprive the country the spectacle of an "Administration measure" reported and managed by the most hostile Senator of the opposition party. Moreover, it has come to be a saying in Congress that it is easy to defeat any bill with which Mr. Tillman is identified, and the railroad Senators count upon hostility to Tillman to aid them in their fight.

But there was another reason for choosing Mr. Tillman. From the very outset Senator Dooliver has led the fight in committee in favor of reporting the Hepburn bill as it passed the House. It was he who stood out against an amendment providing for judicial review, and it is Mr. Dooliver who is universally recognized as the leader of the Administration's fight in the Senate on this rate legislation. In a Republican Senate it would be natural that a bill of this importance, after almost unanimously passing an overwhelmingly Republican House of Representatives, should be reported to the Senate by a Republican and be managed on the floor by a Senator of the majority party. Mr. Dooliver was the logical manager, and the man entitled to make the report but he had steadily resisted the railroad Senators and they took a hesitating delight in publicly rebuking him and taking from him the rights to which he was entitled.

Tillman Has Denounced Bill.
There was still another reason for selecting Mr. Tillman to manage the bill. Mr. Tillman in a recent speech declared the Hepburn bill was too verbose; that it was too complicated, and probably contained at least one "mangler." He expressed the opinion that the bill was so loosely drawn that it would not accomplish the purpose for which it was intended. Indeed, he said, there were "loopholes in it big enough to let a freight train slip through," and, when prodded by Senator Foraker, he declared he would not vote for the bill in its present form. Yet on top of that denunciation of the bill, Mr. Tillman is voted for and is made its manager, thereby adding to the farce.

May Cause Popular Anger.
But there is a strong suspicion that the railroad Senators have overplayed their

hands. They have won a temporary victory; they have paid off a grudge against the President and against Mr. Dooliver, but they have exposed themselves before the country in the light of making a joke of railroad rate legislation. The public is sincere in its demand for rate regulation, and there is very apt to be a display of popular disapproval of the tactics followed by the railroad Senators which will have the effect of driving many Republican Senators to the support of the Hepburn bill. The Democrats will all vote for it.

When the bill comes up for consideration, a hundred or more amendments will be proposed. The Elkins bill and the Knox bill will be offered as substitutes; every means will be taken to force the adoption of an amendment providing for review by the courts. But the action of the committee today has done more than anything else to kill the prospects of such amendments. Independent Senators, men who think for themselves, are beginning to realize that all these amendments are proposed for the purpose of nullifying the good effect of the pending rate legislation; they appreciate that the railroads will have the right of appeal to the courts from any unjust decision of the Interstate Commerce Commission and the sentiment against this review propaganda is gaining rapidly.

May Withdraw Trust Control.
The fight started in the committee today may have a far-reaching effect; it may result in the ultimate overthrow of the Aldrich-Keane-Foraker domination of the Senate and place in power younger Senators like Dooliver and Chapin, men whose motives are not impugned, men who are not recognized representatives of railroads and other corporations. The trust or corporation Senators in the Republican party have been running things with a high hand; there is indication that they have at last overstepped their bounds and may, in this very fight, meet their Waterloo.

Fulton Opposes Court Review.
Senator Fulton, who has given great study to the rate bill in all its phases, is pronounced in his opposition to the Knox bill and to any amendment to the Hepburn bill which will permit the suspension of a rate fixed by the commission pending a decision on appeal to the courts. Mr. Fulton believes it is unnecessary to specifically provide for review by the courts, for he contends that the railroads under the Constitution have full power to appeal from any rate which the commission may fix, if that rate does not yield them a fair return on their investment. The commission, he says, will not act harshly or unfairly towards the railroads under the power conferred by the Hepburn bill, and it is to be presumed that most of their decisions will be fair. If through error any rate which they may fix should prove unjust, the railroad has full redress in the courts, without specific legislation.

Objections to Knox Bill.
Mr. Fulton believes that the Knox bill is a bad one, in that it will suspend the rate fixed by the Commission pending a decision on appeal, and, while a pretense is made at providing a means of protecting the shipper in case the court affirms the Commission's rate, he says those means are faulty and will not benefit the producer or original shipper. The benefits from the Knox bill would be divided between the railroads and large buyers, such as the stockyards and grain elevators of Chicago and other central points. The general public would still suffer from high prices resulting from high railroad rates, and the producer and shipper would suffer likewise.

Will Fish Lead Attack?
CUTS LAST LINK BINDING HIM TO MUTUAL LIFE.
Report Stuyvesant Fish Will Lead Policy-Holders' Movement, but He Denies Intention.

NEW YORK, Feb. 23.—Stuyvesant Fish today sent to Charles A. Peabody, president of the Mutual Life Insurance Company, his resignation as a member of the Mutual's board of trustees. No explanation was made in the brief note of his reasons for retiring from the board. Mr. Fish on February 15 resigned his membership on the company's investigating committee. He declined today to discuss his retirement from the board.

He was reminded that on his retirement from the Trusteeds committee a week ago, when efforts were made to persuade him to ally himself with a policyholders' movement as chairman of a committee of governors, he had said: "While I remain a member of the Mutual's board, I could not consent to entertain that or any other life-insurance proposition." "Now you have resigned from the board," Mr. Fish was asked, "are you likely to assume any definite attitude toward a policyholders' movement?" "No," he replied. "I have never given such an idea the slightest encouragement, nor do I now intend to do so. Old friends have urged me to enter some such movement, but I have told them that I cannot consent even to consider it." The Tribune tomorrow will say: "When Mr. Fish resigned from the Mutual board, he signified his willingness to lead a fight against the present management of the company as he has many times been asked to do. For several months he has been receiving letters from well-known policyholders of the Mutual all over the country urging him to become the chairman of the committee. It is understood that this is not the committee of governors to whom Thomas W. Lawson turned over his proxies, but it is probable that there will be a union of the two."

WILL FIGHT IT OUT IN OPEN SENATE

Committee Agrees to Report Rate Bill Without Binding Its Members.

DEMOCRATS GET CONTROL

Republican Division Gives Tillman Power to Make Report—All Factions Profess Satisfaction With Action Taken.

WASHINGTON, Feb. 23.—By a vote of 5 to 4, the Senate committee on interstate commerce today agreed to report the Hepburn railway rate bill without amendment, but the resolution reserved to the members of the committee freedom of action concerning amendments offered in the Senate. By a vote of 5 to 2, Republicans prevailing, Tillman, a Democrat, was given the honor of reporting the bill. This establishes a precedent, in that a Republican Senate committee has given to a Democrat control of an important measure passed by a Republican House and endorsed by a Republican President. Cullom and Carmack were absent, and their votes were recorded only on the main proposition. The resolution follows: Resolved, That the interstate commerce committee report favorably House Bill 12,987 as it passed the House of Representatives, it being understood that members of the committee have a right to vote as they choose on amendments or to offer amendments in the Senate on consideration of the bill.

Aldrich Gets Open Fight.
Dooliver offered the first part of the resolution, and Aldrich made a motion to amend by adding the restrictions concerning amendments. The Aldrich motion prevailed, the affirmative vote being Elkins, Aldrich, Keane, Foraker, Crane, Tillman, Foster and Newlands. The negative votes were Dooliver, Clapp and McLaurin. After the meeting, however, McLaurin said that he had intended to vote for the change, and a change was made in the committee record, leaving only Dooliver and Clapp for the resolution as offered by Dooliver. The vote for the resolution as amended was: Affirmative—Cullom, Dooliver, Clapp, Tillman, McLaurin, Carmack, Foster and Newlands. Negative—Elkins, Aldrich, Keane, Foraker and Crane.

Tillman Chosen to Report.
Aldrich then moved that the bill be reported by Chairman Elkins, but Dooliver and Tillman protested that some of the friends of the measure should make the report, and Aldrich amended his motion, providing that the report should be made by Tillman. He stated that the Democratic members furnished the majority of the votes for the bill, and that it was proper to have the authority "father it." This was taken by Dooliver and Clapp as an effort to humiliate them, but they remained silent.

Pretty Wife of Lord Dalrymple Helps Elect Him to Parliament.
Lady Dalrymple.

That young Lord Dalrymple has emerged triumphantly from the Liberal election flood which has swept away so many representatives of aristocratic names and broad acres who were Conservative candidates for election to the British Parliament is undoubtedly largely due to the influence of his charming wife. She canvassed and made speeches in his behalf all over the Wigton district, displaying as much skill and considerably more enthusiasm than the host of practiced politicians of the male persuasion who supported him. She is a good speaker, but she has a captivating way about her which proved far more effective than verbal arguments in winning votes. She is a pretty woman, tall, with blue eyes, brown hair, most engaging manners, and possessed of abundance of tact and savoir-faire.

She was Miss Violet Harford, only daughter of Colonel and Mrs. Harford, when in October, 1904, she married the only son and heir of the Earl of Stair. Their married life commenced most unpropitiously. On their trip the bridegroom was stricken with scarlatina. The bride devotedly nursed him through his illness, and it was hoped that she herself would escape the disease. But upon moving to the Riviera Lady Dalrymple was found to be suffering from a violent form of the epidemic. She recovered and speedily regained her former vigorous health.

of the men who helped draft the Hepburn bill and a leader in the fight to prevent the adoption of amendments. Only Clapp supported the suggestion, which had been made informally. A vote was then had on the question of who should report the bill, resulting as follows: For Tillman—Aldrich, Keane, Foraker, Crane and McLaurin. For Dooliver—Elkins, Clapp and Newlands. Not voting—Dooliver, Tillman and Foster.

Democrats Take Control.
Before the session today the result was in doubt. The division of the Republican Senators on the question of judicial review of orders of the Interstate Commerce Commission left the Democratic members in absolute control. It was apparent that, if they divided, the court-review amendment would be adopted. The minority members, after trying to get together last night, held a second conference early this morning. The understanding at the conference was to report the bill without recommendation of any character, but the agreement was not binding.

Democracy Unites for Bill.
Dooliver then moved to report the Hepburn bill favorably, as it was passed by the House, and said that he would demand that Cullom's vote be recorded. This precipitated a lining up on the important contention, and the Democrats desired time for further consultation. A recess was taken until 2 o'clock.

Conservatives Want Quick Action.
In spite of the fact that the Senate was not in session today, nearly all of the Senators were drawn to the Capitol by the contest in the interstate commerce committee. As soon as the result was made known, speculation began as to the probable procedure on the floor. It was predicted that there would be delays and all sorts of obstructive tactics used. This was contradicted, however, by Aldrich and Crane and other leading Senators, not members of the interstate commerce committee. They said they would favor reaching an agreement whereby the bill could be placed on the calendar as the unfinished business ahead of the statehood bill. They said they thought the prominence given the railroad rate question and the interest of the people of the whole United States have taken it entitled the question to early consideration. It was agreed, however, on all sides, that the discussion must be prolonged and undoubtedly it would be as bitter as any that had taken place in the Senate.

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ADVISED TO MOVE FROM INTERIOR

State Department Warns Missionaries of Danger in China.

WILL GIVE PROTECTION

Assistant Secretary Bacon Admits Government is Anxious—French Catholic Missions in State of Siege.

CINCINNATI, Feb. 23.—In answer to a letter from F. M. Rain, corresponding secretary for the Foreign Christian Missionary Society, to the State Department at Washington regarding the situation in China, Acting Secretary of State Robert Bacon sent the following letter to Mr. Rain: "The condition of affairs in China is causing this Government much anxiety, and while nothing is known here which would justify the immediate withdrawal of missionaries from the interior, it would appear prudent to the department for the heads of the missions to warn all outlying stations of the apprehension caused by their exposed condition and to advise them to take early steps to remove to places of safety at the first cause for alarm, even if such cause should appear insignificant and the danger not imminent. "This Government is disposed to afford every protection in its power to its citizens in China, but in case of an outbreak such protection would be much facilitated if American citizens were congregated in accessible localities."

MISSIONS IN STATE OF SIEGE

French in Danger, Though Troops Suppress Disturbance.

PEKIN, Feb. 23.—The trouble in the Province of Honan has subsided, the Provincial Governor having sent troops to the scene of the disturbance. The government acted promptly, as in the case of all the recent outbreaks, but it is difficult to foresee where an uprising is likely to occur. In parts of the interior, where there are Catholic missions, strong Boxer organizations have been maintained since 1900, and the Catholics in the villages have lived almost in a state of siege, their houses being fortified and the inhabitants armed and constantly prepared to resist attack.

A dispatch from Chow Kiaou, Province of Honan, says that the Benevolent and Righteous Society has been drilling for months in anticipation of a popular rising March 1. The officials prohibited the celebration of the lantern festival at the end of the new year celebrations, lest it result in disorders.

An attack on the Catholic settlement in Yanchow was threatened, but it failed, although a family of five persons was massacred. The inhabitants of Yanchow were panic-stricken, the gates were closed, the height of the walls was increased, and the officials offered a reward of 100 taels for the capture of the leaders of the disturbance. Soldiers arrived on the scene.

GERMAN'S NEW FOREIGN MINISTER IS KAISER'S CHUM.

Herr von Tschirchky-Bogendorff.

Another "Kaiser's man," as men in Germany who typify the ideals and characteristics of Emperor William are called, has been summoned to a high post in the imperial government service—Herr von Tschirchky-Bogendorff, who has been appointed imperial secretary for foreign affairs, vice Baron von Rietzhausen, deceased. Herr von Tschirchky—as he is known, the final appendage of his name being dropped in ordinary usage—is a Saxon, like Baron Speck von Sternburg, Germany's Ambassador at Washington. He is just the Kaiser's type—and his appointment to the responsible position of Foreign Minister is another of those "personal choices" of which the monarch is so fond.

Although he is advanced to the highest position in the foreign affairs department of the imperial government from a comparatively minor berth—that of Prussian Minister resident in the "Republic of Hamburg"—it develops that he has long been one of Emperor William's intimate advisers on matters of exterior policy and has come to enjoy his majesty's confidence in a high degree. He has been a traveling companion aboard the Hohenzollern on numerous occasions and has shot and wild boars with the Kaiser for many seasons.

Something bordering on real human comradeship is said to exist between his majesty and his new Foreign Secretary.

February 14 and the Boxers fled. The locality is now quieter.

MAKES EXCUSE FOR BOYCOTT

Wu Ting Fang Says Nations Treat Chinese Unjustly.

PEKIN, Feb. 23.—Wu Ting Fang, ex-Chinese Minister to the United States, when interviewed today on the existing situation in China, spoke in support of the boycott. Wu Ting Fang is now at Pekin, codifying the laws of China, one of the numerous reforms under way. Fearfulness from explosion of a bomb near him at the railway station last September was only temporary. Speaking of present conditions, Wu Ting Fang said: "China is at a crisis, and is passing through a transition stage. Her students and people feel that China needs reform, but differ regarding the means. There are several classes of reformers. Some speaking foreign languages who have been abroad and have knowledge of both sides of the question. "They favor useful reforms, not too radical, but such as will enable China to stand upon her own feet. The number of these sensible reformers is few. "Ruling classes also know that something should be done, but are at a loss what to do. "The third class, composed of young students, are too rash. They need training and experience. "Financial reforms should be first, but without foreign advice and capital, such would be impossible. "I devised a scheme which had to be abandoned, because it was necessary to call for foreign advice. "The majority of Chinese agree that China has been deprived of many rights by concessions and territorial grants, also by the way her people have been treated by foreigners both in China and in foreign countries. "Many Chinese in America, Australia and the Philippines complain of arbitrary discrimination made against Chinese, not attempted against other foreigners. Therefore, everyone is angry. Hence the boycott of American goods illustrating the feeling against unjust exclusion laws. It has spread over China and is solely in retaliation against unjust discrimination, and is not anti-foreign. "Chinese people and officials are on good terms with all foreigners and have no hostile feeling toward them. Chinese merchants have the best feeling toward foreign merchants. "The majority of Chinese are indifferent to foreigners traveling in the interior who write that they are well treated, with no sign of hostility against them. "These rumors of anti-foreign feeling are not well founded. Sensible men advise boycotts and agitators to be reasonable and boycott only goods. They urge them not to treat persons unkindly, but to seek their friendship as before. "Unfortunately disturbances are now arising from the boycott, but there is no sign of an outbreak against foreigners."

COULD NOT SAVE AMERICANS

Shafter Says They Would Be Killed Before Troops Arrived.

EL PASO, Tex., Feb. 23.—General W.

(Continued on Page 3.)

CONTENTS TODAY'S PAPER

The Weather. YESTERDAY'S—Maximum temperature, 22 deg.; minimum, 46. Precipitation, 0.29 of an inch. TODAY'S—Showers. Southerly winds.

British Marquis attacked in his house as lunatic. Page 5. Witte's cabinet falling to pieces. Page 4. Missionary tells of Japanese oppression of Korea. Page 2. British Parliament condemns coolie system in Africa. Page 5. National. Senate committee reports rate bill in such way as to insult President. Page 1. Tillman given charge of rate bill by railroad Senators. Page 1. House passes resolution for inquiry into railroad alliances with coal and oil monopolies. Page 2. Government warns missionaries of danger in China. Page 1. Domestic. Johann Hoeh hanged after last attempt at suicide. Page 10. Garfield continues evidence against packers. Page 3. American mining man battles with bandits in Mexico. Page 4. Chicago's cheap gas ordinance invalid. Page 4. Milton agrees in separation from Mrs. Yerkes for \$20,000. Page 3. Teachers confab at Cincinnati. Page 2. Pacific Coast. Attorneys for Federation officers secure habeas corpus writs at Boise, secret code of dynamiters discovered; anarchist threatened with pneumonia. Page 1. Coast lumber manufacturers meet at Tacoma and raise prices on all grades. Page 6. Overhead bridge system in Seattle will cost railroads \$8,000,000. Page 6. William Colquhoun debaters are at Forest Grove. Page 6. Sport. T. M. C. A. basket-ball team from Portland captured at New Westminster. Page 2. Tommy Burns gets decision from Marvin Hart. Page 14. Daniels breaks another swimming record. Page 14. Picher Calif signed by Portland manager. Page 14. Further decline in local wheat prices. Page 15. Shorts buy freely in Chicago grain market. Page 15. Sharp drop in butter at San Francisco. Page 15. Slump in stock market. Page 15. General trade prosperous the country over. Page 15. Pilots and masters urge appointment of night man in Custom-House service at Astoria. Page 14. German steamship officer will wed popular Portland girl. Page 14. Commercial and Marine. Consumer exposes graft of Gas Company. Page 10. Vaughn proposes to compel public utility corporations to pay a 2 per cent occupation license on gross incomes. Page 10. Fire Chief may close Pantheon Theater for failure to comply with fire regulations. Page 10. Application for East Side belt line encounters opposition of O. R. & N. Page 3. Detective Ryan of San Francisco, comes for Mrs. E. S. Gordon and tells of her many offenses. Page 2. Peddler annoyed by boys accused of abounding at them. Page 11. Three wives are granted divorces. Page 11. Dr. David T. Day here to continue his experiments with black sand. Page 12. Young Men's Democratic Club scores monopolies, but owing to vote of World's work, takes resolution upholding Oregon in its fight against gas graft. Page 16.

(Continued on Page 3.)

(Continued on Page 3.)

(Continued on Page 3.)

(Continued on Page 3.)

(Continued on Page 3.)

(Continued on Page 3.)

(Continued on Page 3.)

(Continued on Page 3.)

(Continued on Page 3.)

HABEAS CORPUS WRIT GRANTED

Federation Officers Win a Victory.

GAIN BASIS FOR APPEAL

Court Will Hear Argument on Petitions March 6.

CONSPIRACY IS CHARGED

Defense Claims Alleged Dynamiters Were Virtually Kidnaped by the Idaho and Colorado Authorities—Orchard Very Ill.

BOISE, Idaho, Feb. 23.—The attorneys for Moyer, Haywood and Pettibone made their second move in their battle for the freedom of the accused officials of the Western Federation of Miners this morning, and won a temporary victory. It was their original intention to bring habeas corpus proceedings before the United States Court, but Attorney Richardson found, in looking up the law, that the proper course was to apply for the writs before the Supreme Court of Idaho, and then, if the writs were denied, to take the cases to the Federal courts on writ of error. This the attorneys for the defendants found unnecessary, for Chief Justice Stocklager granted the writs late this afternoon.

The applications for habeas corpus writs for the three prisoners were presented before the Supreme Court shortly before noon. Attorney Richardson, after presenting the petition, argued the law in the case for an hour. When he had concluded, Chief Justice Stocklager announced that he would render his decision at 5 o'clock. The writs of habeas corpus were granted and made returnable March 6. At the request of Attorney Richardson, who informed the court that his presence was needed in Denver by March 1, it was agreed to postpone arguments on the writs until some date between March 3 and March 10.

Consider Victory Significant.
The granting of the writs is looked upon by the attorneys for the defendants as a significant victory. Their purpose in taking the step was not to obtain freedom for their clients, for of this they had no hope, but to prove that Stocklager before noon. Attorney Richardson, after presenting the petition, argued the law in the case for an hour. When he had concluded, Chief Justice Stocklager announced that he would render his decision at 5 o'clock. The writs of habeas corpus were granted and made returnable March 6. At the request of Attorney Richardson, who informed the court that his presence was needed in Denver by March 1, it was agreed to postpone arguments on the writs until some date between March 3 and March 10.

Think Constitution Violated.
The defendants contend that the arrest and detention of the men is in violation of the fourteenth amendment to the Constitution of the United States. The language of the fourth and fifth amendments is also cited, as is also the Idaho constitution.

Attorney Richardson, in his argument, contended that had the three men committed the murder of ex-Governor Steunenberg in Idaho, as charged by County Attorney VanDyke, and had fled the state, they could have been extradited. He declared, however, that Governor Gooding, Governor McDonald and County Attorney VanDyke knew that the three defendants were not in the state at the time of the assassination of ex-Governor Steunenberg and, of course, could not have committed the crime as charged in the information and in the affidavits upon which they were extradited.

If the men had conspired to commit the assassination, then Colorado was the place for them to be tried. Mr. Richardson quoted from a number of United States Supreme Court decisions bearing on this point.

Conspiracy is Charged.
In the writs the charge of conspiracy is made against Attorney J. H. Hawley, Governor Gooding, Governor McDonald, of Colorado; VanDyke and Deputy Warden Mills. Attorney Richardson dwelt at considerable length on this point. He stoutly maintained that never before in a study of the law of the land had he ever read of two Governors entering into a conspiracy to kidnap men from one state into another upon a charge of murder, which they knew to be false. In an interview after the hearing was over he stated that Governor Gooding, Governor McDonald, Hawley and VanDyke had committed perjury.

While in court he entered a vigorous protest against the rigid confinement of his clients at the Penitentiary, where he said they were treated like convicts. He contended that the authorities had a right to deny the prisoners their liberty, but he questioned the right of the state authorities to deny the prisoners the right to communicate with their friends or to transact business with their attorneys except in the hearing of a prison warden.

Will Be No Change.
Nothing has been done in regard to allowing more freedom to the prisoners.

(Continued on Page 3.)

(Continued on Page 3.)