

Morning Oregonian.

VOL. XLII—NO. 13,052.

PORTLAND, OREGON, SATURDAY, OCTOBER 11, 1902.

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Rubber Boots and Shoes, Belting, Packing and Hose
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SEVEN CENTURY CAMERAS, 1902 MODELS, TAKEN IN TRADE—PRACTICALLY NEW AND GUARANTEED PERFECT.
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1 only, Century Grand Camera..... 4x5 \$22.50 \$15.00
1 only, Century Long-Focus, front and back extension..... 5x7 \$25.00 \$17.50
This is all there is of them. They won't last. Every camera advertised last week has been sold.

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Wholesale and Importing Druggists.

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Sole Distributors for Oregon
America's ORIGINAL MALT WHISKY Without a Rival Today

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FRONT AND MORRISON STREETS
PORTLAND, OREGON

American and European Plan. American Plan \$12.50, \$15.00, \$17.50. European Plan \$15.00, \$17.50, \$20.00.

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COMPLETE LINE OF UP-TO-DATE FOOTWEAR
SIZE UP WITH US . . . QUICK SERVICE

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First-Class Check Restaurant Connected With Hotel.
Rooms—Single \$7.50 to \$12.50 per day
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NEW YORK DENTAL PARLORS Fourth and Morrison Sts. Portland, Or.
Old-established and reliable dentists, where all work is guaranteed absolutely painless.

NO PLATES REQUIRED
Full Set Teeth.....\$5.00
Gold Crowns.....5.00
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Our offices are not managed by ethical dentists, but by Eastern graduate specialists.

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THE PIANOLA

Manufactured and for sale only by

THE AEOLIAN COMPANY

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Rumor of Closing the Dardanelles.
LONDON, Oct. 11.—"An extraordinary report is current here," says the Paris correspondent of the Standard, "that private negotiations are proceeding between Russia and Turkey, which, if successful, will result in an agreement to close the Dardanelles to all but Russian warships."

Esterhazy Wants Fortune Back.
VIENNA, Oct. 10.—Count Eugene Esterhazy has created a sensation here by retiring from the Order of Jesuits, and commencing legal proceedings to recover his fortune of \$150,000, which he gave to a society on joining it in 1888.

Troops to Scene of Rising.
BALONICA, Roumania, Oct. 10.—In connection with the measures taken by the Turkish government in view of the revolutionary movement in Macedonia, three battalions of Redifs have been dispatched to the Djumabala district.

ODELL STEPS IN

He Proposes to Stop Coal War.

HOT TALK TO OPERATORS

Governor Holds Their Position Is Untenable.

LABOR UNIONS ARE DEFENDED

Railroad Men Declare for Further Delay, but Governor Will Move at Once—Five Cents a Ton Advance Refused.

I believe that your position from a public view is absolutely untenable. If coal operators, railroad men and other business men can combine for mutual profit and protection, there is no reason why laboring men should not. You are not acting fairly toward the people. I believe I shall find some remedy. — Extracts from remarks of Odell.

NEW YORK, Oct. 10.—"What do you mean by politicians? I want you and all operators to understand that I am the Governor of New York, the chosen representative of 7,000,000 people, and I am here in this matter solely in that capacity, and to relieve, if possible, an intolerable situation. And, what is more, I intend to use every power at my command to do it."

Governor Odell made this statement today to President Baer, of the Reading Railroad, in the presence of United States Senators Platt, of New York, and Quay and Penrose, of Pennsylvania. It was the culmination of an acrimonious interview in the office of Senator Platt, and the result of the meeting between Governor Odell and President Baer.

Mr. Baer was not in the best of humor when accompanied by E. B. Thomas, chairman of the board of directors of the Erie Railroad, he entered Senator Platt's office. The conference began by a statement made by Senator Platt that the situation was becoming so serious that some solution must be found at once. He suggested that the operators should incline to some concessions toward a settlement.

Will Not Recognize Union.
"If you mean by that," said President Baer, "that we are to recognize the existence of a labor union, I tell you right now that the operators will consider no such proposition."

Governor Odell was on his feet in an instant. Holding a half-burnt cigar in his hand, and white with excitement, he said: "Are we to understand that no kind of conciliatory proposition would receive attention at the hands of the operators?" "I did not say that," answered Mr. Baer; "but I do say that we will not accept political advice or allow the interference of politicians in this affair."

Then it was that Governor Odell made the statement attributed to him at the beginning of this article.

President Baer, evidently appreciating that he had gone too far, bowed to Governor Odell, and said:

"Governor, I beg your pardon. No personal affront was intended, and we will listen to any suggestions you may have to make; but, again, I repeat that we must refuse to recognize the union represented by Mr. Mitchell."

Odell Scores Operators.
"I believe," said the Governor, "that your position, from a public view, is absolutely untenable. If coal operators, railroad men and other business men can combine for mutual profit and protection there is no reason why laboring men should not."

"What is the proposition?" asked Mr. Baer, coldly.

"Just this," said Governor Odell. "I am sure that the labor organization of which Mr. Mitchell is head desires him to be fair with the general public. If the operators will consent to give the men 5 cents a ton increase, I will personally present it to the miners, and I believe they will accept it. It is a fair proposition."

"Does this mean, Governor Odell, that we are to recognize the miners' union?" said Mr. Baer.

"It certainly does," answered Governor Odell, quickly, "and there is no reason why you should not."

Mr. Baer and Mr. Thomas rose to go, Mr. Thomas remarking that the matter would be presented to the other operators and that an early answer would be forthcoming.

"We are to meet a committee of the Manufacturers' Association on Tuesday, and we may have an answer then," said Mr. Baer.

The conference broke up. Mr. Baer and Mr. Thomas withdrawing. Senators Platt, Penrose and Quay talked over the matter for a short time, and then separated, the two Pennsylvanians announcing that they would go back to Harrisburg and discuss the situation with Governor Stone.

Governor Odell was not in a talkative mood when he left the conference. He went directly to the Fifth Avenue Hotel, and during most of the afternoon received callers. Mayor Low, Anson G. McCook, Congressmen Lesmer and Littauer, and Senator Platt were among his callers. To one of these the Governor said:

Odell Means Business.

"The coal operators may postpone this

(Concluded on page 4.)

DEMANDS WAR ON MINERS

WILCOX ADDRESSES A POINTED LETTER TO ROOSEVELT.

Operators' Counsel Contends That the Union Is Violating the Interstate Commerce Law.

NEW YORK, Oct. 10.—David Wilcox, vice-president and counsel for the Delaware & Hudson Railroad Company, and one of those present at the recent conference called by President Roosevelt at Washington, has sent to President Roosevelt a letter demanding that the Federal Government proceed against the miners' organization in the courts on the ground that it is a conspiracy to prevent interstate commerce. Mr. Wilcox, it is said on authority, represents all the coal operators in this action, and was selected as their spokesman.

The letter was made public in this city, together with a letter written several months ago to the President along the same lines. The letter follows:

"New York, Oct. 8, 1902.—To the President of the United States, Washington: Sir—Upon June 7 last I had the honor to address a letter to yourself calling attention to the character of the United Mineworkers of America. The illegality of that organization is fully established by the authorities to which I then referred, and its methods have since been again condemned by the Circuit Court of the United States (United States vs. Weber, 14 Fed. Rep. 360; United States vs. Haggerty, 116 Fed. Rep. 330.)

"In the Weber case, too, the court says: 'It is hardly open to serious question that the ultimate purpose of the union is not legal.'"

"Some question has, however, been made whether the National Government has power to take action against it on that account, and therefore I desire to respectfully submit some considerations which seem to establish that it has such power. The statute of July 2, 1890, generally known as the Sherman act, provides that 'every contract, combination, in the form of a trust or otherwise, or conspiracy in restraint of trade or commerce among the several states or with foreign nations, is hereby declared to be illegal.'"

"Commerce among the states begins when the subjects thereof begin to move to their place of destination and ends when they are sold. The question, therefore, is whether this miners' organization constitutes a restraint upon such commerce. The view that it does not is based upon the contention that this combination affects only production of coal within the state and not shipments of coal from one state to another. It is submitted that this distinction is without foundation in the law or facts."

"The coal of the country is the most important subject of its interstate commerce. The United Mineworkers consists of a combination of persons employed in the production of coal in many states of the Union. Its object and effect are to control the terms upon which this subject of interstate commerce may be produced at all, either for state or interstate shipment. Its direct and necessary effect is that no coal shall be shipped anywhere within the country unless it so permits."

"This combination, therefore, not merely restrains but destroys interstate commerce by preventing the existence of the subject-matter of such commerce of general public interest and importance. No more effective or radical restraint of interstate commerce could be imagined."

"The Delaware & Hudson Company was

chartered by the State of New York on April 23, 1832, for the purpose, as expressed in its charter, of furnishing to the State of New York a supply of coal found in the State of Pennsylvania. As the result of the miners' organization the interstate commerce of this corporation has been for the time being in great part destroyed. Obviously a combination which has this direct effect upon an established interstate business is in every sense a restraint thereon."

The letter then quotes decisions in the Knight case, involving several sugar refiners in Pennsylvania; the Addison Pipe Company vs. United States, 17 U. S. 221, and the Chesapeake & Ohio Fuel Company vs. United States, 115 Fed. Rep. 519, combinations which were held unlawful for the reason that they restrained the movement of the products of manufacture out of the state save upon terms dictated by the parties to the combination, and continues:

"As already said, the miners' combination does not merely restrain interstate commerce, but absolutely de-

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Marine Engineers.
Marine engineers are placed on trial for restraining boys connected with the Western Union and the Postal Telegraph Companies in Cincinnati went on strike today, demanding an increase of \$3 a month. The telegraph companies have installed telephones and employed men.

Cincinnati Messenger Boys Strike.
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Colorado Situation Gives No Cause Whatever for Alarm.
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Governor Orman today sent a message to Indian Agent Milton reciting the facts of Game Warden Harris' encounter with Indians, by whom he was shot, and requesting him to keep the Indians on the reservation and to prevent any further invasions into Colorado. Plans were formed today for the organization of a company the National Guard to be stationed at Meeker, and to be in readiness at all times to cope with marauding Indians.

Moody Hits Coal Barons.
SINCE OPERATORS ARE HEARTLESS, HE BELIEVES IN GIVING THEM THEIR FLESH WITHOUT BLOOD.

MADISON, Wis., Oct. 10.—Secretary of the Navy Moody, addressing a great Republican meeting here tonight, held that the duty of 67 cents a ton on anthracite coal was "smuggled into the tariff act in a sneaking and cowardly manner," and ought to be repealed at the short session of Congress. "The people," said Secretary Moody, "appealed in vain to the coal operators to co-operate with the miners in efforts to bring about an end of the strike. Now, when these operators appeal to Congress not to take off the duty of 67 cents on anthracite coal, their appeals will likewise be rejected. Let them have their pound of flesh, but they must take it without one ounce of blood."

He declared that the President could not constitutionally send troops into the coal regions without a call from the Pennsylvania authorities, nor could he seize the anthracite lands by the exercise of eminent domain.

"And if he could," added Mr. Moody, "I should, for one, resist the latter action to the utmost, for I have seen far too much of the extravagance of government to want more of it. Its pricing costs the Government twice or three what private concerns would do it for, and the 17,000 men in the navy-yard get 70 per cent more per hour than those in the Cramp yards, this being due to numerous holidays, short hours, etc."

Cummins Makes First Iowa Speech.
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