

MINERS' N SESSION.

Annual Convention of National Body Is Opened.

FINANCES IN GOOD SHAPE

President Mitchell Says the Enemies of Labor Are the Manufacturers' Association and the Citizens' Industrial Alliance.

FINANCES OF MINERWORKERS.	
Balance on hand Jan. 1, 1903	\$1,021,120
Total income Jan. 1-Nov. 30, 1903	652,951
Grand total	\$1,674,071
Total expenditures Nov. 30, 1903	\$ 571,538
Balance on hand Nov. 30, 1903	\$1,102,533

INDIANAPOLIS, Jan. 18.—The fifteenth annual convention of the United Mineworkers of America opened here today, with approximately 100 delegates in attendance. After the address of welcome, President Mitchell delivered his annual address.

Secretary-Treasurer Wilson then made his annual report, in which he said he had hoped to report a larger amount of money on hand, but the large number of strikes requiring aid from the National organization had been a great drain on its resources. On November 30, there was in Indianapolis \$1,102,533 belonging to the organization. The paid-up membership is \$20,000. The total membership is approximately 230,000. To avoid the loss of revenue from these 40,000 members not paid up, which would amount to \$80,000 annually, the stamp system is advocated in the report.

Mr. Wilson recommended that the Mineworkers' Journal be made a monthly publication, instead of weekly, and that the per capita tax be increased 5 cents per month to pay for extra copies to be distributed to locals. The financial statement was as given heretofore.

Report of Mitchell.

In his annual report, President Mitchell urges that the convention be moderate in speech and conservative in action, adding:

"We should keep in mind that the enemies of labor and the opponents of trade unionism as represented by the Manufacturers' Association and the Citizens' Industrial Alliance, are ever ready to make capital out of the smallest indiscretion, and to magnify out of all reasonable proportion the slightest mistake that trade unionists may make."

"The report says of the situation in the anthracite field:

"Since the close of the anthracite strike the relations of operators and miners have grown steadily more cordial. With very few exceptions, the award of the commission has been rigidly observed, and an era of comparative peace and contentment has reigned in that territory."

Of Central Pennsylvania, the report says:

"During the month of March the miners and operators of the central district of Pennsylvania report approximately 40,000 men in joint conference in the City of Altoona, and consummated an agreement which secured to the miners a substantial increase in wages, and for the first time in the history of that field, established the eight-hour work day. The importance of this achievement cannot be overestimated."

Promises Industrial Peace.

Mr. Mitchell refers to the extension of the conference method of adjusting wage differences into West Virginia, Kansas, Missouri, Arkansas and the Indian Territory, which, he says, promises a long period of industrial peace to miners and operators. Mr. Mitchell says:

"In all other districts in which the mining prices have heretofore been regulated by agreement, the miners are standing firm, and, much as we desire an amicable and honorable settlement, the uncompromising attitude of the companies gives us no choice but to continue the contest until fair terms of settlement are reached or our people go down to defeat."

President Mitchell advises that the demands of the previous conventions be repeated, and that the scale committee be instructed to make an effort to have the interstate agreement formulated upon a basis of nine basis.

The increase in machine mining is known to have been from 14 per cent of the total production in 1902, to 25 per cent in 1903, the report asserting that in districts in which the differential is widest, machine mining has increased disproportionately.

He urges that a readjustment of the differential be insisted upon.

He suggests that not more than two delegates be sent to the International Mining Congress at Paris May 23, urges support of the union label, and recommends that each local devote ten minutes of each meeting to a discussion of the question of union-made goods. Vigorous support of the anti-injunction bill and the eight-hour bill now in progress is urged.

President Mitchell voices his earnest support of legislation prohibiting boys under 16 years of age from being allowed to work in the mines, and asks the convention to endorse it.

In closing, congratulatory reference is made to "the cordial business relationship that has existed between our organization and the operators in all states and districts in which the wages and conditions of employment are regulated and determined by mutual agreement."

New Indictments for Conspiracy.

DENVER, Jan. 18.—A special to the Republican from Central City, Colo., says District Attorney H. G. Thurman today filed information against J. E. Chandler, Foster Milburn, Ross Sanborn, George Siegert, Joseph Carbonetti and Frank Napoli, members of the Idaho Springs Miners' Union, who were last week acquitted at Georgetown of conspiring to destroy the transformer-house of the Sun and Moon mine, charging them with arson and malicious mischief in blowing up the building.

Judge DeFrance today placed the bail of Chandler, Milburn, Sanborn and Siegert at \$2500 each; Carbonetti's at \$1000, and Napoli's at \$500.

TRIBESMEN SLAY AND BURN.

Germany Proposes to Send Troops at Once to Southwest Africa.

FATE OF OWN RACE IN JURY OF WHITE MEN NOT PERMISSIBLE.

RULING BY SUPREME COURT

WASHINGTON, Jan. 18.—The United States Supreme Court again today affirmed the ruling made in the case of Carter vs. the State of Texas, to the effect that the exclusion of negroes from grand juries in cases involving criminal charges against members of their race is in violation of the Constitution and therefore not permissible. The decision is about to be summed up.

The Daily Mail's Pekin correspondent reports the arrival in Manchuria by railway of four more Russian regiments, and thinks that Russian intentions to wait until she has 50,000 men available.

War Preparations Continue.

PORT ARTHUR, Jan. 18.—The preparations for war continue, and all of the Russian officials are kept occupied both day and night in the effort to get the garrison in readiness for active service. Four additional regiments of troops arrived today, and will be assigned to duty in the forts here until they become acclimated.

Active, it is believed, under instructions from Admiral Alexieff, a force of Russian troops today took possession of the town.

ADMIRAL ALEXIEFF

Admiral Alexieff, in whose hands the czar has left the issue of peace or war, is one of the most potent figures in Russian affairs. As a statesman he takes high rank, and as a military and naval commander he is probably unequalled by any man living. He has brought the Muscovite navy to its present standard (in no ranks held in Europe), and it is principally under his direction that the fortification of Port Arthur and Dairen has been perfected. Alexieff distinguished himself during the boxer rebellion, his conduct winning for him a sword decorated with diamonds, the gift of Nicholas II. He has been Governor of Russian Manchuria, Governor-General of Eastern Siberia, and, before becoming Vice-roy, had been for a short time Foreign Minister at St. Petersburg. Admiral Alexieff is 60 years old, hale and vigorous, genial in disposition, and the possessor of a will that makes him a masterful director of affairs.

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Colonel Maud Secures a Divorce From Wife, Who Weds Son of Senator.

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CAN'T BAR NEGROES

Fate of Own Race in Jury of White Men Not Permissible.

RULING BY SUPREME COURT

Texas Court Excluded Colored Men When One of Their Number Was on Trial for Criminal Charge, and Thereby Violated Constitution.

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BANK LOSSES CASE

Portland Stockholders Win in the Supreme Court.

HAVE RIGHT TO DIRECT LEVY

Resistance to Assessment Made by the Directors Is Upheld—Difficulties of Commercial National Are Recalled.

WASHINGTON, Jan. 18.—Two Portland men won a victory in the United States Supreme Court today, and the decision, in a large sense, establishes a precedent. They were Mayor George H. Williams and Henry Weinhart, and the matter at issue was the legality of an assessment by the Commercial National Bank, practically defunct. The issue was whether the shareholders or the directors shall decide whether an assessment on stock shall be made when the Controller of the Currency gives notice that the capital stock is impaired.

The case grew out of the proceedings of Messrs. Williams and Weinhart against the bank, whose stock was sold for failure to pay an assessment of 50 per cent, levied by the directors on demand of Controller Eekels in 1898. Justice Day said the shareholders, and not the directors, must decide whether a bank shall make the increase demanded or suspend operations.

"In this case," he concluded, the assessment was made by the directors without action by the shareholders, and not being within the statute, was void."

"The history of the case, which was tried here in the State Circuit Court before Judge Beas several years ago, as briefly stated by Judge Thomas O'Day, who appeared as attorney for George H. Williams, Henry Weinhart, and other stockholders, who objected to having their assessment of the bank's nonpayment of stock, is as follows:

"Some 10 years ago the Commercial National Bank in this city closed its doors. The capital of the bank was \$500,000. After the failure Wells Fargo & Co. came forward with a proposition to take an interest in the bank and they proposed that the capital should be increased to \$500,000. This was done. Wells Fargo & Co. taking the new stock. Two or three years later the directors of Wells Fargo & Co. requested the Controller of the Currency to direct that an assessment of 50 per cent be levied on the stockholders of the bank. This the Controller consented to do, although Mr. Weinhart, Judge Williams and others of the stockholders entered strong protest against the levy."

"As soon as they received notice of the Controller's action the bank directors levied the assessment of 50 per cent, and subsequently the stock belonging to Weinhart, Williams and others was sold for nonpayment of the assessment. In behalf of these stockholders I then began suit to recover the value of their stock, basing the suit upon the contention that the bank directors had no authority to levy the assessment, which could be levied only by the stockholders themselves. I contended also that the levying of the assessment was simply an attempt on the part of Wells Fargo & Co. to freeze out the other stockholders, for immediately afterward they put the bank into liquidation and took possession of all the assets, carrying on business thereafter as the Wells Fargo Bank."

The case was stubbornly fought in the State Circuit Court, Judge Pillsbury, attorney for Wells Fargo & Co., coming to Portland and assisting Messrs. Platt & Platt, the local attorneys. The lower court decided against Wells Fargo & Co. in the lower court, and also on appeal in the Oregon Supreme Court. It was afterwards carried to the United States Supreme Court, because there was an important Federal question involved.

Wells Fargo & Co. were represented by Messrs. George H. Williams and Henry Weinhart, Cleveland Rockwell, S. A. Durham and other former stockholders in the Commercial National Bank are interested in this decision."

TESTIMONY FAVORED MACHEN

His Sloganeer Heard Lorenz Say Nothing About "Graft."

WASHINGTON, Jan. 18.—In the trial of August W. Machen, the Groff Bros. and Mrs. G. E. Lorenz, charged with conspiracy to defraud the Government, the prosecution introduced a number of witnesses to prove the relation of Machen with the Lorenz and the Groff Bros. One of these, Ina Lieberhart, Machen's former stenographer and chief clerk, testified to the fact that Machen had been his duty to make such report as the faster was tried first in this city. John F. Clark, a letter carrier, described the failure of the faster to work at a test made in 1904 in this city, at which Machen and Samuel A. Groff were present, which, he said, caused Machen to remark to Groff at that time that unless the faster would work without sticking he would not recommend its adoption.

The first witness in the postal case today was E. L. Gilpin, clerk in the office of the Controller of the treasury, who identified a paper authenticating the Groff Bros. to sign the name of Groff Bros. to all warrants, drafts and all business in which the firm's name was required.

James E. Bell, superintendent of delivery of the Washington City Postoffice, testified that the Groff fasteners had been adopted without any report on it having been submitted to him, although it would have been his duty to make such report as the faster was tried first in this city. John F. Clark, a letter carrier, described the failure of the faster to work at a test made in 1904 in this city, at which Machen and Samuel A. Groff were present, which, he said, caused Machen to remark to Groff at that time that unless the faster would work without sticking he would not recommend its adoption.

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