Morning Oregonian.

VOL. XLVI.—NO. 14,130. PORTLAND, OREGON, THURSDAY, MARCH 22, 1906. PRICE FIVE CENTS.

STRAIGHT TALK TO LABOR CHIEFS

President Answers Their Memorial

FAVORS ANTI-INJUNCTION BILL

Emphatic in Opposition to Chinese Labor.

EIGHT-HOUR LAW ON CANAL

Does Not Suit Conditions, but Will Punish Violators at Home—Cannon Resents Attack on House Labor Committee.

WASHINGTON, March 21.—President Roosevelt received a large body of representatives of organized labor this afternoon at the White House and talked to them about their urgent request for enactment of labor measures now pending before Congress. Samuel Gompers, president, and Frank Morrison, secretary, of the American Federation of Labor, headed the delegation, which consisted of about 100 members of the executive council of the American Federation of Labor, and officials of the organizations which comprise the Federation. Practically all of the important labor organizations of the country were represented.

Mr. Morrison referred to the President a memorial of the executive council of the American Federation, urging action on the various demands for legislation being urged by the labor interests of the country. The memorial dwelt particularly on the nine-hour law and its enforcement on Government works, including the Panama Canal, and the immigration laws, especially the Chinese exclusion laws.

Mr. Gompers and James Duncan, of Quincy, Mass., first vice-president of the Federation and president of the Granite-cutters' Union, followed with brief addresses on the lines of the memorial. Mr. Roosevelt, after listening to the statements, replied in an extended address. The text of the President's remarks was given out at the White House this evening, as follows:

About Anti-Injunction Bill.

Mr. Gompers: If your body objects to the passage of the proposed anti-injunction bill, I have no question that you can stop it, for there is not a capitalist concerned who, simply as capitalist, is not against it; though I believe that a goodly number both of capitalists and wageworkers, who are concerned primarily as citizens, favor it. The law was worked over and substantially whipped into its present shape at a number of conferences between representatives of the railroad organizations and the Department of Justice and the Bureau of Corporations, with me. It goes as far as I personally think it should go in limiting the right of injunction; at any rate, no arguments have hitherto been advanced which make me think it should go farther. I do not believe it has any chance of passing, because there has been great criticism in both houses of Congress against the attitude of the administration in going so far as we have gone; and, if you think it is not far enough, why, you will have no earthly difficulty in reconstructing the bill. Personally I think the proposed law a most admirable one, and I very sincerely wish it would be put through.

Has Enjoined Capital, Not Labor.

As for the right of injunction, it is absolutely necessary to have this power lodged in the courts, though, of course, any abuse of the power is strongly to be reprobated. During the four and a half years that I have been president I do not remember an instance where the Government has invoked the right of injunction against combinations of laborers. We have invoked it certainly a score of times against combinations of capital. I think possibly oftener. Thus though we have secured the issuance of injunctions in a number of cases against capitalistic combinations, it has happened that we have never tried to secure an injunction against a combination of labor. But understand me, gentlemen, if I ever thought it necessary; if I thought a combination of laborers was doing wrong, I would apply for an injunction against them just as quick as against so many capitalists.

Now I come to the general subject of your petition. I wish in the first place to state my regret that you did not divorce so much of the petition as refers to the action of the executive from so much as refers to the action of the legislative branch, because I cannot consider any petition that you make that reflects upon the co-ordinate branch of the Government, or that makes any charges whatever against it. I would not even receive it save for the fact that in part it affects the executive. Therefore, in what I have to say I shall limit myself solely to what you assert, in reference to the acts of the executive.

Can't Work Eight Hours on Canal.

You speak of the eight-hour law. Your criticism, so far as it relates to the executive, bears upon the signature of the appropriation bill containing the money for expenditure on the Panama Canal, with the proviso that the eight-hour law shall not there apply. If your statement is intended to mean that no opportunity was given for a hearing, then the statement is not in accordance with the facts. There was ample opportunity that any one could be heard, but not a single request for such a hearing came to me. I received, however, some hundreds of telegrams and letters, requesting the veto of the entire appropriation bill because it contained that proviso. Frankly, I found it difficult to believe that you were writing and telegraphing with any kind of knowledge of the conditions in the case.

I believe emphatically in the eight-hour law for our own people in our own country. But the conditions of labor such as we have to work with in the tropics are so absolutely different that there is no possible analogy between them and an eight-hour law for the Panama Canal is an absurdity. Every one of you knows that we cannot get white labor, cannot get labor of the United States, to go down to Panama and work. We are driven to extremities in the effort to get any kind of labor at all. Just at the moment we are working chiefly with negro labor from the West Indies. The usual result in the employment of these men is that Monday and Tuesday they work fairly well, Wednesday and Thursday there is a marked falling off, and by Friday and Saturday not more than a half, sometimes less than a fourth, of the laborers will be at work.

Will Enforce Law at Home.

The conditions that make the eight-hour law proper here have no possible reference to the conditions that make the eight-hour law entirely improper there. The conditions are so utterly different on the isthmus as compared to here that it is impossible to draw conclusions affecting the one from what is true about the other. You hamper me in the effort to get for you what I think you ought to have in connection with the eight-hour law when you make a request that is indefensible, and to grant which would mean indefinite delay and injury to the work on the isthmus.

As to the violations of the eight-hour law, Mr. Morrison, you give me no specifications. At your earliest convenience, please lay before me in detail any complaints you have of violations of the eight-hour law. Where I have power, I will see that the law is obeyed. All I ask is that you give me the cases. I will take them up, and, if they prove to be sustained by the facts, I shall see that the law is enforced.

Chinese Exclusion Effective.

Now, about Chinese exclusion. The number of Chinese now in this country is, if I remember aright, some 60,000 or 70,000. So far from there being a great influx of the Chinese, the fact is that the number has steadily decreased. There are fewer Chinese than there were ten years ago; fewer than there were 20 years ago; fewer than there were 30 years ago. Unquestionably some scores of cases occur each year where Chinese laborers get in, either by being smuggled over the Mexican and Canadian borders or by coming in under false certificates, but the steps that we have taken, the changes in the Consuls that have been made within the last few years in the Orient and the effort to conduct examinations in China before the immigrants are allowed to come here, are materially reducing even the small number of cases that do occur.

But, even as it is, the number of these cases is insignificant. There is no appreciable influx of Chinese laborers, and there is not the slightest nor the remotest danger of any; the whole scare that has been worked up on the subject is a pure chimera.

Must Keep Out Laborers.

It is my deep conviction that we must keep out of this country every Chinese laborer, skilled or unskilled—every Chinaman of the coolie class. This is what the proposed law will do; it will be done as effectively as under the present law; and the present law is being handled with the utmost efficiency. But I will do everything in my power to make it easier and desirable for the Chinese of the business and professional class, the Chinese travelers and students, to come here, and I will do all I can to secure their good treatment when they come; and no laboring man has anything whatever to fear from that policy. I have the right to challenge you, as good American citizens, to support that policy; and in any event I shall stand unflinchingly for it, and no man can say with sincerity that on this or, indeed, on any other point, he has any excuse for misunderstanding my policy.

Exclude Unfit Immigrants.

You have spoken of the immigration laws. I believe merely that not only all proper steps should be taken to prevent the importation of laborers under any form, but I believe that this country ought to make a resolute effort from now on to prevent the coming to this country of men with a standard of living so low that they tend, by entering into unfair competition with, to reduce the standard of living of our own people. Not one of you can go further than I will go in the effort steadily to raise the status of the American wageworker so long as, while doing it, I can retain a clear conscience and the certainty that I am doing what is right. I will do all in my power for the laboring man, except to do what is wrong, and I will not do that for him or for any one else.

We must not let our natural sentiment for succoring the oppressed and unfortunate of other lands lead us into that warped moral and mental attitude of trying to succor them at the expense of pulling down our own people. Laws should be enacted to keep out all immigrants who do not show that they have the right stuff in them to enter into our life on terms of decent equality with our own citizens. This is needed first in the interests of the laboring man, but furthermore in the interests of all of us as American citizens; for, gentlemen, the bonds that unite all good American citizens are stronger by far than the difference, which I think, you accentuate altogether too much, between the men who do one kind of labor and the men who do another. As for immigrants, we cannot have too many of the right kind, and we should have none at all of the wrong kind; and they are of the right kind if we can be fairly sure that their children and grandchildren can meet on terms of equality our children and grandchildren so as to try to be decent citizens and to work together for the uplifting of the republic.

Right of Petition to Congress.

Now, a word as to the petitioning of employes of Congress. That stands in no shape or way on a par with the petitioning of men not employed by the Government. I cannot have and I will not have, when I can prevent it, men who are concerned in the administration of Government affairs going to Congress and asking for increased pay without the permission of the heads of the Department. Their business is to come through the heads of the departments. This applies to postmasters, to Army and Navy officers, to clerks in the Government departments, to laborers; it

(Concluded on Page 5.)

AMERICAN GIRL TO WED HEIR TO A CORONET.

Miss Adelaide Randolph.

New York society was greatly interested in learning of the engagement of Miss Adelaide Randolph to Lionel Lambart, of England, second son of the late Earl of Cavan. The news of the engagement was received by relatives of Miss Randolph. Miss Randolph is the daughter of the late Colonel Arthur Randolph, of England, who married Miss Edith May, of New York, and who died nearly 20 years ago. His widow afterward married the late William C. Whitney and died six years ago from the results of an accident received while riding in Aiken, S. C. Lionel Lambart was born in 1878 and is a retired Lieutenant in the royal navy. He is heir presumptive to the title now held by his brother, Frederick Rudolph Lambart, who is the tenth Earl and who married in 1895 Miss Caroline Crawley, daughter of the late George Baden Crawley.

ENGLISH ROADS GETTING AHEAD

Shock Americans by Running "Ladies'" Smoking Cars.

AWFUL, SAYS EVERYBODY

Gallant American Railroad Men Refuse to Believe Ladies Smoke. Story May Be Merely an English Joke.

CAR FOR "LADY" SMOKERS.

LONDON, March 21.—The first smoking-car ever reserved for women in Great Britain left a big London terminus today for Liverpool. The windows bore a label reading "Ladies' Smoking." The innovation attests the spread of smoking among Englishwomen during recent years.

CHICAGO, March 21.—(Special.)—Chicago people were amazed today when told of the English car for women smokers. A suggestion that emulation might develop the same thing in the United States met with immediate deprecation on all sides. Representative statements follow:

Mrs. Edward L. Murfey, prominent member of the Arche Club: "What an absurd suggestion that the women of America would ever tolerate such a thing! I think a 'ladies' smoker' attached to any train in this country would most likely go empty. Perhaps there is smoking in the boudoir; I am sure I am not informed as to that, but in public women would never dare."

Thomas E. Mitten, president of the Chicago City Railway: "That report from London is indeed hard to believe. I never heard of women smoking in public before, and this idea of a car being specially devoted to their use seems preposterous. I fail to see how the innovation could ever be tried in Chicago or hereabouts."

Awful, Says Noted Gallant.

Colonel Samuel Moody, general passenger agent of the Pennsylvania railroad, who has a reputation of 25 years' standing as the most gallant of passenger men, was horrified at the report. Raising his hat majestically, the Colonel said:

"I always take off my hat to women, just like that, but I could never do it if I believed these dreadful stories about their fondness for the weed. So long as I have breath and the right to use it in Pennsylvania affairs, I shall always protest against following that alleged English innovation. I'd sooner see the business go to the New York Central lines, and that would indeed be awful."

W. B. Kniskern, passenger traffic manager of the Northwestern road, is an authority upon the subject of women—on the art of pleasing them in matters of traveling, at least. "If what the papers say is true," he declared, "English roads are getting way ahead of us. Of course, I have heard that women in New York and other big cities in the East do smoke considerably, but I would hate to believe it."

More Appropriate in Paris.

W. J. Leahy, assistant general passenger agent of the Rock Island, said that Passenger Traffic Manager John Sebastian had gone home with a headache after reading that item. "I believe," declared Mr. Leahy, "that the fellow who wrote that must have been smoking, even if the women were not. If he had put a Paris date line on that story it would have stood a better chance, but London, nix. You can't make me believe London would stand for anything like that. Of course, I want to say this, that the Rock Island passenger department means to keep up with the time, but I wouldn't like to have that taken as a promise."

"Is the Santa Fe considering the advisability of putting in smoking cars for women?" said W. J. Black, passenger traffic manager, repeating the question. "You must have had an idea that we have some rails in Old Mexico, but we have not. That's the only place I know of where women make a practice of smoking. Besides, if a man or woman really wants to smoke when they are on the Santa Fe they will find our new smoking cars are good enough for any one. I have seen colored women smoke in them, and occasionally an immigrant, but I never expect to see an American woman doing so."

Just an English Joke.

"Take my tip for it," said George Charlton, general passenger agent of the Alton, "that story is an English joke, and it's got about as much point to it as an English joke usually has. I ought to know, because I'm English. I don't know everything about women, but what I don't know Will Davis does, and Will said to me just the other day that it was all tommy rot about women smoking. Perish the thought that the Alton should ever insult the fair sex by providing a public smoking car for their use. I'd expect every woman in the country to boycott the road."

DID NOT CHARGE BRIBERY

Cummins Insists Railroads Fight Primary Election Bill.

DES MOINES, Ia., March 21.—Governor Cummins today answered the Gilland resolution of inquiry respecting the charge made by Governor Cummins in his letter to the Republicans of Iowa to the effect that the railroad lobby has been working against the primary election bill.

He stated that he had not charged members of the Legislature with being bribed or the railroad lobby with corruption of the members of the Legislature; nothing he had said could be tortured into that sort of meaning. But he maintained the truthfulness of his charge that the railroads of the state are interested in defeating primary election legislation and have worked against bills pending in the Legislature.

Senator Gilland said, after the message had been read to the Senate—it also was read to the House—that it closed the incident, so far as he was concerned.

COX BEFORE GRAND JURY

Dethroned Boss of Cincinnati Testifies on Graft Cases.

CINCINNATI, March 21.—George B. Cox, who announced his retirement from Republican leadership in Hamilton County at the close of the last campaign, was one of the bank presidents summoned to appear before the grand jury today to testify in regard to the payment to the County Treasurer of interest or "gratuities" for the deposit of public moneys. The other bank officials summoned included the heads of all banks in which county funds have been deposited during the past few years.

This action was taken by County Prosecutor Rulison, following up the investigation by the Drake committee of the State Senate, before which County Treasurer Hynicka and others testified that the banks had been paying what amounted to 2 to 2½ per cent on funds deposited with them, such payments being made personally to some one in the County Treasurer's office and that deposits would not be made in any of the banks until an understanding as to the payment of these gratuities had been reported.

Checks for $25,000 and $35,000 to cover the amount of interest estimated to have been paid by them were yesterday turned over to Mr. Rulison by County Treasurer Hynicka and Former Treasurer French, respectively, each of whom promised to pay any additional amount if this was insufficient, the money to be held until the courts had decided whether it belonged to the county or to the officials personally.

Refuses to Grant Immunity.

COLUMBUS, O., March 21.—The Senate defeated a bill granting immunity to witnesses in legislative investigation when they may be incriminated by giving testimony. The bill was designed to aid the Senate committee in its investigation of the public affairs of Cincinnati and Hamilton Counties. The bill lacked two votes of a constitutional majority, and an effort will be made to pass a similar bill, which is still pending.

Rose Nominated Fifth Time.

MILWAUKEE, March 21.—Complete returns from yesterday's primary elections for nominations on city tickets show that Mayor David S. Rose was renominated for the fifth time by the Democrats, having defeated William George Bruce by a majority of 1148. Sherburn M. Becker will head the Republican ticket, defeating William J. Fiebrantz by a majority of 6272.

CONTENTS TODAY'S PAPER

The Weather.

YESTERDAY'S—Maximum temperature, 50 deg.; minimum, 42. Precipitation, 0.68 of an inch.

TODAY'S—Occasional light rain. Southerly winds.

Foreign.

Algeciras conference active on compromise plan. Page 4.

Great strike of French coal miners. Page 2.

British Parliament censures Milner for flogging Chinese. Page 2.

Great distress follows earthquake in Formosa. Page 2.

Russia's constitution grants very restricted liberty. Page 2.

Russian workmen treat elections as farce. Page 2.

National.

President declares policy on labor questions to delegation of Federation leaders. Page 1.

Judge Humphrey grants immunity to individual packers, not to corporations. Page 1.

Senators debate rate bill. Page 4.

Mrs. Storer's intrigues to make Ireland a cardinal. Page 3.

New York shippers accused of wholesale underbilling frauds. Page 4.

Insurance.

House committee of Congress declares Federal supervision unconstitutional. Page 5.

New York Assembly committee favors bill deferring elections of directors. Page 5.

Hamilton defies New York Life investigators. Page 5.

Untermyer says insurance surplus caused railroad mergers. Page 5.

Politics.

Cummins denies charging railroads with bribing Iowa Legislature. Page 1.

Boss Cox before Cincinnati grand jury. Page 1.

Domestic.

Standard Oil official loses memory in Missouri. Page 5.

Railroad men condemn ladies' smoking-cars adopted in England. Page 1.

Large earnings of Oregon railroads. Page 3.

Miners' wage conference in session. Page 3.

Sport.

Burns to meet O'Brien on May 10. Page 7.

Spencer is signed again by the Seals. Page 7.

There will be six teams in the Pacific Northwest League. Page 7.

Demarest wins second prize in billiard contest. Page 7.

Pacific Coast.

Mrs. H. E. Huntington married 33 years, sues multi-millionaire husband for divorce. Page 6.

Vincent St. John committed to jail at Telluride, Colo., without bail. Page 6.

Railroad survey is nearly completed to Klamath Falls. Page 6.

Sheriff Sutherland at Wallace, Idaho, narrowly escapes bullet of man he arrests. Page 5.

Commercial and Marine.

Advance in local sugar market. Page 13.

California Spring wool opens higher. Page 13.

Fear of miners' strike checks iron and steel business. Page 15.

Sharp break in New York Central stock. Page 15.

Chicago wheat market weak on selling. Page 15.

Telegram from Engineer Modjeski delays settlement of bridge question. Page 14.

British bark Bankburn chartered to bring cargo of cement to Portland. Page 14.

Portland and Vicinity.

Thieves seek to destroy evidence in Special Inspector Neubauer's office. Page 10.

Property-owners must pay $30,000 bonus for Council Crest line. Page 14.

City Attorney tells in opinion how to oust Bruin. Page 11.

Dr. J. J. Fisher is reported out of danger. Page 16.

John Barleycorn's victims settle up in Police Court. Page 11.

Cold Creek coal to be brought to Portland, making fuel cheaper. Page 14.

John H. Jones, pioneer lumberman, dead. Page 16.

Central Union W. C. T. U. celebrates 25th anniversary. Page 10.

Gas Company leaves East Side streets in wretched condition. Page 11.

Stock Exchange will be founded in Portland. Page 16.

Oregon Labor Party indorses Judge W. R. Ellis for Congress and opposes John L. Rand. Page 10.

Committee outlines plans for reception to Dr. Hyde. Page 10.

Medical Society tables lodge practice resolution. Page 16.

Marquam Theater probably will soon be closed and another playhouse built or leased by syndicate. Page 16.

Traction franchises passed up to Executive Board to fix compensation to city. Page 1.

Banfield-Veysey heating franchise passes Council. Page 1.

Paul Muss, alleged murderer of Julius Kuhn, arrested near Hood River and brought to City Jail. Page 10.

FRANCHISES UP TO EXECUTIVE BOARD

Traction Ordinances Referred to That Body to Fix Compensation to City.

PASS HEATING FRANCHISE

Banfield-Veysey Fuel Company's Ordinance Receives Favorable Vote After Bitter Clash Between Banfield and Sharkey.

SYNOPSIS OF COUNCIL'S ACTION ON FRANCHISES.

Both United Railways Company and Willamette Valley Traction Company franchises passed by unanimous consent to Executive Board to fix valuation thereof to city. Executive Board will pass on measures tomorrow afternoon.

Banfield-Veysey Fuel Company franchise passed by vote of 10 to 5 after warm words between President Banfield and Councilman Sharkey, in the course of which former uses significant expressions regarding latter.

Mount Hood Electric Company franchise passed to printing.

Drake C. O'Reilly makes application for franchise to run cars on Front street, substantially from Irving to Jefferson, on remarkably liberal terms for city.

By unanimous consent, the franchises of the United Railways Company and Willamette Valley Traction Company were last night passed up to the Executive Board of the Council, after a session of the body lasting from early in the afternoon until far into the night, and the Executive Board, at its meeting tomorrow, will be required to fix the valuation of the two grants.

Thereafter they will come back to the Council, and when the city's compensation has been finally fixed, the two franchises will be advertised for 20 days. They will then be in a position to be voted on and it will require the approval of at least ten members, or a two-thirds majority, of the Council to adopt them, and in case of the Mayor's disapproval, 12 votes will be required to pass them over his veto.

An adjourned meeting of the Council took up the measures in the afternoon and devoted a great deal of time to their careful consideration, the Willamette Valley Traction Company franchise being traversed section by section, while a number of minor amendments were also made to that of the United Railways Company, principally with a view of making the two harmonize. All reference to compensation was stricken from the United Railways Company franchise, and the two measures will come before the Executive Board upon the same basis in that respect.

Modifications were adopted making Flanders street the joint carline, and omitting Everett from the route. In fact all the changes were made after the closest scrutiny, the Mayor personally taking an active interest in the proceedings, and from time to time offering suggestions concerning the various propositions arising. Both measures will soon be published in full, and will doubtless be the subject of a great deal of local comment before they come up for final passage.

Banfield-Veysey Ordinance Passes.

By the required ten votes, the Banfield-Veysey ordinance for laying pipes to convey both cold and hot air about the city, as well as electric energy, was passed. Those voting in favor of granting the franchise to the fuel company were Annand, Bennett, Dunning, Gray, Kellaher, Masters, Preston, Shepherd, Wallace and Wills, while those who opposed it were Belding, Menefee, Rushlight, Sharkey and Vaughan. The vote was taken after an animated discussion for and against the measure.

Councilman Sharkey strongly opposed the franchise in its present shape, explaining that it is too loosely drawn to guard the interests of the city. He said that while those franchises were granted 25 years ago, the city is not now in the habit of passing them out on such easy conditions to the applicants. While applicants for other franchises were offering to pay 2 per cent of the gross earnings to the city, the Banfield-Veysey ordinance only called for 1 per cent for the period of 25 years. This, he said, was too small a remuneration for the municipality.

President M. C. Banfield attacked the statement made by Councilman Sharkey and said it was the most inconsiderate statement he had ever heard him make. He was interrupted by Sharkey, but Councilman Belding got the floor and said he opposed any franchise that does not carry with it a bond to complete the projects proposed by the grantees. He contended this is the only way to look out for the city's interests.

Mr. Vaughn attacked the ordinance, saying he did not see the equity in charging some people 2 per cent of the gross earnings of the corporation they represented, while others were let off with 1 per cent. He was opposed to showing any preference, he said, as there is no way it can be justified.

Mr. Menefee said there should be assurances from the promoters that they would carry out their plans and a bond should be offered, but he thought the 1 per cent tax on the gross earnings excessive, as he explained this would be really a tax on the consumers in any event.

Mr. Masters believed that as the Banfield-Veysey project is engineered and financed by local people, some concession should be made. The plan of supplying cold air in Summer and hot air in Winter was in itself an expensive proposition, he contended, and he believed 1 per cent tax is sufficient in view of the different class of service proposed between this and the other franchises assessed 2 per cent.

Mr. Rushlight said there was no real need for a bond, as the men asking for the franchise are already here with the money needed to finance the project.

No Need for Bond, Says Banfield.

M. C. Banfield was given the floor and disputed points raised by Councilman Sharkey. He said there was no need for a bond, as his people have already purchased a $90,000 site for the plant, and the members of his company have $10,000,000 invested in Portland. He has promised the owners of some of the new buildings now going up that he will heat their structures by his system November 1, and unless prompt action was taken by the Council he would lose the Summer's work.

The company, he said, is purely local, and is therefore entitled to some consideration. He proposed to take the refuse from the city mills and burn it in the proposed plant, for he said that with waste amounting to $300 a month, heat could be supplied that now costs from $35,000 to $40,000 a month in oil fuel. Instead of sending this money to California, where the Standard Oil Company gets it, it may as well be kept in Portland.

Sharkey Affronts Mr. Banfield.

Immediately prior to the agitation of the Banfield-Veysey ordinance, Councilman Sharkey discovered President Banfield in the act of doing some missionary work among the other members in behalf of his measure. Sharkey became exceedingly personal in some of his allusions to the episode and finally attracted general attention by suggesting that if Mr. Banfield wished to do any more lobbying for his franchise he had better take some of the Councilmen out in the corridors and talk to them, and not interrupt public business on the floor of the Council Chamber.

Banfield was visibly affected by the direct affront offered him, and was not slow in handing it back to its author with interest.

"The reason I have not approached Mr. Sharkey," said he drawing himself up to his full height and casting a significant look in the direction of the East Side Councilman, "is because he is too expensive."

A burst of applause in the lobby of the Council Chamber followed this sally, and with a countenance pale with emotion Shakey responded in his usual sarcastic style:

Councilman Hits Back.

"Before Mr. Banfield gets his franchise," he remarked in a contemptuous tone, "he will find it more expensive than he thinks. If he imagines he is going to come into a city and cart off a franchise for the asking, he will find he is mistaken before he gets through this session.

"I believe a man who is honest at heart would not come into the Council and go from one member to another and importune their support for his franchise. If it had any merit it would carry itself through."

Sharkey's retort brought demonstrations of approval from the spectators, who were evidently interested in seeing a clash of some sort, but somebody poured oil on the troubled waters and the incident was temporarily closed.

"What did you mean by the statement that you would not call to see Sharkey because he is too expensive?" M. C. Banfield was asked afterward.

Means Just What He Said.

"You will have to put your own construction on it," was the reply. "There was no secret in what I said. I spoke loudly enough and you can judge for yourself."

"Have you seen Sharkey and are his ideas too extravagant?"

"No, I have not seen him in this matter at all."

"Do you mean that his reputation is such that you thought his price high?"

"You will have to draw your own conclusions."

The Mount Hood Electric Company franchise was up for consideration, and was finally passed after some quibbling relative to certain amendments suggested by City Attorney McNary. The latter had been more stringent in drafting the measure than the charter required, and it was this feature that President Cobb, of the Mount Hood Company, objected to. He claimed that the proposed amendments might operate to place him in the power

(Concluded on Page 4.)

CROSSES OCEAN TO DODGE HER SUITORS.

Miss Billie Burke.

Miss "Billie" Burke, the English comic opera singer, was forced to cross the Atlantic to evade her numerous and ardent admirers. Even then she is not entirely successful, as one particularly impetuous youth managed at the last moment to board the steamer that brought Miss Burke to this country and came with her. The young man is not the Marquis of Anglesey, as was reported, but an officer in a crack regiment, who took advantage of a few weeks' leave of absence and followed Miss Burke to her native land. Miss Burke is a Washington girl. She is emphatic in denying that she is engaged to any one and protests that she is still "fancy free." In the meantime the young officer, Stanley Cary, is hurrying back to London, a wiser if not a happier man.

PACKERS ESCAPE PENALTY OF LAW

Judge Gives Immunity to Individuals.

CORPORATIONS TO BE TRIED

Testimony Under Compulsion Saves Their Skins.

JOY AMONG THE ACCUSED

Garfield's Demand for Information and Declaration of His Power Bars Prosecution for Violation of Sherman Law.

CHICAGO, March 21.—All of the packers who were indicted by the Federal grand jury last Summer upon charges of being in conspiracy in restraint of trade and commerce were today granted immunity from criminal prosecution under the indictment. While the individuals are to go free, the indictments found against the corporations, of which some of the indicted individuals are members and others are employes, are to stand.

The decision to the above effect was handed down this afternoon by Judge J. Otis Humphrey, in the United States District Court. The arguments in the case were concluded shortly after 3 o'clock and Judge Humphrey at once commenced the delivery of his opinion. It was oral and the Judge spoke for nearly an hour before giving the slightest indication of what the ultimate decision would be. He reviewed the case at length in all its bearings, cited all the essential facts which had been brought out and concluded as follows:

Individuals Go Free.

Under the law in this case the immunity plea filed by the defendants will be sustained as to the individuals and denied as to the corporations, the artificial persons, and the jury will find in favor of the Government as far as the corporations are concerned and against the Government as far as the individuals are concerned.

During the rendition of the decision the court was crowded by the defendants and numerous spectators. Edward Morris and Edward Swift were in court and both smiled happily when the decision was announced. J. Ogden Armour was not present, but some of the men prominent in the employ of Armour & Co., who were among the indicted, were there and their joy was great. When the Judge announced that the indictments would not lie against them, they crowded together and commenced to shake hands in mutual congratulation. The attorneys for the defendants were also highly pleased and, when the decision was announced, they shook hands all around and then hastened to the jury box to shake hands with the jurors, who had been excluded from the courtroom during all of the arguments made in the case and who returned a verdict in accordance with the directions of the court.

District Attorney Morrison, who was in charge of the case for the Government, with the exception of the arguments by Attorney-General Moody, sat with bowed head for a short time after Judge Humparey had concluded and then walked over to the jury box and also shook hands with the jurors.

Date for Trial Considered.

Immediately following the dismissal of the jury, District Attorney Morrison raised the question of the date for the trial of the corporations. He asked that the case be set for trial and that it commence within two weeks. This met with a storm of protest from the attorneys for the packers, who insisted that they would be unable to prepare for the case before the Fall of the year, pleading the number of witnesses whom it would be necessary to bring to Chicago, the strain of the present trial, and various other reasons. After some discussion, Judge Humphrey directed that the lawyers agree among themselves upon a date and notify him of their decision next week.

Vast Number of Witnesses.

It is expected that the total number of witnesses in this trial will number at least 1600. The attorneys for the packers declared today, when asking for a postponement of the trial, that their witnesses would number 1500, and the Government has already said that it would have 100 or more.

The court proceedings for the day were commenced by the argument of John S. Miller, who had waived a portion of his time in favor of Mr. Moody. He scouted the contentions of the Attorney-General, saying that it was evident to the most casual reader of the interstate commerce law that no distinction existed in that act between evidence given voluntarily and evidence given under compulsion. He declared that there could not be the slightest doubt that the defendants in the present case were entitled to immunity.

Mr. Miller concluded his argument shortly after 3 o'clock, and Judge Humphrey at once commenced speaking from the bench, announcing his decision. Part of the decision was as follows:

Law Regarding Immunity.

The defendants are indicted under the Sherman act, charged with a conspiracy in restraint of trade. They have pleaded that, as to them, that act should be suspended because

(Concluded on Page 3.)