

# JEROME BRINGS BIG TRUST TO BAY

## Indictments Secured Against Chiefs of Theater Monopoly.

### ALL MUST BOW TO THEM

#### Conspiracy to Restrain Trade Charged Against Klaw, Erlanger and Others—Playwrights, Managers and Actors Coerced.

NEW YORK, Jan. 31.—The grand jury today returned an indictment against the so-called theatrical trust, charging conspiracy in restraint of trade. It was handed up to Judge Foster in the Court of General Sessions today.

The members of the alleged trust affected by the indictment are Abraham Erlanger, Mark Klaw, Samuel F. Nixon, J. Fred Zimmerman, Charles Frohman and Al Hayman.

Messrs. Frohman and Hayman are now in Europe.

#### Methods of the Trust.

The indictment sets forth in detail the acts of the so-called trust and its efforts to prevent certain theatrical enterprises from playing in any other than independent theaters. Some of the witnesses before the grand jury testified that in certain cases the combination compelled them to make contracts with the trust to book the playing of plays, charging 33 1/3 per cent of the net receipts for the booking. The indictment alleges that the trust controls more than 500 of the prominent theaters in the country.

As an instance of the alleged evil of the trust, the case of Sarah Bernhardt was cited in the indictment. When she came to this country in 1905, it was alleged, she was forced to play in independent houses through the country, and in some cities where she could not get the houses she was forced to play under tents. At that time she said, according to the indictment, that, if necessary, she gladly would come to this country and prosecute the men who forced her to this inconvenience. May twain is alleged also to have suffered by reason of the combination of theatrical managers.

Abraham Erlanger and Marc Klaw appeared in court and were admitted to bail in \$100 each.

Filing to the indictments was put over for one week. Nixon and Zimmerman are said to be in Philadelphia.

#### Nature of Conspiracy.

The District Attorney's office tonight gave out a statement reading: "The grand jury today filed an indictment in Part of General Sessions, before Judge Foster, charging Marc Klaw and Abraham L. Erlanger, composing the firm of Klaw & Erlanger, with the crime of conspiracy. The charge is that they and others conspired to monopolize the theatrical business, both as to ownership of theaters and as to the production of the attractions. The conspiracy is in the form of a written agreement, entered into in 1896 and 1900, whereby the conspirators pooled all their theaters and attractions and divided the profits of business, whereby they agreed not to allow any theatrical attraction to be exhibited in any of their theaters unless the owner of the attraction would agree to play the attraction only in the theaters controlled by the conspirators.

#### Coerced Whole Show Business.

"They also agreed that they would not allow any of their attractions to play in any theaters other than they controlled, and they also coerced actors and playwrights and owners of attractions to play such attractions exclusively in theaters controlled by the conspirators, and they refused to allow any of their attractions to play in any theaters other than those which they controlled, unless the owner of the attraction would enter into a contract to supply such attraction exclusively in their theaters, and they refused to send attractions to theaters unless the owner of such theaters would make a contract with them to give them the exclusive control of the bookings of the theaters."

The statement relates the Bernhard incident and concludes: "They have been enabled to crush any owner of an attraction in this country like or any owner of a theater that would not comply with their demands. They can crush the owner of an attraction by refusing to allow his attraction to be played in their theaters, and controlling, as they do, five-sixths of the best theaters, no owner of an attraction can profitably compete with them. In fact, they have been enabled to crush competition by refusing to send their attractions."

#### Trust Kings Cry Malice.

The following statement was issued by Al Hayman and Klaw & Erlanger: "We were not approved of this indictment, as it has been treated as a tale for over a year. The malice and motives which inspired it are tales for another telling and will be subject of wonderment to the initiated."

If any one doubts the demoralization of the present District Attorney's office, he need only notice the freedom with which grand jury proceedings were published daily. Certainly the witnesses and grand jurors themselves would not talk about what happened in the grand jury room.

Every business institution which develops to large proportions is in danger of being dominated by a trust, and an indictment for being a member of a trust seems to be the badge of success aimed at successful business men by their unsuccessful competitors. It will not be long in this fair land before every successful business man will be indicted for being a member of a trust. The stigma which used to go with an indictment has been entirely eliminated by proceedings such as these.

#### BAY STATE GAS ROW SETTLED

Rogers Pays Receiver \$1,500,000 to Withdraw Suits.

BOSTON, Jan. 31.—A compromise settlement of the suit of George W. Barton Pepper, the receiver of the Bay State Gas Company of Delaware, against Henry H. Rogers, of New York, to recover profits of between \$3,000,000 and \$4,000,000, on account of the sale of the Boston Gas Company, was announced in the United States Circuit Court this afternoon. An agreement reached by both parties was submitted to Justice Putnam, who declined to give his formal assent to the settlement until an amended and satisfactory petition was presented at a sitting set for tomorrow morning.

Under the terms of the compromise agreement, Mr. Pepper accepts an offer of \$1,500,000 from Randall Morgan, president of the United Gas Company

of Philadelphia, in consideration of an abandonment of the claims of the Bay State Gas Company against Mr. Rogers, and in consideration also of stock in the Buffalo Gas Company now held by the Bay State Gas Company. This stock amounts to about 20,000 shares. Mr. Morgan acts for Mr. Rogers in the settlements.

For several years the suit of Mr. Pepper against Mr. Rogers has been pending in the court here.

#### Reduce Window Glass Output.

PITTSBURG, Pa., Jan. 31.—At a meeting held here of the National Exchange Company, representing all the independent window glass manufacturers of the country, yesterday, it was unanimously agreed to curtail the production.

Innumerable employees who expected steady work until late in June will be laid off at various periods between early next month and the two months following, and will not again return to work until September, the time for the Fall reopening of factories.

Their excuse is that the market is overstocked and that some curtailment is necessary if present selling prices are to be maintained.

#### ABATE CHILD LABOR EVIL

#### ROOSEVELT SAYS NATION MUST ACT IF STATES DON'T.

#### Says Outcry Against Federal Interference Comes From Those Who Benefit by Abuses.

NEW YORK, Jan. 31.—A letter from President Roosevelt to Mrs. Maud Nathan, president of the Consumers League, was read at the meeting of the league in this city today. The President wrote that, in his opinion, it does not do their duty in matters of so vital importance as child labor, there was no choice except for the National Government to interfere. The letter in part follows:

"You are doing a work that should appeal peculiarly to every good citizen, for those you befriended are the children of friends and are not powerful enough to stand up for themselves. I am particularly interested in your efforts to improve conditions under which girls do their work in the great shops, and I have an especial interest in your effort to combat the evils of child labor.

"There is much outcry, chiefly, I think, from the beneficiaries of abuses, against interference by the National Government with work which should be done by the state government. The state's authority should be exact reforms when possible, but if the state authorities do not do as they should in matters of such vital importance to the whole Nation as this of child labor, then there will be no choice except for the National Government to interfere. I am striving to secure either final action or else a full and thorough investigation of the matter by the authority of Congress at the present time."

#### NO GAMBLING IN ARIZONA

#### Law Passed Repealing License, Making Offense Felony.

PHOENIX, Ariz., Jan. 31.—The Arizona Assembly passed and the Governor signed a bill repealing the statute permitting the licensing of gambling in Arizona. The criminal code, without this statute, makes the running of a gambling game a felony. The new law takes effect April 1.

#### McClellan Loses Round in Fight.

NEW YORK, Jan. 31.—Justice Levee today denied the application of counsel for Mayor McClellan to set aside the service of summons and complaint in the quo warranto proceedings brought by the Attorney-General in the matter of ballot count. Justice Levee granted a stay of proceedings in the matter until three days after Justice Fitch, of Albany, handed down his decision on the motion of prohibition against Attorney-General Jackson.

#### Prohibition Fight in Oklahoma.

GUTHRIE, Okla., Jan. 31.—The prohibition fight was fairly launched in the Constitutional Convention today and the entire morning and afternoon sessions were devoted to speeches supporting and attacking the majority and minority reports of the liquor traffic committee. A new phase was injected by the Roosevelt amendment, which provides for a separate submission of the liquor question to the voters.

#### For Direct Election of Senators.

DENVER, Jan. 31.—A joint memorial to Congress favoring election of United States Senators by direct vote of the people was unanimously adopted by the State Senate today. It now goes to the House.

#### Bryan Arrives at Salt Lake.

SALT LAKE, Utah, Jan. 31.—W. J. Bryan arrived here tonight from Los Angeles. He will address the Legislature tomorrow.

#### INCREASE CUBAN GUARDS

#### Ordered by President to Avoid Sending More Troops.

WASHINGTON, Jan. 31.—As a result of a conference at the White House today between the President, Secretary Taft and General Bell, Chief of Staff, an order has been issued directing an increase of the rural guard of Cuba from 6000 to 10,000. The purpose is to avoid increasing the number of American troops in the island, as originally intended, the native guards being more acceptable to the people.

#### Appoints Rebel Leaders.

HAVANA, Jan. 31.—Generals Arencibia and Baldomero Acosta, well-known rebel leaders, have been given positions with the government. The appointments have caused some adverse comment.

#### Copley Exonerated from Blame.

WASHINGTON, Jan. 31.—After only a few minutes of deliberation today a Coroner's jury in the case of William G. Copley, who was held by the police in connection with the death of his wife and infant child, returned a verdict exonerating him from blame.

#### A Certain Cure for Croup—Used for Ten Years Without a Failure.

Mr. W. C. Bell, a Bar City, Ind., hardware merchant, is enthusiastic in his praise of Chamberlain's Cough Remedy. His children have all been subject to croup and he has used this remedy for the past ten years, and though they much preferred the croup, his wife and he always felt safe upon retiring when a bottle of Chamberlain's Cough Remedy was in the house. His oldest child was subject to severe attacks of croup, but this remedy never failed to effect a speedy cure. He has recommended it to friends and neighbors who have used it and say that it is unequalled for croup and whooping cough. For sale by all druggists.

# DEEP WATER MONEY

## House Opens Debate on Rivers and Harbors.

#### NEW POLICY IN OPERATION

#### No More Piecemeal Appropriations. Railroads Becoming Friendly to Navigation—Burton Opposes Niggardly Policy of Past.

WASHINGTON, Jan. 31.—The river and harbor appropriation bill occupied practically all of the time of the House today. After a short colloquy over the division of time and the paternal advice of the Speaker to allow the chairman of the committee of the whole (Carrier of New Hampshire) to control the general debate, the debate was begun by Burton of Ohio, chairman of the rivers and harbors committee. Speeches were made by Bartholdt of Missouri and others.

In providing for the completion of new projects, a radical departure is made in the bill from former methods. "It has been thought best," Burton remarked, "to undertake no new improvement unless the whole amount required for its completion is appropriated or authorized."

#### Railroads Changing Policy.

Ransdell of Louisiana said the railroads were beginning to realize that water routes that are better and cheaper to use than railroads. He believed the freight congestion which is alarming the public. The result, he said, is a decided change in the attitude of the railroads toward water improvement. He spoke of the recommendation of President J. J. Hill, of the Great Northern Railroad, that a 15-foot waterway be built from Chicago to the Gulf and said that the far-sightedness of that railroad official was thoroughly well known.

The deep-sea channel from Charleston Navy-Yard, in Boston harbor, to the ocean, 35 feet in depth and 1500 feet wide, the authorization for which is carried in the bill by an appropriation of \$4,000,000, was justified by Lawrence of Massachusetts. He argued the necessity for such a channel in view of the great growth of foreign commerce being carried in deep-draft vessels.

#### Billions for War, Little for Trade.

Ransdell, discussing the practice of reporting river and harbor bills only once in every two or three years, asked, speaking of the Navy: "My heart and the heart of every American swells with a just pride when we consider the glorious record of our Navy. But it is giving to commerce a square deal when it receives for its rivers and harbors practically the only appropriations made for commerce, 2 per cent, and that in the form of a few millions of dollars. Instead of the five hundred millions that have been expended."

"The policy of the Government in the matter of the Navy," he declared, "has been niggardly and parsimonious in the extreme."

#### Needs of San Juan Harbor.

Resident Commissioner Larrinaga, of Porto Rico, made his maiden speech in support of a policy of improvement in that island. With a slight Spanish accent he spoke of the "foolish" policy of the committee on rivers and harbors, as far as Porto Rico is concerned. He said:

"The island has 17 bathhouses around the coast and in the neighboring small islands. Coast navigation is therefore very safe. The battleship Louisiana, which took the President to Porto Rico, had to land at the Port of Ponce, on the south coast of the island, as the vessel was coming from Panama from the southwest. The President drove across the island, and it was impossible to reach San Juan, the capital, on the northern coast, but the Louisiana could not come around and enter the Port of San Juan to make the President and his suite comfortable. The Executive Council could not afford to have such a self-governing body within its autocratic organization.

"This is the reason why the harbor of San Juan could not shelter today one of your large battleships from a cyclone in case of need."

#### NOT ON HAGUE PROGRAMME

#### Disarmament and Drago Doctrine Will Require Direct Vote.

WASHINGTON, Jan. 31.—It may be stated by authority that neither the Hague programme of disarmament, nor the Drago doctrine will be placed upon the programme of subjects to be considered at the next conference when it convenes next June or July. The programme is regarded as closed at this moment, nor will it be formally added to before the meeting takes place.

But every effort will be made to have the conference consider the two subjects named, though this can only be accomplished by the act of the delegates themselves, properly supported by their principals. It will require an affirmative vote of the conference to take up for discussion any subject beyond those contained in the programme and it is the hope of the Washington Government that the important subjects will receive the favorable consideration of a majority of the delegates, enabling them to be discussed.

#### Great Exports of Manufactures.

WASHINGTON, Jan. 31.—According to a statement issued by the Bureau of Statistics of the Department of Commerce and Labor today, the export of manufactures from the United States in the year just ended aggregated \$73,000,000, and formed 41 per cent of the total exports. Figures are presented showing the exports of manufactures to the grand divisions of the world and the share which manufactures formed of exports to those divisions.

"The exports of Europe aggregated in value \$313,508,847; North America, \$132,121,776; Asia, \$78,580,251; South America, \$64,328,908; Oceania, \$29,711,707; and Africa, \$12,827,458, the aggregate of which formed 39.08 per cent of the exports of the United States to those grand divisions."

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Rate of which formed 39.08 per cent of the exports of the United States to those grand divisions.

#### REDUCE RAILWAY MAIL PAY

#### House Committee Compromises on Cut of \$4,000,000 a Year.

WASHINGTON, Jan. 31.—A compromise of the proposed reduction in railway mail pay was agreed to today between representatives of the various railroads which have mail contracts and the House committee on postoffice and post roads. The proposition to compromise was made through Representative Hedge, of Iowa. The bill provides for a 5 per cent reduction on all contracts over routes averaging 48,000 pounds per day; a 10 per cent reduction on all routes averaging from 48,000 to 80,000 pounds a day, and a flat rate of \$19 per ton per mile per car on all routes averaging more than 80,000 pounds a day.

Through Mr. Hedge the railway men agreed to accept this cut, providing the flat rates on routes over 80,000 pounds a day be increased to \$20 a ton. The committee agreed on \$19 and this was accepted.

In addition to reducing the price per ton which railroads are to be paid for hauling mail, which will amount to at least \$1,000,000, the committee has approved a cut of \$1,000,000 in the price to be paid to railroads for the rent of mail cars. The committee also decided that the weight of mail bags must not hereafter be added to the weight of mail in computing the amount carried.

#### WESTON WILL SUCCEED WOOD

#### To Command Philippines and Wood Rule Over Atlantic Division.

WASHINGTON, Jan. 31.—The War Department has decided to place Major-General John Wood in command of the Department of Luzon, in command of the Philippines division on the relief from that duty of Major-General Leonard Wood. General Wood is to take command of the Atlantic division with headquarters at Governor's Island about July 1 next, unless Lieutenant-General McArthur decides to surrender his present command at San Francisco for that post.

#### Women Working for Canteen.

WASHINGTON, Jan. 21.—President Roosevelt today gave a hearty greeting to a committee of the Woman's Army Canteen Club, No. 1, of Washington, who were working for the establishment of the canteen. The committee was accompanied by Representative Kahn, of California, who favors its restoration. The members told the President they intended to organize branch clubs throughout the country which would take up the crusade. The President understood to have expressed his approval of the work.

#### Privates to Become Officers.

WASHINGTON, Jan. 21.—Secretary Taft today approved the recommendation of the general staff for the appointment as second lieutenant of 41 candidates from the ranks of enlisted men of the Army who have successfully passed the examination at Fort Leavenworth.

#### New Northwest Postmasters.

WASHINGTON, Jan. 31.—The President today sent to the Senate the following nominations of Postmasters: Oregon—H. A. Snyder, Aurora. Washington—C. F. Lenz, Chewelah; F. R. Wright, South Bend.

#### Mulkey Visits President.

WASHINGTON, Jan. 31.—Senator Mulkey, accompanied by Senator Fulton, went to pay his respects to the President today.

#### THEIR DEATH A MYSTERY

#### Physicians Unable to Determine Peculiar Fatalities at Albany.

ALBANY, Or., Jan. 31.—(Special.)—The cause of the death of Mrs. J. W. Daggett and her son is yet a mystery. Dr. R. C. Yennor, of Portland, secretary of the State Board of Health, notified Dr. Davis, County Health Officer, today, that the substance taken from the throats of the deceased contained a yeast germ, but it will take further examination to learn the exact cause of the mysterious deaths. The theory of poisoning from a can of corn is now scouted by local physicians.

# Only Two Days More

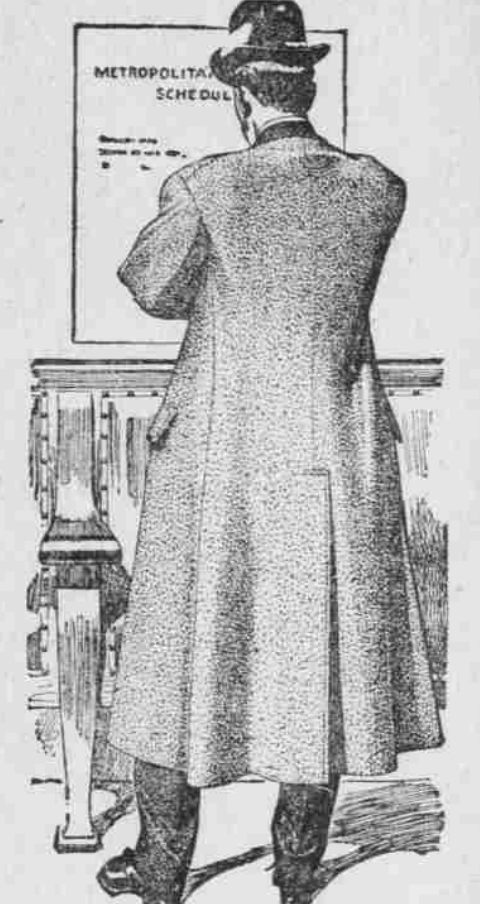
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Heyburn, Carter and Rayner Attack Roosevelt.

decision on the packers' case an invasion of judicial prerogatives. He expressed disapproval of the President's intrusion in writing to Governor Guild, of Massachusetts, to commend the latter's refusal to commute the death sentence on Charles L. Tucker. He suggested that Mr. Guild might have replied that he did not request the President's opinion. He said that the President's letter was a practical announcement that the acts of state officials were subject to the approval or displeasure of the Federal Government.

#### Interferes With Legislation.

He condemned the President's interference in regard to the rate law and the seal canal. He predicted that the Schley case would yet be reopened. He said the President's construction of his prerogatives had caused a new school of scribes to edit "the unwritten constitution." He continued:

"The President is the prophet of this new creed. But one thing he has no right to do, and that is to use the vast public patronage at his disposal to compel obedience to his views. Another thing he has no right to do is to make compacts with the Speaker of the House of Representatives, or its committee to accomplish or prevent legislation. He has no right either, beyond his messages in which he is given the right at any time to suggest any measure he may deem proper or necessary, to interfere with legislation and to force Congress either to adopt his recommendations, or if it rejects them, to bring about a breach between the legislative and executive departments that is detrimental to the best interests of this country. That constitutes an assumption of dictatorial power which the people of this Republic will not submit to."

Rayner closed by proposing the championship of the reserved rights of the states and the inviolate distinction of legislative, executive and judicial departments as the battery of the Democrats in the next campaign.

#### Not as Bad as Bryan.

Lodge, replying to Hayner, declared that nothing the President had ever said had gone so far toward advocating a revolution of our present governmental system as had Bryan's declaration for the Government ownership of railroads. In reply to Lodge, Carmack said that while Mr. Bryan had expressed the opinion that, if Government regulation should fail, Government ownership ought to come, the President had said that. Hence he concluded that there was no substantial difference between the President and Mr. Bryan on that subject.

#### Approves Child Labor Inquiry.

WASHINGTON, Jan. 31.—The President has approved the bill providing the Secretary of Commerce and Labor to investigate and report upon the industrial, social, moral, educational and physical condition of women and child workers in the United States.

## LOST MANHOOD

Don't Be Discouraged MY FEE IS  
Don't Give Up Hope \$10  
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In my very extensive practice I have learned a few truths that are undeniably of interest to EVERY MAN. First of all I find that the very serious and so-called "incurable" cases are due usually to NEGLECT and DELAY. Again, I know that many men suffer FOR YEARS and practically RUIN THEIR HEALTH FOREVER trying to dose themselves with some patent nostrum that never could cure. And further, it is evident that many men will run to what they call "cheap" treatment. NO TREATMENT AT ALL is what "cheap" treatment means in some cases out of ten. The last state of the man is worse than the first. Just before you go a line further in this announcement, stop and ask yourself as to whether YOU are following in the foolish footsteps of the man who NEGLECTS himself? Are YOU trying to cure yourself with nostrums? Are YOU looking for treatment that will not cure? If you are, it is certain that you will regret it. It is NEVER TOO LATE to get on the right path, but at the same time remember that you cannot get there too soon. The best help in the world is none too good for you; you cannot get it too quickly. I offer it to you at the lowest fees possible.



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