

## SAYS HARRIMAN HAS BROKEN LAW

### Commission Proposes His Prosecution,

## ROOSEVELT DOUBTS SUCCESS

### Kellogg Trying to Persuade Him to Bring Suit.

## GREAT MONOPOLY EXISTS

### Contracts Which It Is Maintained Violate Anti-Trust Law—Profits of the West Are Used to Extend the Monopoly.

WASHINGTON, July 9.—(Special.)—President Roosevelt now has the substance of the report of the Interstate Commerce Commission on the Harriman case in his hands, and F. B. Kellogg, attorney for the Commission, is now at Oyster Bay endeavoring to persuade the President that the case against E. H. Harriman should be prosecuted.

Mr. Kellogg and some members of the Interstate Commerce Commission believe a successful prosecution can be brought against Mr. Harriman, but Mr. Roosevelt is convinced that the Government cannot win its case.

## Findings of Commission.

The gist of the Commission's findings is this: That the Union Pacific and Southern Pacific railroads are competing roads, by means of steamship lines from New Orleans to New York.

That railroad competition has been absolutely terminated in a territory equal to one-third of the United States, which is dominated by the various combinations arranged by Mr. Harriman.

That Mr. Harriman's contracts with the Rock Island, the Southern Pacific, the Santa Fe, the Illinois Central and the San Pedro Railroads are in violation of the anti-trust act and it is recommended that the Attorney-General proceed against him.

## Profits Go to Wrong Place.

That the profits of the great railroads of the Far West are being used to buy stocks and control systems in the East instead of in building more roads for the development of the West.

It was agreed to bring suit against Mr. Harriman in New York for refusing to answer questions regarding the stock transactions of the Alton road. There has been a long delay in bringing this suit, but none of the officials will explain the reason for the hitch.

## WILL DEFY NAVIGATION LAWS

### Harriman Will Ship Coal to Pacific in Foreign Vessels.

NEW YORK, July 9.—(Special.)—During a luncheon today on board of the Southern Pacific Company's new turbine steamship, the Croce, E. H. Harriman started those present by announcing that, since the United States Government had recently chartered foreign steamships to carry coal to the Pacific Coast, he would do the same.

"The bars are down," said Mr. Harriman, "and I am going to ship coal to the Pacific Coast in foreign vessels."

That he proposed setting the navigation laws of the United States to one side aroused his listeners. There were several present who called attention to the navigation laws that expressly state that a foreign ship shall be confiscated if she engages in the coastwise trade in the United States.

That the Government about two weeks ago made charters with representatives of foreign cargo steamships to carry coal to the Pacific Coast became first known afterward and it was suggested that the Government could not break its own laws. The Secretary of the Navy acknowledged such charters had been made and asserted that it was impossible to obtain vessels under the American flag to carry coal.

Whether or not the conditions in time of peace will allow such charters to pass unchallenged remains to be seen, but many of Mr. Harriman's hearers stated their belief that an attempt on his part to send coal to the Pacific Coast for commercial use in ships not flying the American flag would open the way for serious complications.

## REPORTS ON HARRIMAN CASE

### Commission Sends Conclusions on Monopoly to Roosevelt.

OYSTER BAY, July 9.—President Roosevelt today received the report of the Interstate Commerce Commission setting forth facts and conclusions arrived at as the result of investigation of E. H. Harriman's alleged manipulations of certain railroad finances.

The conclusions of the Commission will not be made public until the Presi-

dent has received the Attorney-General's recommendations.

WASHINGTON, July 9.—Members of the Interstate Commerce Commission tonight would not discuss the subject of that body's report on its investigation of the case of E. H. Harriman. F. B. Kellogg, the counsel who has been prominently identified with the work of the investigation, was at Oyster Bay today to see the President.

## ANTIS HEARD FROM AGAIN

### Would Make Philippines Independent and Guarantee Neutrality.

BOSTON, July 9.—The Anti-Imperialist League today made an appeal for attention against the "continued and indefinite retention of the Philippine Islands." The appeal says in part:

"The immense and unprofitable burden of these possessions has never been felt more acutely than today. But in the popular apprehension that the United States might become involved in war, it is now realized that their defense would demand an almost impossible military and naval force on the other side of the globe.

"There is one simple, just and practical method of relief for both countries, which we urge with renewed emphasis, viz: 'A pledge of early and complete independence to the Philippines, together with a 'neutralization' by all the great powers, including Japan. It is clearly demonstrated that there is a large and influential class of educated Filipinos who are able to guide their fellow citizens in self-government."

The appeal is signed by M. Field Story as president, and Irving Winslow as secretary of the league.

## BREAK UP TOBACCO TRUST

### Government Will Ask That Receiver Be Named.

NEW YORK, July 9.—A hundred or more defendants, corporate and individual, are named in the bill of complaint which will be filed tomorrow in the United States Circuit Court in the action of the Government against the tobacco trust, charging that it is a monopoly in restraint of trade and as such is constantly violating the provisions of the Sherman anti-trust law.

James McReynolds, of the Department of Justice, tonight confirmed the announcement from Washington that the Government contemplated an important departure in its plans to insure proper regulation of the trusts by asking if the facts set forth and disclosed warrant that a receiver be appointed to take charge of and administer the affairs of the American Tobacco Company.

## SIX OF SEVEN DROWNED

### Sloop Capsizes in Squall With Prominent Maine Men.

BANGOR, Me., July 9.—Six young men of a party of seven were drowned in Prescott Bay late today by the capsizing of a sloop. The sloop had reached the point of Castine, when she was struck by a sudden squall and capsized.

Laurent D. Hall, of Bangor, succeeded in clearing himself from the craft and, after swimming three-quarters of an hour, was rescued by a tug. The others sank within a few minutes. The victims were members of prominent families.

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## AGUTE PHASE IN JAR WITH JAPAN

### Direct Demands on United States.

## WANTS TO ATTACK CALIFORNIA

### Unless Federal Government Controls State.

## BOTH CONCEAL THE FACTS

### Japanese at The Hague Urge Quick Action, Not Giving America Time to Utilize Her Vast Resources for War.

## AOKI SOON GOING HOME.

TOKIO, July 10.—The Nichi Nichi prints the statement this morning that Viscount Aoki, Japanese ambassador to Washington, is expected to return to Japan next October.

## LONDON, July 10.—

The correspondent of the Daily Telegraph at The Hague sends in a column dispatch which purports to reflect the views prevailing here on the Japanese-American situation, which he declares to be more absorbing than the conference itself.

The correspondent says that, as a result of his inquiries, he learns the situation is really strained, although both governments are trying to conceal the fact. He asserts that since June 29 the question has entered upon an acute phase. Japan has been sending with funds which became available on July 1. The appropriations include \$200,000 for the construction of seacoast batteries in the Hawaiian Islands and \$500,000 for the same purpose in the Philippines. For accessories \$130,000 was granted and for the construction of mining casemates, etc., necessary for the operation of submarine mines \$200,000 was authorized. For the purpose of submarine mines and the necessary appliances to operate them, an appropriation of \$305,000 was made.

It is understood that orders have been issued to the Transport Crook to make a special trip to Honolulu and Manila. The transport will carry mines for Pearl Harbor in Hawaii and Giongapo in Sulug Bay, the two points which would have to be defended in the event of war.

## Opposes Transfer of Fleet.

PHILADELPHIA, July 9.—The executive committee of the Universal Peace Union at a meeting here today placed itself on record as opposed to sending a fleet of warships to the Pacific. The committee adopted the following resolutions:

In view of the feeling existing in the international relations between Japan and the Government of the United States, we regard the proposition as reported of sending a fleet of battleships to the Pacific border as unwise, inopportune and irritating, especially as the second Peace Conference is in session at The Hague.

## May Boycott San Francisco Only.

AMSTERDAM, July 10.—The Handelsblad publishes an interview with one of the Japanese delegates to The Hague Peace conference, who suggested that instead of boycotting all American goods Japan might restrict the boycott to the San Francisco trade.

## Yamamoto Will Tour America.

WASHINGTON, July 9.—Viscount Aoki, the Japanese Ambassador, has been deferring his departure from this city for his summer vacation in anticipation of the arrival of Admiral Yamamoto, who is expected to reach New York soon from Europe. The Admiral is on his way home to Japan but will spend some time in the United States. His visit is entirely unofficial, although it is expected that he will show some (Continued on Page 3.)

## Devlin Sends Report on Grievances of Japanese Agents.

SAN FRANCISCO, July 9.—An exhaustive report of all the facts in connection with the recent refusal of the Police Commissioners to grant employment of police licenses to Japanese or other aliens was mailed to Attorney-General Bonaparte by United States District Attorney Devlin today.

There is every indication now that the Japanese will appeal to the courts to have it determined whether their treaty rights have been infringed upon by the action of the Police Commissioners in denying the intelligence office licenses.

There is no ordinance on the books prohibiting the issuance of employment of office licenses to aliens, but the Police Commissioners contend that such business comes within their police powers and that their action does not discriminate against Japanese nor infringe their treaty rights, they being treated the same as other aliens.

## SEES NO CAUSE FOR ALARM

### But France Shows Belief That Danger Is Ahead.

PARIS, July 9.—The French Government greatly deprecates the alarmist view of the Japanese-American situation taken by a section of the Paris press and their inspired statement based presumably upon the Foreign Office's advice, placing the most optimistic construction upon the right of dispatch the American fleet to the Pacific Ocean, was given out this afternoon as follows:

"Much surprise is manifested in diplomatic circles over the excitement caused by the plan to send the American battleship fleet to Pacific waters. Instead of the step causing alarm, there is reason to believe that the decision of the American Government implies that negotiations proceeding between Washington and Tokio Cabinets are making favorable progress. The American Government beyond doubt would not order this naval movement if it was likely to embarrass the negotiations which have been going on for some time between the two governments."

The semi-official Temps, after a careful review of the events leading up to the decision to send the fleet to the Pacific, says it was inevitable, and adds:

"The re-distribution of the fleet causes inquietude of the right of the United States to send its ships where it pleases is incontestable, and is not more to be criticized than the re-distribution of the British fleet three years ago."

The statements made by the members of the Japanese opposition party are stated to be bids for political favor and are denounced as being provocative. For this reason the Temps says it also strongly disapproves of the quoted utterances of Admiral Dewey and Admiral Sakamoto, "as designed to pour oil on the fire," and contrasts them with the statements on the same subject of Rear-Admiral Brownson.

The paper concludes by remarking

## NO CAUSE FOR TALK OF WAR

### Metcalf Says Fleet Merely Comes for Practice.

OAKLAND, Cal., July 9.—Secretary of the Navy Metcalf deprecates the warlike aspect that has been given the order for the cruise of the great battleship squadron from the Atlantic to the Pacific Coast. With considerable emphasis, he said the interpretation of the fleet's movement was not justified by facts. The widely published reports suggesting hostile preparation seem to be a source of irritation for the head of the Navy. He said:

"The fleet which will be moved from the Atlantic to the Pacific this winter is coming to this side merely on a practice cruise. The fleet will consist of 16 or more vessels, not more than 20, and stay on this side will not be permanent. Of course, the fleet will not come here, turn around and go right back again. How long it will remain in the Pacific will be determined at the proper time."

"There is no sound reason or excuse for all this talk by the public and through the press of an attempt to overawe the Japanese by a warlike naval display. I do not believe that the newspapers are justified or right in so construing and coloring the cruise of the warships to the Pacific."

"Every year the Atlantic fleet has been sent on a cruise. Last year it was sent to Guantanamo. This year it will go to the Pacific. A long cruise will give the men and the vessels a thorough test and improve the efficiency of both."

## WILL ERECT ISLAND DEFENSES

### War Department Sends Guns to Hawaii and Philippines.

CHICAGO, July 9.—A dispatch to the Tribune from Washington says: There is to be no delay upon the part of the War Department in utilizing the appropriations made at the last session of Congress for fortifying the American dependencies in the Pacific Ocean. In order that the keys to these possessions may be put in condition of defense as rapidly as possible the department is arranging for the transportation of ordnance material purchased for American coasts to Hawaii and the Philippines and will replace it at the same time. The department is authorized on July 1. The appropriations include \$200,000 for the construction of seacoast batteries in the Hawaiian Islands and \$500,000 for the same purpose in the Philippines. For accessories \$130,000 was granted and for the construction of mining casemates, etc., necessary for the operation of submarine mines \$200,000 was authorized. For the purpose of submarine mines and the necessary appliances to operate them, an appropriation of \$305,000 was made.

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## FOR STEVENS, Or, July 9.—

(Staff Correspondence.)—After three days of instruction at the big coast defense guns the Oregon gunners assigned to this post and to Port Columbia, across the river, are able to handle not only the mechanical part of the batteries, but are qualifying in the intricate problems of locating targets in the harbor and sinking them. An Oregon gun crew loaded and fired a 12-inch mortar this forenoon in 42 seconds, whereas the record for the garrison is 24 seconds. The volunteer crew intends trying to clip a few seconds off that record before the end of the week.

Another crew stationed in the primary station, or observation tower, picked out a boat in the harbor, caught the range and transmitted firing instructions to the mortar battery in 40 seconds. This complicated process requires 20 seconds from the expert of the regular service. The gunners have now reached that stage in their training wherein, should the occasion arise, they could locate a hostile vessel, overcome the problems of range, tide, drift, curvature of earth, speed of individual warships and manipulation of artillery so as to connect 10 and 12-inch projectiles with the enemy's fleet and consign it to the fish.

## Volunteers Become Proficient.

The coast defense maneuvers have established even at this early stage the adaptability of volunteers for coast artillery service. It is learned from an authoritative source that great difficulty has been experienced by the Government in recruiting companies of heavy artillery. Coast defense garrisons usually are isolated, a fact which calls on many of the enlisted men. Recruits as a rule state a preference for one of the other arms of the service.

The success of the Government's experiment with volunteers is consequently of great importance. Under the showing made in this instance, it is evident there need be no shortage of men in the event of hostilities. Volunteers can be rushed to coast garrison and instructed in their duties before any hostile fleet could reach this coast, even from so near as Japanese waters. The gunners who are being trained now could be used largely or a new and larger force could be trained. The American volunteer has again shown how quickly he can master the essentials of military operations.

## Colonel Walker Is Pleased.

Colonel L. H. Walker, artillery district commander, who is directing the drills and maneuvers, expresses himself as more than pleased with the showing made

## OREGON BOYS CAN HANDLE BIG GUNS

### Quick to Learn Art of Coast Defense.

## DEPENDABLE IN CASE OF WAR

### Volunteers Solve Problem of Where to Get the Men.

## NO FEAR NOW OF ENEMY

### Military Operations Are Rapidly Mastered by Americans as Work of Guardsmen in Few Days' Drill Has Demonstrated.

## In Case Enemy Did Land.

"As to a possible shortage of coast artillerymen, that need not be a matter of concern in the future, now that it is shown now readily volunteers can be trained for the service. As for infantry supports, 50,000 men could be thrown in here from the Coast country in a few days, or an even larger force, if needed."

That a shortage of enlisted men might prove a serious inconvenience in event of war with Japan is admitted by tacticians. Hostilities in such a war would be confined to Pacific and Asiatic waters, without doubt. If by some maneuver the Japanese could gain entrance to the Columbia River it would be next to impossible to dislodge them, at least before powerful guns could be put in position inland. Two or three shells would do for Astoria and a similar number would suffice to set Portland afire. Landing parties, under cover of naval fire, could take the liberty of the shore and the Japanese, by maintaining their position, could tap the resources of the region.

## Japanese Kept From Forts.

Such a condition is possible, of course, but altogether improbable, and is only cited to indicate the importance of the fortifications here and of having them fully and properly manned. A perfect ballstorm of projectiles could be centered upon the relatively narrow channel and naval experts say no ship could pass, unless by miracle. Surviving the shore batteries it would only fall a victim to the submarine mines. A detachment of Oregon men is being thoroughly drilled in the service of these mines and excellent progress is being made.

Japanese and all foreigners are excluded from the fortifications. There are portions of the garrison to which any and all comers are admitted with plain questions. But the men who get to see the big guns, the emplacements, the primary stations and the lay of the various batteries must be an American citizen and, furthermore, must pass muster as to his antecedents, past habits and present intentions. No chances are being taken of having foreigners in the fortifications drawn. Visitors who secure passes are permitted to see the artillery drills.

In firing on an approaching fleet the men at the guns see nothing. They are concealed behind heavy concrete emplacements. The men who direct the firing, on the other hand, cannot see the guns. Both branches of this work are being conducted by the guardsmen.

The detail which locates the ship has a position in an elevated primary station or observing tower. When a warship or given vessel comes in sight it is located on a depression position finder. The exact range and azimuth are then taken, and allowances are made for tides, curvature of the earth, speed of the vessel and time consumed by the projectile in connecting with the boat.

## Gun Crews Given Signals.

These findings are transmitted to the gun crew, which adjusts the gun. Changes and corrections are made to meet suddenly altered conditions. Getting a big gun ready to hurl death into an approaching fleet is not unlike the tuning of a fiddle. When all the parts of the huge weapon are adjusted an electrician presses an electric button and the gun sounds a funeral march for the enemy. Putting the primary stations out of service gives the enemy no great advantage. Provision has been made against just such an emergency. There is a new set of instruments for range finding that can be set behind a stump or in any convenient place and operated under what is known as the horizontal base system.

Twelve men are required to man each mortar—a chief of detachment, gun pointer, breech detail of two men, sponge and rammer detail of two men, elevating detail of two men, traversing and truck details, each of two men. The detachment chief takes up a position in the rear of the breech, the gun pointer near the azimuth detail in the rear of the mortar; the breech detail in the rear of the breech, the sponge and rammer detail in the rear of the mortar, the elevating detail at the elevating handwheels, the traversing detail at the traversing cranks and the truck detail in the gallery in the rear and facing a loaded truck.

To load and fire, the battery commander designates the kind of projectile that are to be used and gives the command to commence firing. With fixed target, the mortars are fired as soon as ready, but if fired on a maneuvering warship or moving object, the order to fire is given when the target reaches an estimated or predicted position. The firing is generally done by electricity, although when a single

## COLONEL R. C. CLOWRY, PRESIDENT OF THE WESTERN UNION TELEGRAPH COMPANY, WHO IS ABOUT TO ENGAGE IN A DECISIVE STRUGGLE WITH THE OPERATORS.

(Continued on Page 10.)

## HOW FAIRBANKS MADE HIS MONEY

### Collier's Continues Attack on Him.

## RECORD AS RAILROAD LAWYER

### As Receiver Paid Wall Street Before Workmen.

## GREAT STOCK IRRIGATOR

### Chapter in Vice-President's Life Which His Hired Biographer Omitted Is Furnished in Interesting Detail.

## WASHINGTON, July 9.—

(Special.)—Fairbanks the lawyer; Fairbanks the speculator, and Fairbanks the manipulator in railroads were indivisible and inseparable.

"As a railroad lawyer he prosecuted striking union laborers and secured prison sentences for them.

"Fairbanks' candidacy was effectively forwarded by money.

"While Fairbanks was in the Senate of the United States he was still working for the interest of his railroad and Wall street clients.

"Who will point to a statute on the lawbooks which is his?"

These quotations are taken from an article appearing in this week's issue of Collier's Weekly, as the second of a series in reply to a biographical work entitled "The Life and Speeches of Charles Warren Fairbanks."

## Made \$4,000,000 in 20 Years.

"From a poor farmer boy he rose in 20 years to be four times a millionaire." The writer continues: "Upon the details of this rise the official biographer is silent. With a puff and a platitude he dismisses the period between Fairbanks' admission to the bar at the age of 23 and his election to the Senate at the age of 45. Quoting from the biographical work:

"It would be pleasant to indulge in reminiscence and fill a few pages with anecdote connected with his legal practice, but the reader cannot be indulged in that respect."

"At the age of 24 Fairbanks was poor. We have his own word for it. The hired biographer reiterates it, reinforces it, says nothing else for half a volume. At the age of 44 Fairbanks was rich, rich enough to think of a Senatorship to stick as a ribbon on his coat, rich enough to pay \$50,000 for the honor.

## Receiver of Wrecked Railroad.

"Whence came the money? What was the Midas wand? What is the story of those 20 years? Of the first 10 years? Of his first big stake? An uncle's influence gave Fairbanks the opportunity—a position as attorney for the bankrupt Indianapolis, Bloomington & Western Railroad at a salary of \$500 a year. The road had litigation and Mr. Fairbanks made his record as a lawyer. He began also to make money, and from that time on Fairbanks the lawyer, Fairbanks the speculator and Fairbanks the manipulator in railroads were indivisible and inseparable.

"Out in Indiana the case is remembered thus: The Indianapolis, Bloomington & Western owed money to its engineers, brakemen, conductors and to contractors and merchants for coal, oil and ties. On the other hand, it owed interest on its bonds to bankers in Wall street. The money which the receiver was taking in from day to day might be used to pay the wages of the laborers—or it might be sent to Wall street. Possibly it is no reflection on Mr. Fairbanks that he elected to pay the interest on the bonds. Every lawyer knows now that the receipts ought to have gone first to the laborers; later, if any money was left, to the bondholders.

## Flyer in High Finance.

"A reminiscence, which might have adorned the omitted pages, recalls the purchase by Mr. Fairbanks, Austin Corbin and other New York associates of a little piece of road—the Danville & Ohio River Railway—at a receivers' sale. They bought it for \$250,000; they used it as a basis for an issue of \$1,500,000 in securities, of which half were preferred bonds and half income bonds. That little flyer in 'high finance' served as a practice stunt for other more weighty operations to come."

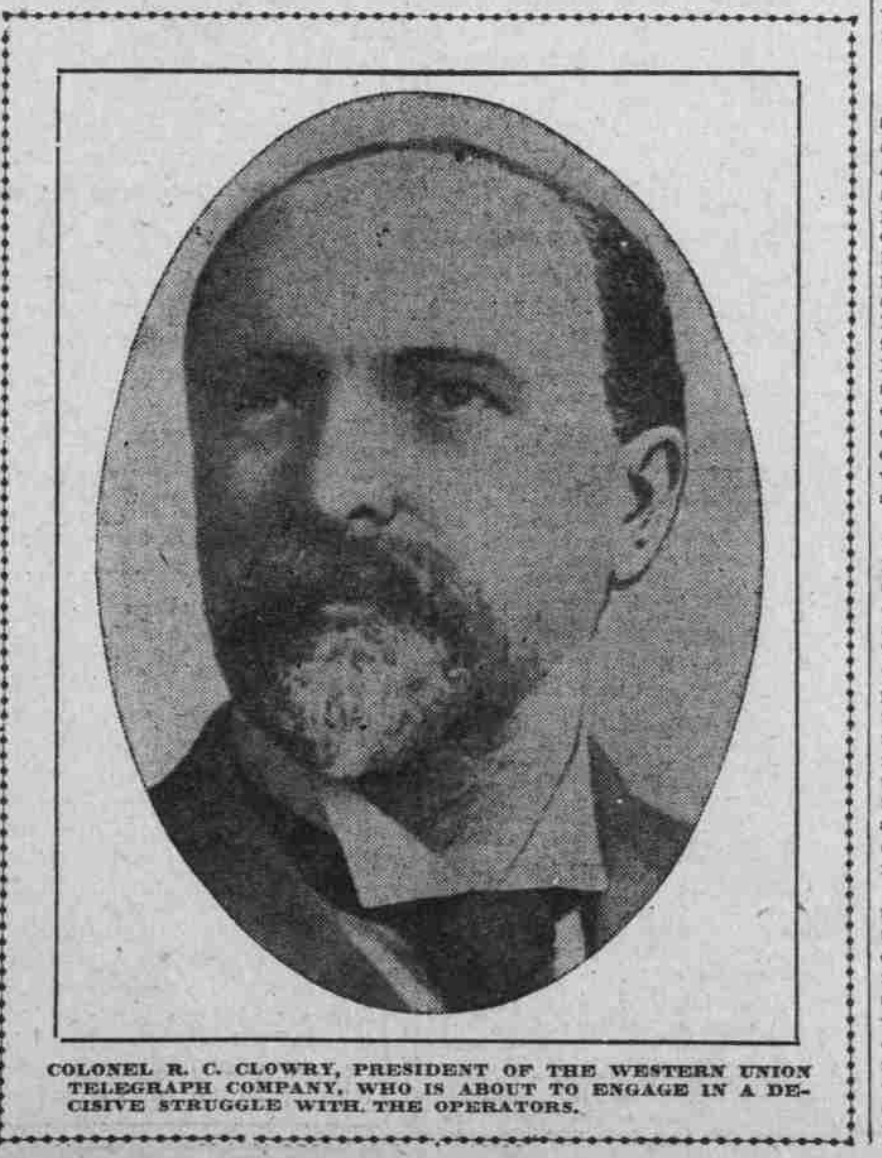
Replying to the statement in the biography that Mr. Fairbanks' "integrity of character" and his "lofty conception of the duties of a public servant" and of the exalted dignity and responsibilities of a member of the highest legislative body in the world" fitted him to "take a place among the lawmakers of the Nation," the article says:

## Still Works for Railroads.

"The truth is that, while Fairbanks was in the Senate of the United States, he was still working for the interest of his railroad and Wall street clients, using his position as a party boss, which went with his office as Senator in Indiana, to promote railroad legislation in the Indiana Legislature."

## Senator Bacon Re-elected.

ATLANTA, Ga., July 9.—United States Senator A. O. Bacon was re-elected today for the full term beginning March 4, 1908.



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