

LYON EXPLAINS CONDUCT WITH INDIAN CONTRACTS

Denies Charges by Congressman; Vigorously Characterizes General Repute of Indian Territory Exploiters.

(United Press Leased Wire.) Bulghur, Okla., Aug. 13.—Colonel C. E. Lyon, Republican national committeeman for Texas, before the congressional investigating committee today testified that Congressman Murphy, when he told the committee in Washington that Lyon traveled through Oklahoma in the interest of the McMurray contracts, was either guilty of ignorance or was lying.

Colonel Lyon was indignant when he was told about the matter. "Congressman Murphy was availing himself of the privileges of the floor, where he could not be reached legally," Col. Lyon hotly declared. "He also made his statement out of my presence, where he could not be reached physically."

"I believe Murphy should be called on to prove his charges. No man, woman or child can say I am interested in McMurray's individual contracts. I agreed to become interested as a business man with a law firm, but I never was interested in the individual contracts."

Lyon is one of the men named by Senator Gore as being interested in the contracts. The Murphy referred to is Congressman Charles Murphy of Missouri.

"All Above Board," Lyon claims. Lyon said that in 1905 McMurray asked him to write to become associated in the sale of Indian lands. Lyon said he accepted.

"I discussed the matter with the president in January, 1906," Lyon testified, "asking him first to investigate, and then, if he was satisfied, to contract with McMurray. He referred me to Indian Commissioner Leupp, and the latter suggested forming a stock company, each allottee to be a stockholder. The president and Leupp favored this plan and I told the president that I ended the McMurray contracts so far as I was concerned."

"In January, 1908, I received a letter from Governor Johnson of the Chickasaw, asking me to write to the Indians at McAlester favoring the contracts, as their representatives felt it was a duty to do so. I notified the secretary of the interior that I was going to McAlester, so there would be no misunderstanding, offering to appear before the Indians. I had nothing to do with the contracts. I told Secretary Garfield I wanted everything to be above board. I did that because I never knew a man to stick his foot into Indian Territory and escape with a clean record."

Gets Oklahoma Out of Trouble. "I knew that McMurray, Mansfield and Corbush were indicted," Lyon testified, "and friends told me that business men of Oklahoma said the indictments were unjust. They said if the matter were fairly presented the indictments would be dismissed."

Lyon said he agreed to take the matter up, and went to Washington, where he talked with President Roosevelt about granting a hearing on the indictments. Judge Russell, who presided, recommended that the indictments be quashed.

The indictments were not dismissed immediately," Lyon said. "I think the assistant attorney general left the department as a result."

Lyon admitted that he was merely a "sales agent," disposing of land for McMurray. "I understood that it would cost from \$250,000 to \$300,000 to drill over the coal and asphalt lands and determine what they were worth. I believe if the surface coal lands could be sold together more money could be secured than if sold to individual corporations."

"What would that do to the people of Oklahoma and Texas?" Congressman Stevens asked.

"The government occupies the same position towards the Indians as a nation toward a ward," Lyon replied. "I think it is the duty of the government to get every dollar out of this land for the Indians it possibly can, whether the land be sold to Tom, Dick or Harry."

On the extension of the contract, he testified that he had acted as receiver for a \$10,000,000 company, making it pay \$750,000 annually, and then transferred it to its owners at the end of five years without debts. The testimony was introduced to refute the charge that he had been employed by the McMurray firm because of his political influence and not for his business ability.

BOY AND MATCHES START \$2500 FIRE (Special Dispatch to The Journal.) North Yakima, Aug. 13.—The 2-year-old son of Romeo Trotter of this city pounded matches with a hammer this afternoon to "make fire crackers" and set fire to his father's \$1500 house, which burned to the ground. He still has the hammer, but nothing else was saved.

Twice before the son had narrow escapes when playing with fire.

MEDFORD WOMAN KILLED AT SALEM

Mrs. J. S. McCain Enters the Wrong Door and Falls to Death in Basement.

(Salem Bureau of The Journal.) Salem, Or., Aug. 13.—Mistaking a door leading to the basement for one leading from the kitchen into the dining room, Mrs. J. S. McCain, of Medford, yesterday plunged head first into the basement of the Farmer home of this city, sustaining injuries to her person which caused her death a few hours afterwards.

Mrs. McCain was the mother of Ray L. Palmer, of the firm of Wheeler, Pearce & Co., hardware merchants, and came to this city a few days ago to visit her son.

Yesterday forenoon she went to meet the postman and upon her return to the house, began perusing the mail. So intent was she on the mail that she mistook the door leading to the basement for the dining room door and fell head first into it. In falling, she struck against the hard stone floor, and when picked up she was unconscious.

Medical attention was summoned, but her injuries were fatal and she died shortly after the accident. She was 71 years of age and leaves in addition to her son, a brother in Idaho and another in California. The funeral will be held at Medford Sunday.

DICE GAME FIGHT COSTS MAN'S LIFE

Jack Barry of Lakeview Dies Instantly When Saloon Customer Shoots.

(Special Dispatch to The Journal.) Lakeview, Or., Aug. 13.—Jack Barry, member of prominent family residing here, was shot and instantly killed last night in a quarrel over a dice game. Louis Paysade, a Frenchman employed by Dan P. Malloy, a stockman, shot him. He surrendered soon after the shooting. He is in jail.

Barry was tending bar in the saloon of Mike Hart. Paysade was asked by Barry to play for a dice game. Upon his refusal a scuffle resulted. Paysade left the saloon and returning with his revolver fired shots at Barry, one taking effect in the region of the right nipple. Barry fell to the floor and expired instantly. Barry fired one shot at Paysade, but the bullet went wide.

Coroner William Wallace had Barry's body taken to his parents' home, where it is held pending today's inquest.

Barry was about 45 years of age, married and the father of a family.

MAJOR JOSEPH SMITH OF KALAMA DIES

(Special Dispatch to The Journal.) Kalama, Wash., Aug. 13.—Major Joseph Smith, one of the oldest settlers of Cowlitz county, and for 35 years a resident of this city, died Thursday of old age. Major Smith first came to Washington in 1857, and was active in the gold mining during the gold excitement. When the war broke out he organized and was captain of the Fifth infantry, California volunteers, and was later made a major. After the war he made his home in this city.

Major Smith served Cowlitz county as sheriff, assessor, county clerk, county auditor, and at the time of his death was United States court commissioner and deputy county clerk. He was past grand master of the local Masons, and organized the lodge here, also a member of the Knights of Pythias, Odd Fellows, Eastern Star and G. A. R. lodges. He is survived by a widow, four sons, Joe Smith, St. Charles hotel, Portland; R. A. Smith, Jones, Wash.; Frank Smith, San Francisco, and Roy Smith of Kalama; three daughters, Mrs. E. P. Garry and Mrs. John Garry, of Kelso, Wash., and Miss Ora Smith, Kalama.

OREGON REGIMENTS ARE INSPECTED

(Special Dispatch to The Journal.) Maneuver Camp, Cosgrove, Wash., Aug. 13.—In today's battle between the blue and red armies, the brunt of the fighting was borne by the Oregon regiments, the regular troops remaining in camp for inspection. The blue army was gathering stores in small detachments of about 75 men each, when the patrols of the blues notified their commanding officers of the circumstance. A battle ensued which extended throughout the maneuver area. The red army part of the conflict the reds succeeded in defending their stores.

HOOD COUNTY JUDGE CANDIDATE WITHDRAWS

Hood River, Or., Aug. 13.—The Honorable Joseph H. Johnson has withdrawn as a Republican candidate for the office of county judge of Hood River county. Mr. Morton's friends urged his candidacy a few weeks ago. Newton Clark is the regular Republican assembly nominee. Mr. Johnson did not come before the convention for nomination. However, he is strongly in favor of the assembly plan. It is stated by the anti-assembly Republicans that Mr. Morton was induced to quit the race in order not to divide the vote of the assembly Republicans between himself and Mr. Clark. Mr. Morton says he withdrew because he became convinced the salary of county judge was not commensurate with the responsibilities and duties of the office.

BIRD HAMMOND DIES OF BLOW ON HEAD

Vancouver, Wash., Aug. 13.—Bird Hammond, an employe of Ryan & Allen, who was struck on the head by a chip from a broken emery wheel Thursday afternoon, died yesterday in a hospital here. He was 47 years of age. The funeral will be held at 2 o'clock Sunday afternoon from the home, near Holston.

IT'S A SMALL WORLD



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DISASTROUS FIRE AT PHOENIX, B. C.

Starts in Oilhouse at Mine—Destroys Buildings at Mine and in Town.

(United Press Leased Wire.) Phoenix, B. C., Aug. 13.—The largest and most disastrous fire that ever visited Phoenix started yesterday afternoon in No. 3 oilhouse of the Granby Consolidated Mining & Smelting Co. here. It took but a moment for the flames to travel along the covered approach between the tunnel and the No. 3 crusher building.

The sparks of the crusher building, carried by a breeze, began falling on the lower streets, and the sparks caught and destroyed the Methodist and Presbyterian churches, the Palace Hotel, public schoolhouse, Pioneer Publishing company office and plant, Superintendent Smith's residence and the Hodges cottage.

The new machine and blacksmith shops of the Granby, erected last winter, shared the same fate. That the part of Phoenix known as "upper town" was not completely leveled is due to the excellent work rendered by the city fire department and Granby employes. It looked several times as if the town must go, and there was many an empty house, as furniture was removed to the street to places of safety.

The officials of the Canadian Pacific railroad ordered the train crew just arriving with the passenger train to wait and be in readiness to offer any assistance in conveying people out of the city, but fortunately this assistance was not required.

The fire is under control, so far as it is known no one was killed, and only one person was hurt, though many are completely exhausted. All buildings destroyed carry insurance, but in spite of this there will be heavy losses.

DEW AWAITS COMING OF LONDON AUTHORITIES

(United Press Leased Wire.) Father Point, Alaska, Aug. 13.—Inspector Dew of Scotland Yard is at Rimouski today awaiting the arrival of Sergeant Mitchell and Matrons Foster and Stone of the London police, who are to escort Dr. H. H. Crippen and Miss Ethel Levesque back to England.

KING'S GRANDMOTHER SUED FOR \$20,000 DEBT

(United Press Leased Wire.) Lisbon, Aug. 13.—Maris Pla, grandmother of King Manuel, is preparing to defend herself in a suit brought by a Lisbon draper for \$20,000 alleged to be due unpaid on a bill contracted by the queen mother. The courts have held that the king alone is exempt from being made a party to personal suits.

HAWAIIANS ORGANIZE AGAINST IMPORTATION OF FILIPINO LABORERS

(United Press Leased Wire.) Honolulu, Aug. 13.—Following the announcement that 20,000 Filipinos were to be imported to the Hawaiian islands as sugar plantation laborers, the organization of anti-oriental labor has begun today. The associations will ask that drastic legislation be passed prohibiting so large an influx, which, the labor leaders say, would upset conditions in the islands.

INDIAN WOMAN HAS AFFINITY

Nez Perce Belle Marries Umatilla Brave, but Soon Finds Man She Likes Better.

(Special Dispatch to The Journal.) Pendleton, Or., Aug. 13.—That the modern Indian is susceptible to the affinity game if properly exposed has been proved beyond a doubt by a striking instance on the Umatilla reservation in this county. Recently the tribes on the local reservation observed their annual celebration which extended over several weeks, and there were present to participate in the races and gambling many reds from Washington and Idaho reservations. Thus it happened that Katherine Stephens, a pretty Nez Perce belle, met Sam Sturgis, a well known brave of the Umatillas and succumbed to his ardent wooing. At the conclusion of the celebration their brief romance culminated in a wedding, the marriage ceremony being performed by Justice of the Peace J. H. Farles of this city.

That was July 21 and a few days later the bride left for her own reservation on a visit. Evidently her heart fires were soon burned to ashes when robbed of the fuel of her husband's presence and in their place a new flame soon sprang up, for Justice Farles has just received a letter from the absent bride asking him to inform her husband that she has met a brave on her own reservation whom she likes better, and that she is at present living with him and will continue in the future whether he will or no. Further she says the deserted husband has her full permission to secure a divorce.

Up to date Mr. Sturgis has given no indication as to the course he intends to pursue. He maintains the stoical calm for which his race is noted and if he has any intention of avenge his white brother by vindicating his honor with a gun, no one would suspicion it from his actions.

FLOATING COURT HAS COMPLETED ITS WORK

(United Press Leased Wire.) Seward, Alaska, Aug. 13.—The floating court, aboard the revenue cutter Rush, with United States District Judge Cushman presiding, is on its way back to Seward, its work for the season finished.

While at Unalakleet the court disposed of the cases against three Japanese schooners seized by revenue cutters for violation of the government fishing and sailing regulations. Twenty-eight Japanese, the entire crew of one schooner, were sentenced to three months in jail at hard labor for illegal sealing. Another schooner was fined \$400 for illegal fishing and a third \$500 for failure to clear from the custom house when ordered.

COTTON KING PATTEN AND OTHERS INDICTED

(United Press Leased Wire.) New York, Aug. 13.—Charged with having conspired to violate the Sherman anti-trust law in connection with the alleged organization of a cotton pool, indictments were returned in the federal court yesterday against James A. Patten, the "cotton king," Sidney J. Harman of Shreveport, La.; Eugene H. Scales of Dallas, Tex.; Robert Thompson, partner in the firm of F. H. Holland & Co.; Frank B. Hayne and W. T. Brown.

Young Men at Picnic Drowned

(United Press Leased Wire.) Chesaw, Wash., Aug. 13.—News has been received here of the drowning of Roy Coss, a young farmer living near Bridesville on Kettle river, on the Canadian side, last Sunday. Coss slipped from a rock in the middle of the river while at a picnic. As he floundered about in the water those near him asked if he wanted help. He laughingly declined, but sunk in an eddy and did not appear again. His body was found later.

G. M. ORTON ALSO SEEKS AN OFFICE

Would Be Labor Commissioner—Samuel Connell Files His Declaration.

(Salem Bureau of The Journal.) Salem, Or., Aug. 13.—G. M. Orton, proprietor of the Multnomah Printing company of Portland, today filed with the secretary of state his declaration of intention of becoming a candidate for the office of labor commissioner on the Republican ticket. If elected, he says, he will give a faithful and efficient administration and asks to have printed after his name on the ballot the words: "Against assembly; for strict observance of primary nominations by election."

Samuel Connell, also of Portland, filed his declaration of intention of becoming a candidate for the state senate from the fourteenth senatorial district. He states he is a believer in the assembly plan of nomination.

OPIMUM SMUGGLERS ARRESTED AT VANCOUVER

(United Press Leased Wire.) Vancouver, B. C., Aug. 13.—With \$4500 tucked into his sock and a portmanteau filled with opium and more opium found at his rooms, in Nicholas Collins the police believe they have an important capture early this morning that may lead to the uncovering of the underground route for the drug between Canada and the United States. A patrolman noticed Collins, accompanied by a Japanese and a Chinaman, in a lane off Hastings street. When he advanced toward them they ran and the policeman fired several shots into the air. They accelerated their speed, but another policeman, attracted by the firing, was waiting at the end of the lane. He managed to seize the white man and the Japanese. The Japanese proved to be a cabin boy from the Empress of India. In police court this morning they were remanded until Monday.

MAN FOUND DEAD IN BOX CAR AT CENTRALIA

(United Press Leased Wire.) Centralia, Wash., Aug. 13.—The body of a man, found in a box car in the Northern Pacific yards here, is in the care of a local undertaker today. A memorandum was found in his clothing with the following information: "My name is George Carlson of Pajones, Wash. My mother's address is Mrs. Johanna Carlson of 131 Pearl street, Pittsburg, Pa."

The address of a brother and sister, both in Pennsylvania, were given. The car in which the body was found arrived here a week ago today and was unloaded Wednesday. There is nothing to determine how Carlson met his death.

Mrs. John Jones' Body Found

(United Press Leased Wire.) Ballinghams, Wash., Aug. 13.—Nude and almost unrecognizable, the body of Mrs. John Jones, who was drowned some weeks ago while crossing the Skagit river near Van Horn, was today found near Rockport by two fishermen. The body has been identified by the husband, Jones and his wife, who was a bride of a few weeks, had been at a social gathering at Rockport and were crossing the river to their home at Van Horn when the canoe upset, throwing them into the water.

LAWYERS FILE NOMINATIONS

Non-Partisan Convention Puts Supreme Court Candidates on Ballot.

(Special Dispatch to The Journal.) Salem, Or., Aug. 13.—Certificates of nomination of the lawyers' non-partisan assembly for justices of its supreme court were filed with the secretary of state's office. The certificates designate W. T. Slater, Will R. King, Thomas McBride and F. A. Moore as the nominees of the assembly and ask that the names be placed on the ballot as the nominees of the non-partisan assembly.

All of the candidates have accepted the nomination of the assembly with the exception of Justice McBride, who, however, will accept as soon as he returns to the city.

All of the nominees of the lawyers' assembly are members of the supreme court. Justices McBride and Moore are Republicans, while Justices King and Slater are Democrats. Justice Moore is the only one of the four who was elected to office. Judge McBride was appointed to fill the place made vacant by the appointment of Justice Bean to the United States district bench. Justices King and Slater were appointed to fill the two additional places on the bench created at the last session of the legislature, it being provided in the law that they should hold office until the next general election, when the people should elect.

BAD CHECK CHARGES IN THREE STATES

(Special Dispatch to The Journal.) Vancouver, Wash., Aug. 13.—Wilber Sexton, alias George Sexton, alias O. H. Hignite, alleged bad check artist, was arrested at Vancouver yesterday afternoon by Policemen Gasaway and Gilmore. Sexton is alleged to have operated in various northwest cities and to have cashed forged checks as follows: \$37.55 at Jerome, Idaho; \$51 at Pocatello, Idaho; \$21 at Pasco, Wash.; \$40 at Pendleton, Or.; \$50 at Walla Walla, Wash.; and \$57 at Castlerock, Wash.

As he is wanted in three states, it is uncertain to whom he will be turned over. Policeman Gasaway, acting chief during the absence of Chief Seriat, telephoned to Castlerock last night but was unable to locate the sheriff. He will make an effort this morning to communicate with the officials of the bank at Castlerock on which one of the checks was drawn.

SUES FOR POSSESSION OF 149.65 ACRES LAND

(Special Dispatch to The Journal.) Oregon City, Aug. 13.—Suit was commenced in the Clackamas county circuit court yesterday by Henry F. Wendt to regain possession of 149.65 acres of land alleged to be unlawfully held by W. E. Rosecrantz and John Dos Rosecrantz.

As set forth in the complaint, Wendt's father, William Wendt, died in Portland, March 18, 1908, and left to Henry F. Wendt, his only child, the land. Plaintiff alleges that he and Mary Woodford were holding the land as tenants in common, but that the Rosecrantz got possession of it. He avers he has been damaged to the extent of \$20,000.

TOKIO'S FLOOD ITS WORST IN RECENT YEARS

(United Press Leased Wire.) Tokio, Aug. 13.—One third of the city of Tokio is flooded from constant rains. It is estimated that 2,000,000 people in the surrounding country are without shelter or food and are starving. Conditions in the capital are worse than during any great flood of recent times in Japan. The city has grown to such an extent that much of the lowland is built with brick or block houses, inviting the destruction that is being visited on it by the elements.

OREGON SOLDIER IS TYPHOID VICTIM

(Special Dispatch to The Journal.) Cosgrove, Wash., Aug. 13.—Private G. E. Kirkman of Company G, Fourth Oregon, has been stricken with typhoid fever. At first it was feared it would be necessary to send the company home, but Colonel Elbert, senior medical officer of the department of the Columbia, decided it would not be necessary. Kirkman was taken to his home in Roseburg, Or., by a detail from the medical corps.

JUDGE LOVETT REACHES SEATTLE; SEES DEPOT

(United Press Leased Wire.) Seattle, Aug. 13.—Judge R. S. Lovett, successor to Edward H. Harriman as president of the Harriman system, arrived in Seattle this morning from Portland. He said his morning trip to the state inspection trip. He will look over the new Harriman passenger station, 40 per cent completed, today. The station will be ready for use January 1, 1911.

MARRIED ONE MONTH; NOW WANTS DIVORCE

(Special Dispatch to The Journal.) Oregon City, Aug. 13.—After being married only one month and five days Jennie M. Hughes has commenced suit for divorce from J. J. Hughes, of Portland. She alleges her husband became angry and threw things around and as she had a very weak heart, she was afraid she would drop dead from fright. Mrs. Hughes wants her maiden name of Jennie M. Green returned to her.

PARSERS CIRCLE ABOUT DESPERADO IN DAHO'S WILDS

Fugitive's Identity Not Yet Revealed, Though He Tells of His Crime to Those He Holds Up in Tracy Style.

(United Press Leased Wire.) Coifax, Wash., Aug. 13.—The manhunt is on in earnest six miles south of Emida, Idaho, and from all indications the confessed murderer will not be taken alive. The last settler held up was Ralph Dickson, at his camp near Emida, Wednesday afternoon. He gives a description of the man tallying in every respect with all other descriptions given by settlers.

Dickson says the man was of medium height, sandy complexion, dressed in a blue serge suit, carrying a 30-30 rifle with a shoulderstrap. The rifle has been identified as the one taken from Clarence Brunning near Sanders about two weeks ago along with a good supply of ammunition. Brunning had a talk with the desperado while he robbed his cabin.

Says He Will Shoot on Sight. Dickson was held up at his camp and ordered to tell what he knew about the officers. The robber told Dickson he had been close enough to kill several of them, but did not shoot, as they did not see him. He gave Dickson every warning that he would shoot on sight of the next officer.

The next camp visited was Frank Sandgreen's, on Charles creek, south of Emida. The desperado probably obtained a food and soon left. The hounds were taken to this camp and worked from there Friday and are six miles south of Emida.

The officers and posse are being guided through the underbrush and timber by an old settler and prospector, Bessie Warren, 13 years of age, daughter of William Warren, a settler living two miles from Emida, was held up by the freckle-faced desperado Tuesday while riding along a trail near his home. She was warned to say nothing or she would be killed. Seven men working in the timber saw the man at this time. They left in pursuit of the man as soon as they could get their guns.

Settlers Fleeing in Fear. At the last camp visited, and since he is aware the officers are in close pursuit, he has not repeated his confessions of the murder. Women and children in the new Coeur d'Alene reservation district are now leaving their cabins, so great is their fear.

The officers are determined to get their man dead or alive, and are working in relays. They are known to be very close upon him, with every known avenue of escape cut off by guards. A man has probably only one chance of escape, his being able to get food from an unguarded camp, and such camps are now very few.

CONSERVATION CONGRESS DELEGATES APPOINTED

(Salem Bureau of The Journal.) Salem, Or., Aug. 13.—Acting Governor Bowerman has appointed the following delegates to the National Conservation congress, which will be held in St. Paul, A. T. Trow, Ontario, C. Buckley, Grass Valley, Malheur, C. Moody, The Dalles; James Withcomb, Corvallis; Oswald West, Salem; W. L. Toose, Falls City; A. C. Woodcock, Eugene; George McKnight, Vale; J. M. Keene, Medford; William Hanley, Burns; E. J. Smith, Hood River; Henry M. McManney, Baker; City J. H. Dobbin, Joseph; J. N. Burgess, Pilot Rock; E. W. Wright, Portland; S. M. Mears, Portland.

SIX CORPORATIONS WOULD DO BUSINESS

C. E. Elving, Carl G. Anderson and John W. Harkin have incorporated the Melrose Orchard Land company, capital stock \$25,000. With a capital stock of \$500,000 the Columbia Development company has been incorporated by W. H. Shupe, E. C. Bayler and E. W. Wall. One chance of escape, his being able to get food from an unguarded camp, and such camps are now very few.

The Black River Banana company has filed articles by W. E. Davidson, William O. Manion and J. F. Shelton, with a capital of \$20,000. The National Casualty & Life Insurance company has been formed by R. L. Durham, H. Beckwith and E. E. Merges, capital \$50,000. R. Russell Smith, G. M. Rosenstiel and C. H. Loughman have incorporated the Smith Grain company, capital stock \$45,000.

Wireless Operator Disappears. (United Press Leased Wire.) San Francisco, Aug. 13.—Since the issuance of a warrant for his arrest, John Ludwig, government wireless operator on the Farallone Islands, 30 miles outside the Golden Gate, has disappeared from his station. He was last seen by the keeper of the light rowing away from the island in a dory. He is believed to have boarded a sailing vessel that was ho to off the islands. Ludwig is wanted in connection with a divorce action in which an interlocutory decree has already been entered for him. His wife, who was in the east at the time she was filed, asserts that advantage was taken of her absence to institute proceedings. She is fighting the issuance of a final decree.

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