

LABOR FEELS ITSELF IMMUNE

INACTION OF BONAPARTE GIVES IT CONFIDENCE.

Department of Justice Forced to Make Excuses for Not Prosecuting Unions for Boycotts on Interstate Trade—Finds Indictments at New Orleans Faulty.

WASHINGTON, March 18.—Reminders have not been wanting in the office of Attorney-General Bonaparte of the opportunity which is offered at New Orleans for the prosecution of one branch of the labor trust under recent decisions of the highest courts. Letters have been received by the Department of Justice from many sources calling attention to the flagrant disregard of the Sherman anti-trust law by the leaders of the Longshoremen's Union in New Orleans. In this way, as well as by verbal appeals from at least one source, Mr. Bonaparte has been made aware of what an unprejudiced person regards as a golden opportunity for Mr. Roosevelt to show that he means to live up to the pledge of equal treatment which he made in his annual message in 1903.

As was told in THE SUN last Sunday, the American Federation of Labor and affiliated unions everywhere have been made to feel the greatest confidence that they are immune from prosecution under the present Administration. Attorney-General Bonaparte knows, however, that there is a large number of persons, notably large employers of labor throughout the country, who are resolved that this immunity shall not seem to rest on any legal basis, but that it shall appear plainly that there is nothing except political expediency on the part of the Roosevelt-Taft combination to excuse inaction.

The decision of the United States Supreme Court in the Danbury Hatters case and of the Supreme Court of the District of Columbia in the Buck's Stove and Range Company case have blazed the way so clearly for legal action against other labor unions which are engaged in boycotts on interstate trade that the Administration has been forced to make excuses. Here is the latest excuse in the New Orleans case:

It was said officially to-day that one of the indictments found by the Federal Grand Jury in New Orleans was so imperfectly drawn that the Department was satisfied the Government could not possibly win its case in court. It was said that another of the indictments found by the same Grand Jury was untenable for the reason that the offense charged has nothing to do with interstate commerce and is therefore not actionable under the Sherman anti-trust law. Thus far this is the only result of the examination of these indictments by the officers of the Department of Justice in Washington.

Whether the Attorney-General desires that one or more of the indictments shall be rewritten in such terms as to make legal action under the Sherman law against the New Orleans Longshoremen possible cannot be learned. That is one of the things that Mr. Bonaparte is unwilling to discuss, for it concerns a future action, or a future policy of inaction, and the Attorney-General makes a rule never to talk about either. The fact remains, however, that the United States Attorney at New Orleans has been made to believe that he was too zealous in the enforcement of the law to please the authorities in Washington. In substantial terms the Attorney-General himself has said so.

It develops to-day that the Department of Justice has enunciated a certain principle of policy in regard to actions under the Sherman law. This is that manufacturers who supply the market shall then as far as possible of the provisions found under Section 7 and that they shall not look to the Department of Justice to intervene between them and their customers in order to supply the market through the boycott system to the business of those employers, do not have a direct effect on interstate trade.

According to the authorities here it is not enough that a manufacturer shall be able to show that as the result of a boycott the trade between his factory and customers located outside of his State has been affected. It must be shown that there was a distinct purpose and effort to affect adversely interstate commerce in the goods produced by the complaining manufacturer. Section 7 bars only a boycott by a manufacturer or other employer of labor to bring a civil action against the instigators of a boycott for triple damages with the intervention of the Federal authorities. There is another side to the statement published in THE SUN several days ago on the authority of attorneys for the Warner Publishing Company of Akron, Ohio, that Mr. Bonaparte has said that actual proof of damages was a condition of criminal prosecution under the Sherman law in the case of a boycott interfering with interstate trade. The statement is that the story is that Mr. Purdy laid down no such principle, but that he did say a criminal action would have a much stronger basis in case it could be shown that actual damages had been inflicted.

LABOR LEADERS IN SESSION.

Meeting Called by Gompers to Consider Recent Supreme Court Decisions.

WASHINGTON, March 18.—Officers to the number of 500 representing 117 national and international labor organizations met at the headquarters of the American Federation of Labor here to-day and in conjunction with the executive council of the federation entered upon the "special and extraordinary session" called by President Gompers to consider recent court decisions against boycotts and applying the penalty of criminal sanctions to the trust act to labor unions. The officers are said to represent 27,000 local unions.

As a result of the day's deliberations it was decided to formulate a bill of labor's grievances similar to the one drawn up in April, 1902, preceding the Congressional campaign of that year and which was presented to the President, the Speaker of the House and the Vice-President. In the opening address President Gompers said the conference was called primarily to consider the amendment of the Sherman anti-trust law, the recent court injunctions against labor unions and the failure of Congress to enact legislation for which the federation has petitioned in the course of the last few years. Mr. Gompers impressed upon the conference that the time had arrived for organized labor to do something more definite and comprehensive than it had yet essayed in the field of politics to secure recognition, and he impressed upon his hearers the far-reaching effect which would result if resolutions were not secured along the lines for which the session was convened by him. He pointed out that it was particularly essential that an amendment of the Sherman anti-trust law should be secured that would exempt labor unions from its provisions.

Much enthusiasm was aroused by a speech delivered by C. Bennett of Kentucky, representing the American Society of Equity, who said that he spoke on behalf of 25,000 farmers who had come to the conclusion that the time had arrived when the farmers of the country were ready and willing to cooperate with organized labor. This is the first time the representative of a farmers' organization has been a delegate to a labor convention, he declares.

Mr. Gompers was elected president of the sessions and the secretary selected was Frank Morrison, who is secretary of the Federation.

Boston and Maine Men Decide to Accept Reduction.

BOSTON, March 18.—By unanimous vote of the Boston and Maine system have decided to accept the cut of 5 per cent in their wages until July 1, as proposed by President Tuttle.

It is said unofficially that several of the railroad brotherhoods are in favor of accepting the cut.

CONDEMNNS COTTON EXCHANGES.

Hedlin of Alabama Says They Are Dens of Thieves and Gamblers.

WASHINGTON, March 18.—James Thomas Hedlin of Alabama, the earnest advocate of prohibition and also of the Jim Crow car for the District of Columbia, made a speech in the House of Representatives to-day denouncing the cotton exchanges of the world and particularly that of New York as dens of thieves and gamblers, robbing the cotton producers of the South. The membership of the exchanges, he asserted, comprised mainly the representatives of spinning interests, whose policy demanded the purchase of raw material at the lowest price and sale of the finished product at the highest price, and the market on the exchanges was naturally bearish in its tendency. But once in forty years had it been bullish, and that was when Dan Sully astonished the world. The bears had got together to punish him for his temerity and he was now adrift.

Mr. Hedlin complained that cotton rejected at Liverpool was sent back to New York and a certificate of good character given it. It could be tendered in contracts of sale there, with the result that the price of cotton was controlled by the value of this "dog tail" fibre, fit only for stuffing horse collars and mattresses.

Mr. Fitzgerald of New York asked if the complaints on the subject of grading were not against the number of grades established by the classifiers of the exchange, not against the integrity of the grades themselves.

Mr. Hedlin replied that complaint rested against both. "I believe the Southern producer," said he, "has been robbed a thousand times by the exchange. I object to the broker taking the cotton of a producer and while keeping him outside a locked door grades it to suit himself, the producer having no word to say."

Mr. Bowers of Mississippi asserted that there had not been 100 bales of long middling staple on the New York Cotton Exchange in fifty years.

Mr. Hedlin quoted the president of the National Farmers Congress and the president of the Southern Planters Association as saying that the cotton producers should have 15 cents a pound for their crop and that nothing but the existence of the cotton exchanges prevented them from receiving it. Mr. Small of North Carolina asked Mr. Hedlin what legislation could be enacted that would bring about the result he desired.

"Well," answered Mr. Hedlin, "I have a bill on the subject which a New York paper said was easy to understand. It provides that men who conduct the cotton business as it is conducted now shall be fined \$5,000 and sent to the penitentiary for two years. This bill of the House isn't inclined to take credit to itself. It is known by the name of Hedlin's bill. Mr. Aldrich and his committee have been contemplating the elimination of railroad bonds from the bill for some weeks. It was the desire of the committee to retain them until the bill practically as it comes from the Senate. President Roosevelt is anxious that currency legislation shall be enacted at this session, and it is known that he favors the Aldrich bill as it has been perfected by the Senate Committee on Finance, of which Senator Aldrich is chairman.

Elimination of the bond feature of the Aldrich bill appears to have been without special significance. Announcement of it coming as it did when Senator La Follette was about to deliver a speech in the Senate, with all his heavy puns and oratorical fireworks trained on this particular feature of the measure, the Wisconsin statesman felt inclined to take credit to himself.

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HOBSON CONTRADICTS SPEAR.

Insists That He Was Approached by Submarine Boat Constructor.

WASHINGTON, March 18.—Representative R. P. Hobson of Alabama reasserted to-day that L. Y. Spear, constructor for the Electric Boat Company, had approached him last fall and offered to assist him in securing a place on the House Committee on Naval Affairs, expressing the hope that he had not changed his opinion "about submarines." Both Hobson and Spear have appeared before the select committee of the House now engaged in probing the submarine scandal.

Mr. Hobson testified in substance that Spear had offered to get him on the naval committee if he "stood right on submarines." Mr. Spear's testimony of yesterday amounted to a flat denial of this statement. "There can be no doubt of the suggestion that was made to me by Mr. Spear," said Representative Hobson to-day. "Our conversation on the subject took place over the telephone, it is true. But the same offer was made again to me through my secretary."

Yesterday after Mr. Spear had made his appearance before the select committee the secretary requested that he be heard in reply.

"I have written an official letter to Chairman Boutwell," Mr. Hobson, "asking the secretary to give an opportunity to tell of his conversation with Mr. Spear wherein there was a discussion of my probable assignment to the House Committee on Naval Affairs. My secretary's testimony will corroborate in every detail my testimony as to my relations with Mr. Spear in this matter."

Secretary Metcalf and a number of naval officers will appear to-morrow before the select committee of the House engaged in inquiring into the submarine boat scandal. They have been called to give testimony on the charges of Representative Hobson that the prices were paid by the Government for submarines.

ALMOST LEFT AT MIDWAY.

The Marines Ordered Away, but Not the Surgeon Until He Cabled About It.

WASHINGTON, March 18.—Assistant Surgeon Myron C. Baker, on duty with the marine detachment in the Midway Islands, got the scare of his life the other day. His duty is to look after the physical welfare of the marines, one officer and seventeen privates, whose main duty is to guard the cable station, which is about the only thing on the island.

Several days ago an order was received by the commanding officer of the marines to withdraw from the island. Surgeon Baker received his orders from the Bureau of Medicine and Surgery of the Navy Department. He waited patiently for a cable dispatch announcing that he too had been ordered away with the marines, but none came. Finally his patience gave out and he sent a message to the Navy Department asking if he was going to be left alone on the island without any work and only several cable operators for companions.

SENATE TO PASS ALDRICH BILL.

PLANS BEING MADE FOR ITS RECEPTION IN THE HOUSE.

Indications Are That It Will Be Reviewed by a Republican Caucus—Since the Railroad Bond Feature Has Been Cut Out It Has Become More Popular.

WASHINGTON, March 18.—Leaders of the House feel so assured that the Aldrich emergency currency bill will pass the Senate that plans are being perfected for the reception of the measure in the lower branch of Congress. That this proposed currency legislation will stir up a lively debate in the House is certain, and for that reason the Republicans will soon determine upon a definite line of action in handling the important questions involved. The indications are that in the final analysis the currency measure will be reviewed by a Republican caucus. A few weeks ago it looked as if the Aldrich bill would have a rocky road to travel in the House if it ever reached that body. The railroad bond feature having been eliminated, the bill has grown more popular, especially among members from the West.

While the Fowler credit currency bill was reported to the House by the Committee on Banking and Currency, that measure has few friends on either side of the Capitol. Republicans who voted to reject it did so with the understanding that they were not bound to support it or any part of it on the floor of the House. The Democrats have a currency bill of their own. With the conflicting views of Republicans and the absolute certainty that the Democrats cannot be induced to vote for any measure proposed by the majority the House leaders face a situation that calls for a party caucus. At such a caucus it is believed a resolution can be adopted that will insure the passage of the Aldrich bill practically as it comes from the Senate.

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After getting out of prison he came to New York and became an inmate of Mrs. Booth's Hope Hall, then maintained at Flushing, N. Y., but being unable to conquer his desire to set a blaze.

NATIONAL GALLERY OF ART.

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These organizations have at public meetings of their own bodies selected the following members: The Fine Arts Federation of New York, Frederic Crowninshield; representing the National Sculpture Society, Herbert Adams, and representing the National Academy of Design, Edwin H. Blashfield.

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The retirement of Major Thomas Snow, Quartermaster from active service is announced. The retirement of Col. Ira MacNitt, Ordnance Department, from active service is announced. The retirement of Lieut. Col. John T. French, Jr., Deputy Quartermaster-General, is announced.

These navy orders were issued: Commander T. Snowden, from Washington, D. C., to command the Mayflower. Lieutenant-Commander T. Vogelgesang, from command of the Mayflower to the Wisconsin. Lieutenant-Commander C. L. Hussey, from Washington, D. C., to command the Wisconsin. Surgeon F. E. McCullough, from Guam to naval training station, San Francisco. Pay Inspector G. R. Washington, D. C. Paymaster H. R. Innes, to the Wisconsin. Paymaster E. C. Gudgeon, from New York yard to the Idaho.

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Advisory Committee Selected by the Smithsonian and Other Organizations.

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These organizations have at public meetings of their own bodies selected the following members: The Fine Arts Federation of New York, Frederic Crowninshield; representing the National Sculpture Society, Herbert Adams, and representing the National Academy of Design, Edwin H. Blashfield.

ARMY AND NAVY ORDERS.

WASHINGTON, March 18.—These army orders were issued to-day: First Lieut. Robert J. Arnold, First Field Artillery, is honorably discharged. Lieut. Col. William S. Gaffery, Coast Artillery, from Fort Preble to Fort Howard and assume command of post and of artillery district of Baltimore. Capt. James Longstreet, to Eighth Cavalry. First Lieut. Kenyon A. Eyles, to Eighteenth Cavalry. First Lieut. Howard C. Tatum, to Seventh Cavalry. Capt. Walter C. Babcock, Thirteenth Cavalry, from general hospital at Fort Bayard to his troop. Major Abraham P. Bunnell, to Twenty-first Infantry. Major Charles L. Beckurts, to Fifth Infantry. Major Ralph McCoy, to Tenth Infantry. Capt. Grover L. Townsend and Thomas L. Hesser, to Twenty-second Infantry. Capt. James K. Parsons, to Twentieth Infantry. Capt. George E. Hall, to Sixteenth Infantry. First Lieut. Harry S. Adams, to Twenty-third Infantry.

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