

MR. BEE'S SCHEME.

THE LABOR COMMISSIONER SAW IT IN TIME.

The Chinese Registration Law Will Not Be Contested for a While.

The dispute arising from the Chinese Registration law has assumed a new phase and the Attorney-General and Labor Commissioner Walts have postponed a contest in the courts, at least for a short time. The matter was brought to an issue by the arrest of William C. Macabe, a Southern Pacific Railway ticket agent, on March 20th last, for violating a section of the law. He was charged with a misdemeanor in the Police Court and a writ of habeas corpus was immediately asked for on his behalf in the United States Circuit Court. In that complaint the issue was made directly upon the constitutionality of the act.

Yesterday, at the request of Attorney-General Hart and of Labor Commissioner Walts, the charge against Macabe in the Police Court was dismissed. Consequently the state of affairs which prompted an appeal to the United States courts no longer exists and the contest will not be made. This result was thought to be a practical surrender on the part of the State officials, but Labor Commissioner Walts takes a very different view of the matter.

"We do not intend to have the issue forced upon us," he said yesterday, "under a false aspect. The entire affair was a scheme of Consul Bee, who procured the Chinese, induced them to buy the tickets, employed a detective to watch the agent and arrest him for not obeying the statute and demanding of the Chinese their papers of registration. As a matter of law the ticket agent committed no offense.

"The act so far as that section is concerned does not become operative until next March, a year from the date of its adoption. I have always considered that the part of the statute making police officers out of railway officials never should have been incorporated, and I will not enforce it unless as a last resort. I certainly will not place the whole act on trial through the agency of a section which is not now in force and which I do not think should have been in the law.

"I think that the measure would be a popular one even among the Chinese if they were left alone, but they have been instructed to resist, and I have no power to force them here until next March. In the meantime the opponents of the law may find some way of bringing the matter to a contest.

"The Attorney-General has expressed himself as being very doubtful of the constitutionality of the act, and his dismissal of the criminal case in the Police Court is regarded by Attorney Jordan as an indirect way of abandoning the habeas corpus proceeding.

"I am determined," he said yesterday, "to have this Registration act tested in the courts. I want to secure a decision as to its legality one way or another."

So far as the Chinese are concerned there has been no alarming disposition on their part to comply with the statute. The act has been in force over four months, and just four certificates of registration have been issued by the Labor Commissioner. All of them were necessarily on application. Two of the Chinese were from the interior and two from this city. The Labor Commissioner has a big book of blank registration papers, the County Clerk has another, and some day, it is hoped, each Chinese in the State will have his photograph in duplicate.