

WARREN'S ADDRESS

(In the Court of Appeals, St. Paul, May 24th. Published by request.) I appear before this court in my own defense because my attorneys are unwilling to say what I think should be said. I desire to waive all that counsel for the defense has said with reference to the government's inability to prove that this envelope was mailed from the office of the Appeal to Reason, of which I am editor. I wish to waive the objections interposed by my attorneys and the arguments advanced by them why I should be given a new trial. I do not want a new trial. This case has cost the defense \$20,000. A new trial, before a jury of my political opponents, selected by the district attorney's office from among government employees, or those who hope to get a federal job, before a judge prejudiced against my cause, could result only in another miscarriage of justice.

In waiving the arguments of my attorneys on these points—and I wish to say here in justification of my course at this time, that the theory on which this case was conducted in the lower court was to put my vigorous protest—I do so to put the issue squarely before this court: Is the mailing of this envelope with its offer of reward, printed in red, for the capture and return to the Kentucky authorities of ex-Governor William Taylor, under indictment at that time for murder, a violation of the federal statutes? Stripped of all legal verbiage and technicality that is the issue here and no other. My attorneys argue in the brief submitted that the indictment is defective. I do not pretend to know about this. I will say, however, that I have no desire to have my sentence set aside on a mere technical defect in the indictment, and I would regret to see the issue involved disposed of in this unsatisfactory manner. It would still leave the question in doubt as to whether the mailing of a reward, printed in red, for the capture of a fugitive republican politician, is a violation of the federal statutes.

I call the attention of the court to the testimony introduced by the government, showing that I submitted a draft of the alleged defamatory envelope to the postmaster at Girard and asked his opinion as to its mailability. The postmaster, the representative of the government, informed me that in his judgment there was nothing in the postal laws that would prevent the mailing of this reward offer, as hundreds of similar cards and envelopes were mailed in the course of a year at the Girard postoffice. This certainly establishes my good faith. No man with criminal intent would voluntarily submit the evidence of his contemplated crime to the agent of the institution against which the crime was directed.

In this connection I wish to call the court's attention to the statement made from the bench by the trial judge that when this matter was first submitted to him, he himself was in doubt as to whether the mailing of this envelope was a violation of the federal statutes. If the law is so indefinite that even the trial judge is unable to determine whether a crime has been committed, until after he "had consulted higher authority," how is the layman to determine what is lawful and what is not? In the lower court's decision on our demurrer, Judge Pollock stated that the language was not scurrilous and threatening, as charged in the indictment, but that it was defamatory, inasmuch as it was calculated to im-

press the reader thereof with the thought that ex-Gov. W. S. Taylor was wanted in Kentucky by the authorities of that state for some alleged crime. Under this decision every offer of a reward for a man charged with crime, mailed by a private individual or a civil officer, is a violation of the federal statute under which this indictment was returned against me. In order to prevent this construction and its far-reaching consequences, Judge Pollock, in his final summing up of the case, decided it was not defamatory nor scurrilous, but threatening. It is hard for the average man to follow such judicial reasoning and I sincerely trust that this court's opinion will be written in such clear and unmistakable terms that there will be no question as to this law in the future.

It will be argued by counsel for the government that kidnapping is a crime and, therefore, an offer of a reward to kidnap ex-Governor Taylor is a threat against that gentleman. I ask the counsel for the government to cite the federal law constituting kidnapping a crime. He cannot do this. On the other hand, the United States supreme court, in an exhaustive opinion, handed down in the case of three workmen who had been kidnapped in Colorado and taken to Idaho, plainly states that it is no violation of the federal statutes to forcibly abduct a man and take him from one state to another. In its opinion the supreme court says: "Looking first at what was alleged to have occurred in Colorado touching the arrest of the petitioner and his deportation from that state, we do not perceive that anything done there, however hastily or inconsiderately done, can be adjudged to be in violation of the constitution or laws of the United States. Even if it be true that the arrest and deportation of Pettibone, Moyer and Haywood from Colorado was by fraud and connivance, to which the governor of Colorado was a party, this does not make a case of violation of the rights of the appellants under the constitution and laws of the United States."

Under this decision I do not see what weight this court can give to the argument of the government's counsel, that to offer a reward to do what the supreme court has explicitly declared is not a crime, is in violation of the law. What I did, in fact, was to offer a reward to any one who would capture, forcibly abduct, if you please, a man under indictment for murder and return him to the Kentucky authorities. To kidnap means not only forcibly abduction, but hiding from friends and the proper authorities. Under this view how can it be maintained that it is unlawful to offer a reward for the capture of ex-Gov. William S. Taylor and his return to the authorities of Kentucky?

Let me state a hypothetical case: Suppose the Socialists capture the political powers of Kansas—as we shall. We find that Mr. Armour is violating the anti-trust laws of our state. He lives in Illinois. The governor of Illinois, being a republican, refuses to grant a requisition. Suppose our Socialist state officials, who would be private citizens in Illinois, should quietly go at midnight, surround Mr. Armour's house in Chicago, capture him, carry him into Kansas, and there place him on trial before a Socialist judge and a Socialist jury. Would the men that kidnapped Armour violate any federal statute? Would they not be immune from prosecution under the supreme court's ruling.

(To be Continued.)

LOCAL NEWS.

Miss Ethel Chenoweth, of Oakland, is visiting Miss Beryl Singleton, of this city.

Mrs. R. V. Ames arrived here on the afternoon train and will be the guest of Mrs. Trimble for a few days.

All those handsome framed pictures at the Roseburg Book Store are going at one third off the regular prices.

Miss Lula Carter, of Brockway, arrived in the city today and went on to Oakland to visit friends for a few days.

Pictures, fit to grace the home of anyone, on sale at one-third off the regular prices at the Roseburg Book Store.

The Roseburg Book Store is having a sale of framed pictures for one week. All pictures going at one third off regular prices.

W. E. Cooper, of Roberts Creek, and G. W. Short, of Wilbur, are two of Douglas County's prominent stock men in the city today.

Ben McMullen returned home from Portland today and reports the carnival being held there is a grand success in every particular. The flower exhibit was simply wonderful. The electric parade could not be excelled by any city, and the metropolians were mere mass of moving people who had every appearance of enjoyment in the extreme.

Mr. E. A. Taylor, a recent arrival from Texas, has just completed the purchase of a 160 acre ranch near Brockway, belonging to M. M. Brickner. Mr. Taylor and family take immediate possession of their new home and express themselves as well pleased with the climate and country around Roseburg. The deal was made through the real estate firm of Perrine & Walker.

Fred Cachelin, the South Dakota rancher who purchased the Brooks ranch on South Deer creek, through the real estate firm of Perrine & Walker, expects his family to join him in a few days, when he will take possession of his new home. Mr. Cachelin has traveled over considerable country looking for a suitable location, and expresses himself as very well satisfied with climate, markets and conditions surrounding Roseburg and the friendly spirit that the people of Roseburg greet newcomers.

At a special meeting of the district school board which was held at the office of J. C. Fullerton this morning to consider the applications of bids for the installing of a system of toilets in the Lane School building. The bids were received as follows: D. H. Marsters, \$1958; W. C. Gaddis, \$1867.47; B. A. Mahan, \$1520. Accordingly the contract was awarded to Mr. Mahan, whose bid was \$347.47 less than his nearest competitor, and \$438 less than Mr. Marsters' bid. The system of toilets which is to be installed before September 1st, 1910, will be of the most modern style. The floors are to be of tile, and will present a good appearance when completed. The contract for the heating plant for this building which was let some time ago to the J. C. Bayer Furnace Company, of Portland, will also be installed before September 1st. This will convert the Lane school building into one of the most modern in the county.

LOCAL NEWS.

Blanch and Archie Rinehart are both quite ill at the family home in Chadwick's addition. The former has been sick for the past week and the boy was taken ill yesterday.

What your tailor?



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IN former days it cost a lot of money and a tedious delay to obtain first-class tailored-to-order clothes. Today master minds and a perfect organization like

Ed. V. Price & Co. MERCHANT TAILORS CHICAGO

make it possible for particular dressers to secure clothes satisfaction within a few days, and at prices no higher than are charged for ready-made clothing.

Let us show you their beautiful Spring woolsens and take your measure. Today if you will. G. W. SLOPER, Agt. ROSEBURG, OREGON

LOCAL NEWS.

Mrs. Mary Bishop returned to her home in Dillard on the local yesterday afternoon, after spending several days in this city visiting at the home of A. L. Thornton.

If you want your old suits to look like new take them to Sloper. He knows how to fix them. Panama and felt hats also cleaned and blocked. Gentlemen's work exclusively. Agent for Ed. V. Price & Co., Chicago tailors.

A. E. Clayton and daughter, of Melrose; C. F. Thornton, of Riddle; Mr. and Mrs. C. H. Brown, H. A. and R. T. Blakely, of Glide, Frank Simmons and Clarence Grubbe, were visiting in the city yesterday and today.

L. E. Thompson, of Bakersfield, Cal., son of J. L. Thompson, of this city arrived here last night from Spokane where he had gone to accompany his daughter to their home. Immediately upon his arrival he received a telegram from his brother requesting his immediate return to Bakersfield, as important business matters there require his attention, thus spilling his visit with his parents here. His daughter will enter one of the prominent educational institutions of California.

LOCAL NEWS.

Miss Eva Dorris, of Eugene, who has been visiting in this city for the past few days returned to her home on the local this morning.

Miss Bertha Pruner, of Riddle, arrived in the city yesterday to meet her mother and brother from Eatacada, Clackamas county, who came to this city on account of the latter's physical condition. The local physicians soon discovered that an operation is necessary and he is now an inmate of Mercy hospital.

CAMPERS ATTENTION I have a first-class team and wagon prepared to take camping parties to any section, including all points on Coos Bay. Leave orders at Sykes' Hardware Store, or phone 1403.

THOS. JENNIE, City Expressman

BUILDER C. D. MAYNARD GENERAL BUILDING CONTRACTOR At Your Service Roseburg, Oregon Phone 2123

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Is the name of the six workmen that work for the Umpqua Land & Water Co., Inc. They start at six o'clock in the morning and work to ten o'clock at night. They are opposed to Imitation, Ignorance, Inexperience, Idleness and Cowardice. The six first workers bear the name of the sterling qualities that make the

HIGH GRADE OF AMERICAN CITIZENSHIP

In any competition against the others there is no question about the outcome.

They have won the battle before it is started, and to the victor belongs the spoils. The great question of today is not what you believe, but what you know you can do. Abraham Lincoln, one of "America's Immortals," said, "When You are Right, You are the Crowd, Because it will Follow You." History past tells you over a million of America's fighting men marched in the path "laid out by the Chief Engineer." Kind reader, the progressive man goes on and leaves the knocker far behind, and who cares. The man in the automobile will pass in a thirty mile clip the man with the wheelbarrow, and leave the dust behind for the knocker. IN A FEW DAYS one-half million pounds of concrete will be placed in

Alexander's Old Reliable Center Pier

Roseburg's lasting monument to the six workmen, there have placed it to stand as the "Rock of Ages." Only earthquake or

dynamite will move it. The piers in the Alexander bridge are made with foresight. In six, eight, or ten years from today, when the present bridge has answered its purpose, when Roseburg has awakened to street car service, the piers are planned and made so large and strong that then a steel structure can be placed outside, put in position by the aid of the old bridge answering as false works, and Roseburg citizens will then say, "The Man from Copenhagen" knew what he was doing. The knockers will be dead; they will have died of the fungus disease, "dry rot." Roseburg will have a "River Faced Park" second to none in Southern Oregon.

Alexander Says So---Alexander Knows

Fellow citizens, let me tell you some of Alexander's plans and hopes. The beautiful Umpqua river will, when in bad "humor," carry sand and gravel to the park, workmen will place it in the park,

making nice graveled walks, an occasional rustic seat will be placed against the old monarchs, the oaks that have seen generations growing up and seen them die, and the old soldier with his gray haired wife, will on the National Holidays take a rest, will dream about the days when he was young and strong, when he answered Washington's and Lincoln's call, left the young girl standing at his side with tears in her eyes, to show the world "United we Stand, Divided we Fall." When the Fourth of July comes, we will not buy firecrackers in Roseburg. We will take the children to a bath and boating on the Umpqua river, a lunch in the park, and the park will be open to all except the knockers. Those conditions are duties to all good American citizens, and Roseburg has its share of sterling men and women, up-to-date and progressive, and all the Umpqua Land & Water Co., Inc., ask, in a friendly way, is this little simple thing, CO-OPERATION. Respectfully submitted by

.....THE HOME BUILDERS.....

Umpqua Land & Water Company, Inc. 116 Cass Street Roseburg National Bank Building