RNNSFVFLT SCORES THE

Answers Critics and Proposes New Laws.

TRUSTS NEED CONTROL

Criminal Rich Are Banded Together for Reaction. Says Message.

CARE FOR LABOR'S INTERESTS

Employers' Liability Laws and Restriction on Injunctions.

EVEN JUSTICE TO ALL MEN

Apologists of Lawbreakers Mere Puppets of Powerful Rich-Will Continue Fight for Honesty in Business and Politics.

WHAT ROOSEVELT RECOMMENDS Re-enact employers' liability law so as to apply only to corporations engaged in interstate commerce and

atrengthen its provisions.

Pass law giving Government em playes compensation for injuries Pass law giving employes of Pana-ma Canal compensation for injuries. New law against blacklisting wifl

Give Interstate Commerce Commis sion power to pass upon changes in rates before they become effective. and supervision of their financial op-

erations by Interstate Commission. Let Government supervise Interchange of cars and schedules of trains earrying perishable products. Amend Sherman anti-trust law to legalize reasonable combinations, but provide thorough supervision over all

interstate corporations.

Pass laws to prevent grosser forms of gambling in securities and com-

WASHINGTON, Jan. 31 .- President Roosevelt today sent to Congress a special message which is devoted mainly to a vigorous defense of his policy, as regards railroads and trusts from the assaults of his critics and an even more vigorous denunciation of those critics and those whom they

Beginning with the recommendation of new employers' liability bills, both binding the Government and Interstate corporations, and of laws restricting the issue of injunctions, the message proceeds to renew the President's former recommendations for legislation dealing with railroads and mon opolics. Then it enters upon a reply to the criticisms of the President's policy, not mineing words in its characterization of his antagonists as lawbreakers. It shows their inconsistence in criticising Judges Landis and Wellbon after having condemned the President's much milder criticism of other judges. It advocates measures to prevent stock gambling, attributes the panic to speculation and high finance, and declares that, even if the President's policy did contribute to the panic, it is better than to allow disbonest business to thrive. He declares his purpose of continuing the same policy without flinching.

Senators Pay Slight Attention.

While the message was being read in the Senate, many Senators simply scanned their printed copies at first and before it was haif finished they generally took up other matters. When the striking passages were reached, many of the Senators looked around the chamber and exchanged smiles Tillman seemed especially pleased with the document, La Follette paid very careful attention. Beveridge, McCum ber, Knox, Gallinger, Nelson, Elkins, Hemenway and Burrows, on the Republican side, and Culberson, Teller, Davis, Bankhead and Overman, among the Democrats, were especially attentive to the document.

On the conclusion of the reading of the message, Senator Davis, of Arkansas, promptly moved that 10,000 copies of the esange be printed as a public document "It is the best Democratic doctrine that I have ever heard emanating from a Re-

publican source," said Davis, The motion was agreed to, and without further comment the message was referred to the committee on interstate

The reading of the message in the House was listened to with intense in-

terest by the members, of whom there was an unusually large number in at-

As the reading of the message pro gressed in the House, numerous members were heard audibly to exclaim, "Most unusual." "This is red-hot." etc.

The President's vigorous denunciation of wrongdoers was greeted with loud applause, as was his defense of Federal judges who punish offenders for viola

The frequency of the applause increased as the reading proceeded. The hum of conversation over the message subsided and the members followed every word. But the climax came when the reading

Cheered by Both Parties.

Without regard to party, the members oudly applauded, cheered, thumped their desks and gave other evidences of their approval of the document. After a mo ment's silence, the applause broke out



Charles E. Hughes, Who Opened His Campaign for President Last

again, several members, including many Democrats, arising from their seats and clapping their hands. The message then, on

Payne, New York, was referred to the emmittee on the state of the Union. Ollie James (Kentucky) produced laughter and Democratic applause when he tauntingly inquired of Payne: "How many additional thousand copie do you desire for circulation?" Payne replied laughingly:

FULL TEXT OF THE MESSAGE

Bills to Relieve Labor and Control

Trusts-Reaction Is Scored. WASHINGTON, Jan. 31.—Following is the full text of President Roosevelt's special message, sent to Congress today;

To the Senate and House of Representa-tives. The recent decision of the Supreme Court in regard to the employers liability act, the experience of the Interstate Com-merce Commission and of the Department of Justice in enforcing the interstate com-merce and anti-trust laws, and the gravely Justice in enforcing the interstate commerce and snot-trust laws, and the gravely significant attitude toward the law and its administration recently adopted by certain heads of great corporations render it desirable that there i suid be additional legislation as regards certain of the relations between labor and capital and between the great corporations and the public.

The Supreme Court has decided the employers liability law to be unconstitutional, because its terms apply to employes engaged wholly in intrastate commerce as well as to employee engaged in interstate commerce. By a substantial majority the

gaged wholly in intrastate commerce as well as to employee engaged in interstate commerce. By a substantial majority the court holds that the Congress has power to deal with the question insofar as interstate commerce is concerned. As regards the employers inbility law, I advocate its immediate re-enactment. limiting its scope so that it shall apply only to the class of cases to which the court says it can constitutionally apply, but strengthening its provisions within this scope. Interstate employment being thus covered by an adequate law, the field of intrastate comployment will be left to the action of the several states. With this clear definition of responsibility, the states will undoubtedly give the performance of their duty within their field the consideration the importance of the subject demands.

I also very urgently advise that a comprehensive act be passed providing for compensation by the Government out all employes injured in the Government service. Under the present law an injured workman in the employe of the Government has no remedy and the entire burden of the accident fails on the helpless man, his wife and his young children. This is an outrage. This is a matter of humiliation to the Nation that there should not be on our statute books provisions to meet and partially to atone for cruel misfortune, when it comes upon a man through no fault of his own while faithfully serving the public.

his own while faithfully serving the public.

Make Government Liable Also.

In no other prominent industrial country in the world could such gross injustice occur, for aimost all civilized nations have enacted legislation embodying the complete recognition of the principle which places the entire trade risk for industrial accidents fexcluding, of course, accidents due to wilful misconduct by the employe) on the industry as represented by the employer, which in this case is the Government. In all these countries these principles apply to the government as much as to the private employer. Under no circumstances should the injured employe or his surviving dependents be required to bring suit against the Government nor should there be the requirement that in order to insure recovery, negligence in some form an the part of the Government should be shown. Our proposition is not to confer a right upon the Government should be shown. Our proposition is not to confer a right upon the Government should be shown. The burden of the trade risk should be placed upon the Government. Exactly as the workingman is entitled to his wages, so he should be entitled to indemnity for the injuries sustained in the natural course of his labor. The rates of compensation and the regulations for its payment should be specified in the law and the machiners for determining the amount to be paid automatically, while the application of the law in the first instance should be vested in the Department of Commerce and Labor. The law should apply to all laborers, mechanics and other civilian employees of the Government of the United States, including these in the service of the Panama Canal Cerimission and insular governments, including these in the service of the Panama Canal Cerimission and insular governments. The sum broad principle which should apply to the Government should apply to the Go Make Government Liable Also.

No New Burden to Employer

It is to be observed that an employer's hability haw does not really mean nulcting the employers in damages. It merely throws upon the employer the burden of accident insurance against injuries which are sure to occur. It requires him either to bear or the court of the loss of the court of th to distribute through insurance the loss which can readily be been when distributed,

(Continued on Page 4.)

THAW JURY FAILS TO FIND VERDICT

Locked Up for Night Without Reporting.

EIGHT TO FOUR THE RUMOR

Disagreement Feared and a Third Trial Considered.

GLOOM IN PRISONER'S CELL

Littleton Believes Majority Pavors a Verdict Based on Insanity, but No Definite Conclusion Is Expected by Others Interested.

NEW YORK, Jan. 31.-After waiting for nearly 12 hours for the jury in the Thaw case to report. Justice Dowling, hortly after 11 o'clock tonight, ordered the doors of the juryroom locked for the night and adjourned court until 10:30 A. when he will hear any report they have to make.

A rumor persisted throughout the eve ning that the jurors were hopelessly livided, eight to four. Mr. Littleton, of the defense, expressed the belief that the majority favored a verdict of not guilty on the ground of insanity, and when he left for his home was still hopeful that a decision eventually would be reached.

Thaw Is Disconsolate.

District Attorney Jerome said: "Nobody can tell what a jury will do, o what is the use of speculating." Thaw retired disconsolately to his cell n the Tombs. He expressed the fear that a third trial would be necessary. This was the general opinion held by the court attaches. The attorneys in the case were leeply disappointed by the trend of affairs, as every one hoped that some definite conclusion might this time be reached. Mr. Jerome would not discuss the probability of a third trial but said If there was one it might be in some other jurisdiction of the state than New York

Dowling Charges Jury.

The 12 Jurors retired at 11:30 A. M. after listening to a charge from Justice Dowling, who sought to impress upon them that the burden to prove the sanity tion throughout the trial and declared that if from all the evidence in the case the jurors entertained a reasonable doubt as to his sanity, the defendant was entitled to the benefit of that doubt. At the same time he pointed out the provisions of the statute which provides that the only persons excused from crimina? responsibility are those who suffer from such a defect of reason as either not to know the nature or quality of their act or not know that the act is wrong.

the law. It is clear, explicit and reason-able. Mark you that the law says a 'de-fect of reason,' and I must instruct you The jurors should decide what weight the law. It is clear, explicit and reason-

man holds as to the justice or cor rectness of his own acts, or an opinion that the laws of the land are wrong. Hatred and revenge are not insanity. Most crimes are committed from just uch motives as these."

Doors to Court Locked.

Mrs. William Thaw, her son, Josiah, and her daughter, Mrs. George L. Carnegle and Evelyn Nesbit Thaw were in court while Justice Dowling read his charge. From the moment the first fury had filed out to begin its deliberations, the courtroom doors were locked and no one was allowed to pass in or

The following verdicts are possible in Murder in the first degree, penalty

Murder in the second degree, penalty life imprisonment.

life imprisonment.

Manslaughter in the first degree, penalty not to exceed 20 years' imprisonment.

Not guilty on the ground of insanity at the time the crime was committed, probably commitment to Matteawan Asylum. As the jury was about to leave the box. Justice Dowling asked if they desired any of the exhibits in the case. Foreman Gremmels replied that the jury would like to have them all. Thaw was compelled to stand and nod his formal assent to this action.

Exhibits Taken by Jury.

The defendant listened intentiy to the judge's charge, the reading of which occupied just 40 minutes. The fact that the jury desired to examine the exhibits was taken to indicate that they would be some time at their deliberations. While on the subject of reasonable doubt, Justice Dowling said the doctrine applied to the grade of crime as well as

Knowledge of the nature or quality o defandant's action included the issue as to whether or not he knew he was firing a loaded pistol. The defendant had a right to expect the benefit of the doubt as to this, as well as to other ma-terial issues.

to the question of innecence of responsi-

The trace of insanity, in collateral branches of the prisoner's family, Justice Dowling said, had a proper place in the testimony and was worthy of considera-tion. Justice Dowling defined the various degrees of murder and manslaughter rec-ognized under the laws, and then added that the jury in its deliberations was not bound by the terms of the indictment.

What Jury Will Specify.

"If your verdict should be not guilty, he said, "under the specification of the defendant's plea as to insagity, you will add the clause, on the ground of the defendant's insanity at the time of the commission of the acts charged in the indictment. In any other verdict you have you will specify the degree." render, you will specify the degree."

Justice Dowling and the opposing at-

torneys congratulated each other upon the expedition of the trial. Justice Dowling said his decision to throw all sessions open to the public had been justified by the way the case had been

justified by the way the case had been handled by the press.

In his charge, Justice Dowling defined the various degrees of homicide, and devoted much time to elucidating the legal meaning of the words "deliberation" and "premeditation." These words, he said, "imply the capacity at the time of the crime to think and reflect and by the use of these powers to refrain from doing a wrongful act. He said that in the consideration of deliberation and premiditation the jury might take into account the acts of the defendant immediately preceding the shooting, his mediately preceding the shooting, his acts on the roof garden and the incidents attending the shooting itself.

State Must Prove Sanity.

Judge Dowling cautioned the jury against being prejudiced by testimony reflecting on the character of White. In the eyes of the law the murder of the most vile is as great a crime as to murder the greatest benefactor of the human race, he said.

man race, he said.

Where the defense is insanity, the general question is whether the crime was committed by a person responsible for his acts, the judge continued. The burden of establishing sanity is on the prosecution, and the defendant is entitled to the bereift of any doubt. The well-"Some may hold that this is too hard question to decide is whether the a test." commented the court, "but it is defendant was or was not insane that a defect of reason is not an opinion I the testimony of experts should bear

LIMMENINE

M'RED PROF

THE CANDIDATE-'NOW I WONDER WHICH WAY UD BE GOING IF I TRIED TO RIDE?"

GOVERNOR'S LIFE

Meet Fate of Brown and Steunenberg.

MUST PARDON JOHN BRANTON

Gets Letter on Behalf of Man Who Attempted Murder.

GOVERNOR NOT DISTURBED

Says He Often Gets Such Letters. Branton Comes of Family With a Bad Record-Sentenced for Trying to Kill Man for Insurance.

HOOD RIVER, Or., Jan. 31 .- (Staff Correspondence)-Governor Chamberlain is in receipt of an anonymous leter demanding the pardon of John Branton, under threat that unless the convict is released by February 20, the Governor will sneet the fate dealt out to Steunenberg and Brown,

The letter was addressed to Dr. Charles Chamberlain, the Governor's son, and was handed by the doctor to his father at the union depot in Portland tonight, just as the Governor was boarding the train for the Compercial Club banquet at Hood River. Although headed as if written from Portland, the letter bears the postmark "Cottage Grove, January 29, 2:30 P.

The address on the envelope in in a woman's handwriting, but the body of the letter is printed in pencil. The spelling evidences a labored attempt to make it appear that the writer is illiterate. Few words are misspelled. but periods appear after almost every word. The letter is signed "Comity on Justice." The text is as follows:

Text of the Letter.

PORTLAND, Ors.-Dr.- Charles Chamber lain, sir: You ar hereby notified to have your father to pardon John Branton out of the pen-itentary and you keep this secret be-twen yourself and father and dont let Branno anything of this. He is a good man and is inosent of any crime. He was court. And we demand his pardon by the 20th of February this year. If this is not granted you and your father will both of he dealth with the same as Steur but it is no worse to kill a man than it is keep a inosent man in prison. Anyway from his helpless little children. So you take warn ing and save yourselves and let to his children. We mean just what we say COMITY ON JUSTICE.

Governor Not Alarmed. "What are you going to do about it?"

the Governor was asked. "Oh, nothing," he replied, in an off-hand way, as if the threat on his life gave him no worry whatever. "I frequently get such letters. A man in my official position has to put up with this sort of thing very often. I'm something of a fatalist,

anyhow. If I am doomed to be blown up

by a dynamite bomb, I suppose I will be

and there is nothing that can prevent ! If anyone had designs on my life, there would be plenty of opportunities to 'get me,' for I go about the streets like any other man, and a crank would have plenty of opportunity to carry out as threat of death. But I don't expect it."

Family Has Bad Record.

John Branton, the convict whose pardo is demanded, belongs to a family severa members of whom have a bad record Claude Branton, a brother, was hanged in Eugene about nine years ago for murder of "old man" Linn, a Morrow County sheepowner. Linn was killed in the Cascade Mountains and his burned by Branton in his campfire. brother, Clarence, lives in Crook County A sister is said to live in Cottage Grove John Branton attempted to kill a man Cottage Grove about three years agwith the idea of getting some life surance money. Branton was given a



Harry K. Thuw, Whose Fute Is Now in the Hands of the Jury. This Shows Him as He Now Appears.

year sentence for his attempted murder The father of the Branton boys myster lously disappeared three years ago in Crook County.

EVIDENCE IS VERY STRONG Conviction of John Branton Easily

Secured by Intended Victim. COTTAGE GROVE, Or., Jan. 31.-(Special.)—John Branton, who attempted to duplicate the actions of his brother Claude by shooting John Fletcher in the head, for the purpose of gotting a \$2000 polley in the Woodmen of the World in Branton's favor, about three years ago, was tried, convicted and sent to the penitentiary for a term of 19 years from here.

here.

Fletcher recovered, and with his own and other evidence formed a chain that resulted in conviction, regardless of Branton's firm stand that he was inno-

Branton's second wife died with con-vulsions prior to the attempt on Fletch-er's life.

FORMER TRIAL FOR PARDON Prisoner's Mother Circulates Peti-

tion, but Few Will Sign.

EUGENE, Or., Jan. 21.—Claud Bran-ton, Prother of John Branton, was hanged here in the County Jail yard, ago after having been convicted of the murder of a man named Linn. The trial brought out the fact that Linn was shot while asleep after sup-per and his body was burned in the camp fire. Nearly every trace of the murder was covered, Branton sitting by the fire playing a French harp while the flames were doing their work. The disappearance of Linn remained

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WOULD IMPRISON TRUST KINGS

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REVISE TARIFF SCHEDULES

Governor Tells Supporters Position on Public Questions and Is Given Ovation - Praises Roosevelt's Fight on Privilege.

NEW YORK, Jan. 21. - Governor Charles E. Hughes, whose nomination for the Presidency by the Republican National Convention is being urged by the New York County committee and other Republican county committees in New York State, today made open declaration of his views on National issues and principles. Mr. Hughes told his hearers tonight that he did not come before them in any spirit of rivalry or self-seeking, and that there are "many Republicans who, by virtue of their character and distinguished services, are worthy of the highest ionor the party can bestow.

The Governor was given an ovation when he concluded his speech;

Declaring the Republican party was party of progress and stability, Mr. Hughes, in his speech, commended the administration of President Roosevelt as one "which to a degree almost unprecedented has impressed the popular imagination and won the confidence of the people." The country, he said, was under lasting obligation to Mr. Roosevelt for his vigorous opposition to abuses and for the strong impulse he has given to movements for their cor-

Opposes Government Ownership.

Mr. Hughes asserted his unqualified pposition to Government ownership of allroads, but said that regulation of Interstate transportation is essential to protect the people from unjust discrimination. As a means of ratiroud supervision, the Governor suggested an administrative board. The Governor declared that the Sherman anti-trust act should be clarified and be made more explicit; that the law may be made stronger and more effective by being made more definite.

"I am not in favor of punishment in the shape of fines upon corporations, except for minor offenses. The burden of fines imposed upon such corporations is either transferred to the public or is borne by the stockholders," declared Mr. Hughes.

Would Revise Tariff.

Revision of the tariff was advised by Mr. Hughes, who suggested that the readjustment of schedules he effected by an expert commission, so that the facts be ascertained without delay and that Congress may dispose of the matter in the fairest possible manner.

Mr. Hughes declared be did not believe in arbitrary action, and that the rule of the people must be a rule of reason and every effort must be dominated by a sense of justice. His prepared speech, from which he departed In some particulars, follows:

Decide Questions on Merits. Since I took office I have sought to make it clear that I would not become involved in factional strife or use the powers of office in factions strike or use the possion of three to further any personal interest. I am and have been constantly solicitous that the administration of affairs of this state should not be embarrassed by collatous considerations, and that every question shall be pretions, and that every question shall be pre-sented and decided upon its merits, unaf-fected by suggestion of ulterior motives. For this reason I have avoided gratuitous discus-cussion of questions foreign to my official duty, but when, in justice to those who have red me with their confidence and to the party, which, as we all desire, should act freely and with full information, it becomes a duty to speak. I have no desire to remain mient. Nor should I in any event care to preserve availability at the expense of can-dor.

High Praise for Roosevelt.

We are contemplating a new administra-tion at the close of one which to a degree almost unparalleled has appealed to the popular imagination and won the confidence of the people. The country is under lasting obligation to President Roosevelt for vigor-ous opposition to abuses and for the strong impulse he has given to movements for their correction. Differences of opinion now, as always, exist with regard to the hest means of solving some of the extremely difficult problems that are presented. But those who earnestly desire progress and the establish-ment of our security on its necessary foundstions of fair dealing and recognition rights appreciate the great service he has rendered and the fundamental importance of the purposes he had in view. We shall have In the next campaign a notable vantage ground, gained through the general admiration of his strong personality and the popular appreciation of the intensity of his desire to promote the righteous conduct of af-

Approves Bate Legislation. The battle for free institutions has been a struggle against special privileges. It is not won morely by the creation of new forms of government. Against every attempt to make government the instrument of selfish purposes government the instrument of selfan purposes a free people must constantly be on the siert. Every franchise granted by the people is a privitege justified only by consideration of the public welfare and the conditions of its exercise should be such as to insure the per-formance of public obligations. There must be no encroachment on the common right for the purpose of serving the interests of the

(Concluded on Page 3.)