MONDAY, MARCH 23, 1908.

CHECK TENDENCY

TO WASTEFULNESS

YOUTHFUI SENATOR DIES OF TYPHOID

William J. Bryan Succumbs to Fever.

PASSES AWAYSUNDAY MORNING

Seventh Member Claimed by Death in Past Year.

OLDEST AND YOUNGEST GO

Florida's Successor to Senator Mallory Wears Toga but 73 Days. Bright Man Gave Promise of Becoming Force in Senate.

WASHINGTON, March 22 .- United States Senator William James Bryan, of Florida, died at Providence Hospital at 8:30 this morning, of typhold fever. It was only 73 days since he took his seat as successor of the late Senator Stephen R. Mallory, who died December 32, and 33 days of that time was spent in his fight

Several times during Mr. Bryan's illness, his friends, despaired of his recovbut as late as last night the report was given out that his condition taken a turn for the better. His death today, therefore, came as a surprise and

Seventh Recent Death in Senate.

In physique, Mr. Bryan was unfitted to withstand a protracted fever. He was slight in build and of nervous temperament. He came to Washington early in January, from the warm climate of Florida, and from the day of his arrival was far from well. Finally he was comdence Hospital. During the tast few days of his illness he was attended by special ists from Johns Hopkins University, Bal-

In Mr. Bryan the Senate loses the seventh member by death since the adjournment of the 59th Congress on March 4, a year ago. They were the two late me bers from Alabama, Mr. Morgan and Mr. Pettus; Mr. Mallory of Florida; Mr. Lat imer of South Carolina, Mr. Proctor of Vermont, Mr. Whyte of Maryland and

Lost Two Oldest and Youngest.

Curiously, the last two were the oldes and the youngest members of the body Mr. Whyte was 84 and Mr. Bryan less than 32 years old. Although Mr. Bryan was in the Senate too short a time to impress his individuality on legislation or to take a prominent part in the conconceded that had he lived he would have become a forceful part of the minority. Mr. Bryan was born in Orange County Fiorida, October 10, 1876. He attended the College, Georgia, graduating from th latter in 1806. Three years later he was graduated from Washington and Lee Uni-versity and in 1806 began the practice of law in Jacksonville, Fla. Until a short before his appointment to succeed Mr. Mallery in the Senate, he served as solicitor of the Duval County Criminal Court. He was married to Miss Janet Allen, of Lexington, Va.

DEATH IS SHOCK TO FRIENDS

Tributes Paid to Senator From Pulpits of Jacksonville. JACKSONVILLE, Fig., March 22.—The news of Senator William J. Bryan's death

in Washington came as a shock to his numerous friends in Jacksonville, and from the pulpits of many of the churches high tributes were paid to his memory

The funeral will take place Wednesday from St. John's Episcopal Church, of which he was a member, but the hour of the service has not yet been announced.

GOVERNOR GUILD IS WORSE

Physicians Report Patient's Condition Slightly Unfavorable.

HOSTON, March 22 .- The physicians in attendance upon Governor Guild were obliged to report tonight that the condition of their patient had taken a alightly unfavorable turn and that he not be said to be as comfortable

the Governor were on the lips of probably every pastor of every pulpit in the city today. Many expressions of

feen sympathy were given.

There were many who called at the residence today and left kindly measages. A number of messages also were received.

Senator Tillman Improves.

COLUMBIA, S. C., March 22.—United States Senator B. R. Tillman, who has been seriously ill at his home, is re-garded as very much better tonight.

COLONEL FAIRFAX DEAD

Noted Southern Character Closes Well-Rounded Career

home, Leexylvania, Prince William County, in his 50th year. He was a weil-known ber 244 veteran of the Civil War, having held the rank of Colonel in the Confederate Army. In 1884 he succeeded Colonel Zorrell as steamer rescued the survivors.

ranking officer on the staff of General Longstreet. Owing to his dash and gal-antry. Colonel Fairfax has been char-acterized in history as "Longstreet's Colonia and Colonia

acterized in history as "Longstreet's fighting aide."

No personage in Virginia perhaps embedded more uniquely the characteristics of the old-time Southerner than did Colonel Fairfax. Typically a creation of the social conditions that prevailed in Virginia three-quarters of a century ago, his quality had never changed through transition to the new order of Southern life that followed the abolition of slavers.

In 1847, while a student at the University of Pennsylvania, his father died, leaving him one of the largest fortunes of that period. In 1856 he acquired the historic country seat of President James Monroe, near Aldie, Va., and during his residence there entertained many of the most distinguished persons of the ante-bellum period.

bellum period.

bellum period.

In addition to the Monroe homestead.
Colonel Fairfax possessed an estate known as Bell Grove, near Losburg. Va., and still another, the old family home of the Lee family on the Potomac, Leesyl-

vania.

This latter is famed as the birthplace of the Revolutionary hero, "Light Horse Harry" Lee. Colonel John Walker Fairfax was the son of Captain Henry Fairfax, of Dumfries, Va., through marriage



F. G. Young, Who Makes Plea for State University as Instrument of

b.........

Elizabeth Lindsay. His father served in the War of 1812 with the rank of Captain on the staff of Colonel Benno, In the Thirty-sixth Virginia Regiment. Hon. Henry Fairfax, his oldest son, and one of the best-known men in Virginia. makes his home at the old Monroe estate

MAKE BONFIRE OF CLOTHES

CANTONESE DECLARE ROYCOTT ON JAPANESE GOODS.

Indignation Meetings Held and Date of Release of Tatsu Maru Declared Day of Public Mourning.

CANTON, March 22.—The greatest in dignation prevails here against the government for yielding to the Japanese demands in the Tatsu Maru case, it being considered that the government's action in this matter has brought disgrace up this province. The Self Government Soclety of Canton has organized several monster indignation meetings, at which resolutions were adopted that the anni versary of the release of the Tatsu Maru be observed as a day of public mourn The resolutions also declared a hoycott against Japanese goods.

More than 50,000 persons attended the mass meetings held yesterday; buildings were draped in mourning and 20 or more orators delivered denunciatory speeches Among the speakers was a 12-year-old, caused the greatest enthuslasm.

sembled thereupon divested themselves of Japanese-made garments, including caps and handkerchiefs, and made a huge bonfire of them. One dealer in Japanese goods offered to sacrifice his entire stock.

peachment of Yuan Shi Kal of the board of foreign affairs for weakness in yielding to the Japanese.

BOYCOTT QUICKLY SPREADING

Tens of Thousands of Chinese Repu diate Japanese Goods.

HONGKONG, March 3.-The Japane steamer Taim Maru, which went ashore esterday (Sunday), arrived here safely

started a boycott on Japanese goods Placards which were posted throughout Hongkong, stating that a boycott had been ordered, were destroyed by the po-

HUNDREDS PERISH AT

JAPANESE STEAMER SINKS WITH · 244 PASSENGERS.

Mutsu Maru, Coasting Vessel, Is Sunk in Collision-Captain, Crew

and Majority on Boat Lost.

TOKIO, March 33.-The Muten Mara Yusen Kalsha line, was sunk in a colli-RICHMOND, Va., March 22.—Colonel off Todohokke, near Hakedate. The cap-John Walker Fairfax died today at his tain of the Mutsu Maru, a majority of tain of the Mutsu Maru, a majority of

The Hideyoshi Maru and another

REFUSES TO BEAR SHAME IN SILENCE

PORTLAND, OREGON,

Bay City Public Still Debates Court Ruling.

JUDGE ARTMAN IN ARENA

'What Is Morally Wrong Can't Be Legally Right," He Says.

BEATTY ANSWERS ATTACK

Jurist Seeks to Exonerate Fellow Members of Supreme Bench, Schmitz Decision Chief Topic of Heated Arguments.

BY P. A. SINSHEIMER.

SAN FRANCISCO, March 22-(Special.) -The controversy over the decision of the Supreme Court in the Schmitz case will not down. It had been threshed out in the newspapers, the weeklies had added their comments, family harmonies had been disrupted, cafe tables had been pounded in heated debate and then it appeared that everyone had had his say and there were a few days of quiet. All of a sudden the question bobbed up unexpectedly and the debate is on again. An innocent temperance assembly is held responsible for the latest outbreak Judge Samuel R. Artman of the Circuit Court of Indiana was the chief speaker at the assembly. Judge Artman has endeared himself to the temperance workers of the country by his decision ruling against the Houor interests purely on the ground that they were against good morals.

Goads Beatty to Make Reply.

Judge Artman spoke at the assembly was well received. Then he was made the guest of honor at a banquet. Most of the other judges of the city were in attendance. Judge Ariman was asked to speak and he did so. His words reflected directly on the Supreme Court decision and added interest was given the coasion by reason of the presence of Chief Justice Beatty of the Supreme

Judge Artman took the stand that what was morally wrong could not be legally This is somewhat at variance with he ruling of the California court. The reference was so plain that Chief Justice Beatty was called upon for a reply. Justice Beatty took issue with the Indiana jurist and gave it as his theory of the law that a moral wrong might not be a crime under the statutes and that a judge bound to pass upon the law alone could not stretch it to include moral HEARST issues uncovered by statutes. An extract be worth repeating at this time. part of his address which attracted spe

cial attention follows: Moral Wrong Not Legally Right.

state of nature in their conduct toward fellow-men were governed solely by the moral law. Because of the appeties and passions of men it became necessary to fix some means of establishing right on one hand and wrong on the other. In other words, to provide a means of enforcing the noral law.

meral law.

If that he the purpose of government, these principles must be enforced on their own standard and not on others, because to enforce them on any other standard is not to enforce them at all, but to provide a means of evading the standard.

In other words it is impossible for a thing to be morally wrong and at the same time be legally right.

Money for Public Works.

to get its work into tangible shape and of the bond issue has reduced the total to water system, \$5,900,000; sewers, \$4,000,000; chools, \$5,000,000; hospitals, \$2,000,000; hall of justice and County Jail, \$1,000,000; garbage crematory, \$1,000,000. These propositions will be submitted for popular vote in May. The bonds will carry 5 er cent and will run from 20 to 40 years. The numerous other improvements co templated will go over until November when another bond issue will be presented to the people

A problem which threatened to divide the Board has been laid aside temporarily to be submitted later to popular vote have the liquor license raised from \$500 a year to \$1000 a year. The Supervisors were far apart on the matter and an agreement seemed out of the question when a suggestion was made and adopted that the entire matter should be submitted to the people for decision.

Fighting for Cheaper Gas.

Another problem of large proportions before the Supervisors concerns the water Company threatened famine in case the ates were not raised, but the Supervis apparently did not take the threat eriously for the rates were not altered. The gas rate is still undertermined I'wo years ago the Ruef Board of Supervisors took office pledged to 75-cent gas 90-ton coasting steamer belonging to the They took a bribe of \$750 apiece and Ruef and Schmitz each received \$4125 in cosion with the Hideyoshi Maru, 656 tons, sideration for which the rate was place at 85 cents. The gas company has sufoff Todohokke, near Hakodate. The cap- fered misfortunes which have been the common lot in San Francisco and have asked the Supervisors to raise the rates minority report opposed any change. The

EVENTS OF COMING WEEK

publican and three Democratic, will be important factors in this week's news events. On Wednesday Indi-ans Democrats will meet at Indianapolis; North Dakota Democrats will meet at Grand Forks and Tennesses Republicans will gather at Nashville. On Thursday, Illinois Republicans will meet at Springfield. Rhode Island Republicans will meet at Providence and Iowa Republicans at Cedar Rapids.

Work Before Congress,

The death of Senator Bryan of Florida will cause an interruption of the proceedings in the Senate, which will give further delay to a vote on the Aldrich bill. Aldrich hopes to

obtain a vote Wednesday, After giving Monday to husiness pertaining to the District of Commbia. the house will take up the agri-

cultural appropriation bill.

The house special submarine beat inquiry committee will resume its work on Thursday and the Senate committee on naval affairs will give Reuterdal a hearing during the week if he appears.

Taft and Bryan Still Talking.

Secretary William H. Taft and Baron Takahira, the Japanese Am basandor, will address the New Jersey Legislature at Trenton on Monday evening and later will speak before the Trenton Chamber of Com William J. Bryan has been invited to attend the Chamber of commerce dinner, but his presence is not assured. Mr. Bryan expects to deliver addresses in Washington Thursday, Pittaburg Friday, and

Parkersburg, W. Va., on Saturday. The American torpedo-boat flotilla will sail from Panama this week on its journey to Magdalena Bay. Its first port of call will be Acapulco,

b----question is now before the Board. great public campaign for the retention

of 85-cent gas has been begun. Calhoun Gives up Fight.

This week has seen the settlement one of the most difficult problems which onfronted the Supervisors. No carline has been operated on Pacific avenue since the fire. A number of residents desiring the underground conduit system held out against the overhead trolley. They were willing to accept a cable system, but not an overhead trolley. The Pacific-avenue controversy was raging before the fire of April, 1906, and it was this which led to the bribery of the Supervisors.

Rudolph Spreckels lives on Pacific aveue. He fought the proposal of the United Railroads to install the overhead trol-ley. President Calboun of the traction company offered to transfer it into conduit system where it passed Spreckles

After the United Railroads got its blanket franchise from the boodle Supervisors, it was discovered that it did not cover Pacific avenue. Ever since, Calhoun has been endeavoring to get a Pacific-avenue franchise, but the residents have held out against anything but a con duit or cable system. The end came this week when Calhoun agreed to install the cable system.

PROBABLE NOMINEE OF THE LEAGUE FOR PRESIDENT.

Was Independence Candidate for Governor of Bay State-Firm Hater of Standard Oil.

NEW YORK, March 22 .- (Special.)-Thomas L. Hisgen, who was the Hoarst was sprung today by the Hearst papers as a likely candidate for President on the Independence League ticket. However, there is a string to the boom, as Mr. Hearst may be the candidate Hearst may be the candidate himself. The call from the country at large has not yet been insistent enough to induce him to again immolate himself upon his country's altar, but he has hopes.

The independence League will hold its convention immediately following the

Denver convention, and its action determined largely by the results of that Mr. Hisgen, at present the most promi-cent of Hearst's choices, is a native of in diana, and has become prominent through

his attacks upon Standard Oil and other His parents were German, and the trou-bles his father had with Standard Oil caused the son to fight that corporation at every opportunity

RHODE ISLAND UNINSTRUCTED Republican Delegates to Chicago Will Go Unpledged.

ference of the Republican leaders of the state will be held in this city on Tues-day or Wednesday to formulate plans for the Republican State Convention.

While many of the towns have not yet selected the dates for their caucuses for the agents of the ring as the agent of prevalent that when the delegates to the pany in so doing." National Convention are elected by the State Convention they will be unpledged and will be allowed to use their own judg-ment as to how they will vote in the Na-

COUNT INDIANA FOR BRYAN

State Convention Wednesday Will Indorse Him for President.

INDIANAPOLIS. March 22 .- Th Democratic state convention will hold fis first session Wednesday morning at 11 o'clock. Ex-Congressman Robert W. Miers, of Bloomington, will be temporary chairman and will deliver the keynote address. Candidates for all the state offices will be nominated. mittee recommended % cents wille the a platform adopted and delegates to

(Concluded on Page 4.)

OCEANIC TRAFFIC

Commerce Commission Gives Decision.

DECIDES IMPORTANT CASE

So-Called "Baltic Pool" Outside Government Jurisdiction.

OCEAN RATES UNSTABLE

Because of Natural Competitive Conditions, Public Is Best Served by Leaving Water Carriers Unhampered.

WASHINGTON, March 21-A decision. was promulgated today by the Interstate Commerce Commission in one of the most important cases it has been called upon to determine for some time. It is that of the Cosmopolitan Importing Company, a Philadelphia organization, chartered under the laws of New Jersey, against the Hamburg-American Packet Company, the North German Lloyd Steamship Company, the Wilson (Hull) Lines and the Scandihavian-American Lines.

The complainant's petition was filed with the Commission nearly a year ago. Some time subsequently the defendants filed a demurrer, attacking the jurisdiction of the Interstate Commerce Com-

The opinion in the case, which is very voluminous, was prepared by Commissioner Franklin K. Lane.

In brief, and in effect, the Commissio decides against itself. It holds that it has not authority over oceanic transport tation and thus determines the case adversely to the contention of the complainant

Complains of Defendants.

In this case, the complainant alleger that the defendant steamship companies transport traffic under through bills of lading between inland points of the United States and foreign ports, and are thereby subject to the jurisdiction of the mission; that the defendants have made an arm for the pooling of eastbound export traffic maintained by rail to Atlines to points in Denmark, Sweden, Nor way, Finland and German ports in the Baltic: that this so-called "Baltic pool HISGEN from such inland points of the States to such foreign ports via the North Atlantic ports; and that the Hamburg-Booket Company maintains a arbitrarily determines the ultimate rates nonopoly of westbound and eastbound traffic forwarded on the rails on through bills of lading between Germany and other continental countries and inland cities of the United States. The prayer of the petition is that the Commission declare the "Baltic pool" to be an illegal pooling of freights under the interstate ommerce act; that the monopoly of the Hamburg-American Packet Company declared unlawful, and relief be granted to the complainant, which also is a trans-Atlantic steamship company doing freight business between American and continental ports.

In his discussion of the reasons for

the decision, Mr. Lane says: Lacks Jurisdiction on Ocean

"This Commission has no jurisdiction over shipments moving from the country not adjacent, when such ship rail and water from an inland point of origin to a point of transhipment. An Inland movement of export, or import traffic is a condition precedent to the attaching of jurisdiction.

terstate traffic, whether by rail or by a combined rail and water route, from point of receipt to point of de-livery, but the Commission in its control over foreign traffic, whether by rall or by a combination of rail and water carriers, is to the point of trans-

"The pooling of traffic by water car riers is plainly a matter over which this Commission has no jurisdiction. with a line of steamers engaged in foreign commerce with which it may Interchange business as freely as with rall carrier, and it may quote a combined rate for the through movement, the agents of the railroad company acting as the agent of the steamship com

Depends on Ownership. Commissioner Lane's opinion continues

tion of the law that an all-water carrier engaged in carrying freight originating in New York or New Orleans, may en without publishing its rate with this com nission, and so may steamers plying between Seattle and San Francisco, but if such water-carriers are controlled or managed by the same corporation as c trols or manages a rail line, or if be tween a rail and water line there is arrangement for continuous carriage, then the provizions mandatory and prohibitory of the act to regulate commerce, On foreign commerce to a non-adjacent coun-

try the jurisdiction of this comm over the carriers therein engaged ende at the seaboard.

Ocean Carriers Unrestrained.

In conclusion, the opinion says:
"This ruling is the only one which is onsistent with what seems to be the

policy of the law, viz: "That while restriction and a control are essential as are the inland carriers of foreign commerce, the ocean carriers of such commerce should remain unre-strained and free. There is not, and never has been, such a thing as stability of rates upon the water. Perhaps it is not desirable that there should be. The ocean is a highway free to all. No franchise is needed to sall the seas, nor is the establishment of a line of ships founded either in law or economics upon the theory of a public-serving monop road to the state. It may be, therefore that without regulation, and by reaso of natural competitive conditions, the pub-He will be best served, and in the end treated more equitably by leaving the water carriers to foreign lands entirely inhampered by legal restrictions such a

E. Littlefield, of Ohio

the people of this and other lands have

RESIGNS FROM CONGRESS

CHARLES E. LITTLEFIELD WILL

RESUME LAW PRACTICE.

Maine's Representative in Lower

House Finds Public Duties Too

Depressing on His Finances.

COUNSEL FOR WESTERN ROAD.

PORTLAND, Me., March 22 - (Special.) -A close friend of Congressman Littlefield said tonight that the

Maine Congressman had accepted a position as general counsel for a

Western railroad at a salary of \$30,-

ernor Cobb today received a letter from

tendering his resignation as Represen

tative from the Second District of

by Mr. Littlefield's desire to take up

ously interfered with by his Congress-

In the same mail was a communi

District Republican Congressional Com-

mittee, from Mr. Littlefield, in which

resignation as his desire to resume

gree he had been compelled to abandon because of his Congressional

duties. In this letter Mr. Littlefield

"I have been a member of the House

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Political.

YESTERDAY -- Maximum temperat degrees; minimum, 39 degrees. TODAY -- Showers; southerly winds.

his law practice, which in a large de-

ROCKLAND, Me., March 22,-

000 a year.

says:

Conference to Discuss

Natural Resources.

PRESIDENT IS FOR ECONOMY

Has Achieved Much in Forestry and Reclamation Service.

FUEL PROBLEM IS NEXT

If Decisive Steps Are Taken for the Country's Future Welfare, Roosevelt Will Consider It the Climax of Administration.

OREGONIAN NEWS BUREAU, Wash looking forward with keen delight to the conference to be held in this city May 12 and 13, at which he will meet with the Governors of all the states and territories, and with other representative citizens, and discuss, in its broadest sense, the problem of conserving and protecting the natural resources of the Nation for the benefit of future generations. The conference is to be non-partisan and highly representative. Along with the Governors will come such National figures as Grover Cleveland, Andrew Car negle, William J. Bryan, James J. Hill and John Mitchell. There will be others present representing the National Congress, the Supreme Court, the Cabinet and the Inland Waterways Commission. Not all who attend can be heard, but every section will be recognized, and every important resource will be fully

Of all the Presidents of the United States, Theodore Roosevelt is the first to show any grave concern for the welfare of the future. He was the first to realize that the Nation, growing rapidly. was building for today, without regard tomorrow. With apparently bounded resources, capital has been working destruction for the ages to come, intent only upon accumulating dollars for the present generation. Older Nations have learned the necessity of conserving their resources: the President recognized that this Nation must do like wise. Insofar as has been in his power, he has placed restraint upon selfish corporations, but he cannot accomplish all; the states must do much; the people themselves must display a greater inter-

est in this great problem. Saving Nation's Timber.

Appreciating the danger that threatened the lumber industry, the President infused a forestry policy, the wisdom of which is no longer questioned. This policy is intended primarily to preserve the for-Congressman Charles E. Littlefield ate the lumber supply, as a matter of fact, and while there may be details yet Maine. The resignation is prompted to be rounded out, its main objects are being attained. But for the interest displayed by President Roosevelt, forestry would have long since fallen under the ban of politicians, and the problem would

ration to the chairman of the Second What the President has done for forestry is no greater than his accompli ments in the way of reclamation of the deserts. The National irrigation policy the latter gave the reason for his of the present day is a tribute to his foresight and to his determination to bring about what is demanded by the Nation Until he took hold and literally forced through Congress the National irrigation law, the selfish Eastern interests prevented the adoption of this wise policy. The influence of the President made it possible to utilize the waters of many Western streams that had been going

to waste for generations. the country have received much consideration at the hands of the President, and he has been deeply concerned over the fuel supply of the future. The President, conversant with the details of the coal trust that has stifled the Eastern markets, wants to prevent the formation of a Western trust that will monopolise and control the output of Western mines, That problem has not been solved as satisfactorily as the problems of forest preservation and reclamation, and that one of the subjects to be given particular attention at the coming confer-

Fuel Problem Urgent.

The fuel supply is at best very limited; geologists can see the day when the last ton of coal will be mined; a day long before the close of the present century. Some other fuel must be developed, or some substitute which will supply heat and power. Electricity gives the greatest promise, and the development of electricity in a coalless age depends upon water power. The Nation abounds in natural water powers, particularly Pacific Coast and Rocky Mountain states. But far-seeing corporations have busy in the past few years gobbling up waterfalls and other water-power sites with a view to holding them until such time as their use shall become The President would prevent this monopoly; he would hold these power sites from the grasp of corporations, so that future generations may not wake up to find themselves in the grasp of corporations which are today in their in-

The problem of transportation will be considered, and with it the problem

(Concluded on Page 2.)