

LIABILITY BILL APPROVED BY TAFT

Fellow-Servant Doctrine Eliminated; Damages Held Element in Cost.

ARBITRATION IS PROVIDED

President Says He Deems Act "One of Greatest Steps of Progress" in Subject Treated That Has Been Made in Decades.

WASHINGTON, Feb. 20.—President Taft today submitted to Congress the report of the Employers' Liability Commission and the commission's proposed employers' liability and workmen's compensation bill.

The President sets forth that the proposed law not only would insure to employees of railroads engaged in interstate commerce quick adjustment of their claims for damages, but also would relieve the courts of a vast amount of work and enable them to administer judicial affairs with greater dispatch.

"I sincerely hope that the act will pass," says the President. "I deem it one of the greatest steps of progress toward a satisfactory solution of an important phase of the controversies between employer and employee that have been proposed within the last two or three decades."

Reply Made to Objections. The main provisions of the measure are sketched in the message, and Mr. Taft takes up and discusses three objections advanced by its opponents.

"In the first place," says the President, "the question arises whether, under the provision of the commerce clause the bill could be considered to be a regulation of interstate and foreign commerce. That seems to be already settled by the decision of the Supreme Court in the employers' liability case."

"The second question is whether the making of these remedies effective and the compelling of the railroad companies to meet obligations arising from injuries for which the railroad would not be liable under the common law is a denial of the due process of law which is enjoined upon Congress by the fifth amendment to the constitution in dealing with property rights. This question, the report takes up, and, in an exhaustive review of the authorities, makes clear, as it seems to me, the validity of the act. It is sufficient to say that the argument of the commission is most convincing to show that the police power of the Government exercised in the regulation of interstate commerce is quite sufficient to justify the imposition upon the interstate railroad companies of the liability for the injury to its employees on an insurance basis."

Trial by Jury Preserved. The third objection is that the right of trial by jury, guaranteed by the seventh amendment, is denied. As a matter of fact, the right is preserved in this act by permitting a jury to pass on the issue when duly remanded, in accordance with the limitations of the act.

Payments Made Monthly. Monthly payments of death benefits are to be made for eight years, thus: A widow alone, 40 per cent of the monthly wages; widow and child under 18 or otherwise dependent, 50 per cent; any child under 18, or dependent, 25 per cent; and 10 per cent for each additional child; payments, if the widow dies or remarries within eight years to be continued until the child reaches the age of 18, or until the child is married or otherwise dependent. If no widow or children, 15 per cent to dependents in part and 20 per cent to one wholly dependent parent, and 40 per cent if both parents are dependent. In the absence of these dependents, provisions are made for brother, sister, grandparent or grandchild, as dependents, on the basis of 50 per cent of monthly wages for life for permanent total disability, and 50 per cent during temporary total disability. For loss of an arm, payments are to continue 32 months, a leg 24 months, an eye 20 months, a thumb 15 months. No payments are to be made while the employee is at work at wages 90 per cent of those he received at the time of his injury. The commission made provision for the payment of death benefits to employers, for defining the different beneficiaries under the act; for modes of payment of compensation.

Roosevelt in Ray Probe. CHARLES P. TAFT TO BE SUBPENAED IN CASE. Committee Member Says Even President and Chief of Staff May Be Called to Testify.

WASHINGTON, Feb. 20.—Ex-President Roosevelt as a witness in the Ray case was one of the possibilities developed today in the investigation which the House committee on expenditures in the War Department is making into the charges against Major Beecher B. Ray, an Army paymaster.

The committee already has decided to subpoena Charles P. Taft, of Cincinnati, a brother of President Taft.

"I favor calling Theodore Roosevelt and everyone who has had anything to do with the retention of Major Ray in the Army," Representative Diefendorfer, of Pennsylvania, a member of the committee, said. "We ought to know if transportation used the same tactics in this case that he did in fomenting the Panama revolution. The committee intends to go to the very top, whether it be the chief of staff or the President of the United States."

HOOSAC TUNNEL BLOCKED. (Continued From First Page.)

ing fiercely, while tons of rock, loosened by the heat, had fallen on the tracks, blocking the passage so effectively that railroad men said it probably would be days before trains can operate through the tunnel.

DAMAGED PIANOS. Carload just received, all more or less damaged. These must be closed out at once. Don't fail to call and see them before buying. Prices and terms to suit you.

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SELLING IS IN RACE

Portland Man Heeds Plea of Voters of State.

PLATFORM READY SOON

Oregon Lawmaker Receiving Flattering Response From Citizens Over All State Makes Up Mind to Seek Congress Post.

(Continued From First Page.)

pects for the development of this state in every line of activity in the next five years are more promising than they have been for any preceding five-year period in the history of the state.

"Oregon should be represented in Congress by men who are alive and watchful of the public's interests. This can best be insured by electing men who, from a residence in the state, have an intimate and a comprehensive knowledge of the resources of the state and their needs in the way of national legislation.

"I am fully satisfied that as a practical business man, who has lived in Oregon for fifty years, with my every interest and residence in Oregon, and with my experience in public affairs, I am in position to represent the people of Oregon. Within a few days I shall issue a formal statement in which I will discuss at length the principles on which I will seek for the nomination of United States Senator at the hands of the Republican party."

Candidate Always Progressive. Mr. Selling has been actively identified with the growth and development of Portland and Oregon for the last half century. He always has been a progressive in politics and has at all times been foremost in advocating measures of popular legislation. He has served as president of the People's Power League, an organization, of which much of the legislation, enacted by the people under the initiative, was proposed.

Mr. Selling served two terms in the Oregon House of Representatives and at the 1911 session was President of that body. In 1907, when Mr. Selling was last elected to the Senate, he headed the State ticket, and was elected by a big majority. His record as a legislator has always been consistent with progressive principles.

AT THE THEATERS. "HAMLET." THE CAST: Hamlet, Mr. Mantell; Francisco, a soldier, Charles Keene; Bernardo, an officer, Earl Yeacker; Marcellus, an officer, Guy Lindsay; Horatio, friend to Hamlet, Guy Lindsay; The Ghost of Hamlet's Father, John Burke; Polonius, Lord Chamberlain, Alfred Hastings; Claudius, King of Denmark, Lawson Butt; Laertes, son of Polonius, Fritz Leiber; Rosencrantz, a courtier, Lawson Butt; Guildenstern, a courtier, Lawson Butt; An Actor, Earl Yeacker; Another Actor, Harry Kern; A Gravedigger, Edward Lewis; Another, Cyril Tiapa; A Priest, Lawrence Krey; Ophelia, Keith Wakeman; Gertrude, Genevieve Reynolds; The Player-Queen, Agnes Elliott Scott.

BY LEONE CASS BAER. It would be a work of supererogation at this time of day to dwell on the splendid sorrow of Shakespeare's great tragedy of "Hamlet." In all its somber beauty Robert B. Mantell produced the play at the Heilig Theater last night, using Edwin Booth's version, which nothing can drain of its fineness or rob of its mysterious charm.

Probably the first requisite one demands, unconsciously perhaps, in any

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London, 5th Aug., 1905.

I have analyzed most carefully a box of Stuart's Dyspepsia Tablets (which I bought myself at a city chemist's shop for the purpose), manufactured by F. A. Stuart, Esq., 25 Clerkenwell Road, London, E. C., and have to report that I cannot find any trace of vegetable or mineral poisons. Knowing the gastric contents of the tablets, I am of opinion that they are admirably adapted for the purpose for which they are intended.

(Signed) John R. Brooke, F. I. C., F. C. S.

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version of "Hamlet" is a clear and definite note of distinction. Whether or not the melancholy Dane be fat or thin is of no consequence, in comparison with this momentous question of the distinction of his mind. Robert Mantell's Hamlet is hand in glove with a brooding on the insoluble mysteries of life, death and responsibility.

Primarily we feel that his melancholia has its foundation on inconceivable grounds, excused by genius and enforced with eloquence.

Hamlet is, in truth, the one character known to stage literature wherein melancholia is brilliantly justified. Were it otherwise we would, willy nilly, be forced to accept him in accordance with the modern belief that melancholia is but delirium or, at the most, mere indigestion.

Mantell's Dana is in every essential a brooding, somber figure, obviously assuming a madness, and a philosopher. No mere description in printed words can convey the mortal heaviness the actor puts into the lines.

"How weary, stark, flat, unprofitable Seem to me all the uses of this world." And almost perceptible is the flicker of great energy with which he cries, "But break, my heart, for I must hold my tongue."

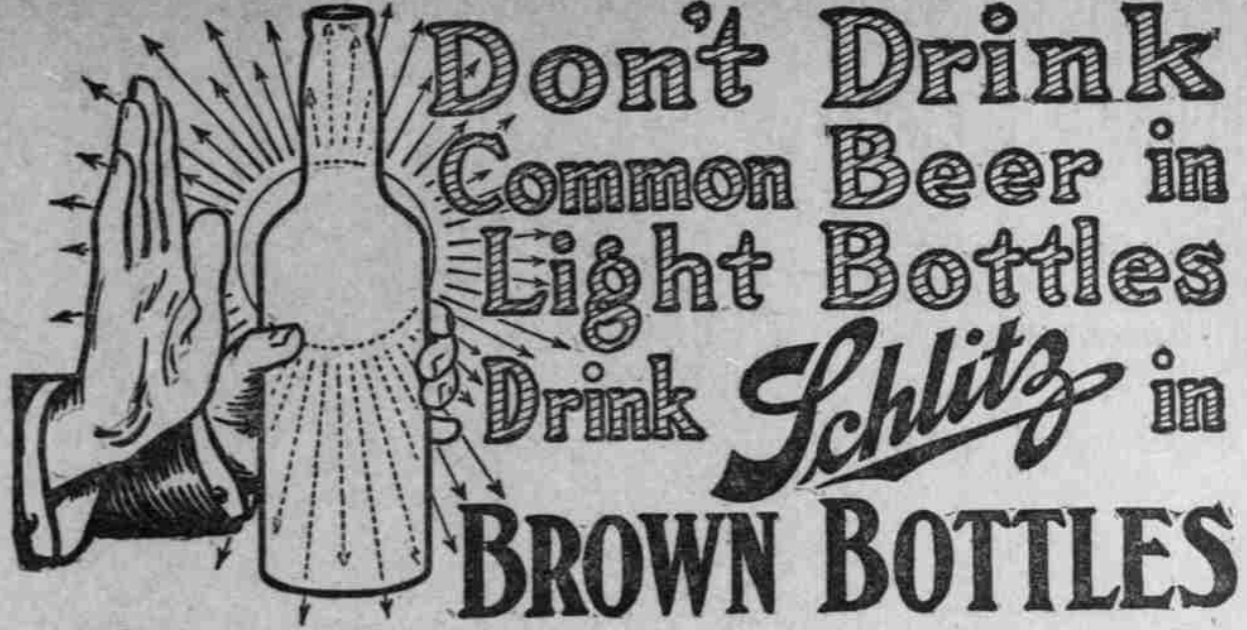
The story of the apparition he takes with eager surprise, standing alert, keen to hear, questioning sharply and quickly: "Armed, you say? From top to toe?" "What looked he? Browning? "Pale or red?" "And fixed his eyes upon you?" each question ringing out. And then, having learned all his messenger's news, he says, as if self-communing, Mantell's Hamlet says: "I would I had been there."

When Horatio says familiarly, "It would have much amused you," the answer comes, "Very like, very like," spoken as if in protest to one who dares intrude upon the inner sanctity of his emotions.

In Mr. Mantell's portrayal the speech beginning "The play's the thing," is carried, and correctly, the idea that Hamlet accedes to the idea of the first thing that he had been thinking of, the appearance of forwarding his plans for vengeance, and not, as many actors portray it, as a general statement.

Mantell's distinction in the apparition scene makes it clear that Hamlet, now, is not so much a philosopher as the son of a dear father, truly slain, and alone in spirit. Hamlet's mental isolation forms the real tragedy.

In his scenes with Polonius, Mantell speaks the lines with iron forbearance and a natural civility heightens the effect of the Dane's bitter wit. Again,



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of real splendor, and was a treat to the eyes of the beautiful. Mr. Mantell will present "Richard" tonight. Tomorrow night "King Lear" is to be given. Friday night will again witness "Julius Caesar" and Saturday matinee, "Hamlet" will be presented. The engagement will close with "Macbeth" Saturday night.

Oregonians when in Europe should visit the OREGONIAN'S LONDON OFFICE. Situated at No. 2 Regent St., S. W.

Impersonator Pleads Guilty. W. K. Irwin, who was recently indicted by the Federal grand jury on a charge of impersonating an Internal revenue officer, appeared in court yesterday and entered a plea of guilty. He was sentenced by Judge Bean to serve six months, which is in addition to the four months that he has been in jail since his original arrest.

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