



TO CONGRESS

President Presents Phases of National Charges.

FORESTRY IS AN ISSUE

Labor Question is Discussed at Considerable Length in Message.

REPRESENTATION FOR ALASKA

President Says Corporations' Attitude Must Be One of Publicity Rather Than of Secrecy in the Future. Other Issues Discussed.

Washington, Dec. 6. To the Senate and House of Representatives:

The nation continues to enjoy noteworthy prosperity. Such prosperity is of course primarily due to the high individual average of our citizenship, taken together with our great natural resources; but an important factor therein is the working of our long-continued governmental policies. The people have emphatically expressed their approval of the principles underlying these policies, and their desire that these principles be kept substantially unchanged, although of course applied in a progressive spirit to meet changing conditions.

The enlargement of scope of the functions of the national government required by our development as a nation involves, of course, increase of expense; and the period of prosperity through which the country is passing justifies expenditures for permanent improvements far greater than would be wise in hard times. Battle ships and forts, public buildings, and improved waterways are investments which should be made when we have the money; but abundant revenues and a large surplus always invite extravagance, and constant care should be taken to guard against unnecessary increase of the ordinary expenses of government. The cost of doing government business should be regulated with the same rigid scrutiny as the cost of doing a private business.

Capital and Labor.

In the vast and complicated mechanism of our modern civilized life the dominant note is the note of industrialism; and the relations of capital and labor, and especially of organized capital and organized labor, to each other and to the public at large come second in importance only to the intimate questions of family life. Our peculiar form of government, with its sharp division of authority between the nation and the several states, has been on the whole far more advantageous to our development than a more strongly centralized government. But it is undoubtedly responsible for much of the difficulty of meeting with adequate legislation the new problems presented by the total change in industrial conditions on this continent during the last half century. In many cases impossible, to get unanimity of wise action among the various states on these subjects. From the very nature of the case this is especially true of the laws affecting the employment of capital in huge masses.

With regard to labor the problem is no less important, but it is simpler. As long as the states retain the primary control of the police power the circumstances must be altogether extreme which require interference by the federal authorities.

I believe that under modern industrial conditions it is often necessary, and even where not necessary it is yet often wise, that there should be organization of labor in order better to secure the rights of the individual wage-worker. All encouragement should be given to any such organization, so long as it is conducted with a due and decent regard for the rights of others. There are in this country some labor unions which have habitually and other labor unions which have often, been among the most effective agents in working for good citizenship and for

uplifting the condition of those whose welfare should be closest to our hearts. But when any labor union seeks improper ends, or seeks to achieve proper ends by improper means, all good citizens and more especially all honorable public servants must oppose the wrongdoing as resolutely as they would oppose the wrongdoing of any great corporation. Of course any violence, brutality, or corruption, should not for one moment be tolerated. Wage-workers have an entire right to organize and by all peaceful and honorable means to endeavor to persuade their fellows to join with them in organizations. They have a legal right, which, according to circumstances, may or may not be a moral right, to refuse to work in company with men who decline to join their organizations. They have under no circumstances the right to commit violence upon those, whether capitalists or wage-workers, who refuse to support their organizations, or who side with those with whom they are at odds; for mob rule is intolerable in any form.

Corporations.

When we come to deal with great corporations the need for the government to act directly is far greater than in the case of labor, because great corporations can become such only by interstate commerce, and interstate commerce is peculiarly the field of the general government. It is an absurdity to expect to eliminate the abuses in great corporations by state action. It is difficult to be patient with an argument that such matters should be left to the states, because more than one state pursues the policy of creating on easy terms corporations which are never operated within that state at all, but in other states whose laws they ignore. The national government alone can deal adequately with these great corporations.

A recent speech by the president of one of our great railroad systems to the employees of that system contains (Continued on Page Four.)

SENATE IN SESSION

Hears the Reading of President Roosevelt's Message.

PENNYPACKER ON MORALS

If Senator Knox Is a Good Boy He Can Have His Job Until the Meeting of the Next Legislature—Senators Smile.

Washington, Dec. 6.—The senate was in session more than two hours today, and in addition to listening to the reading of the president's message, received the preliminary report of the merchant marine commission, also witnessing the induction of Senators Knox and Crane to office.

The reading of the commissions of the two senators was attended with more than ordinary interest on account of their prominence, and the senators, generally, did not fail to note the peculiar wording of Governor Pennypacker's communication in which he conferred the office of senator upon Mr. Knox, empowering him to hold it with all emoluments and privileges until the next meeting of the legislature of the state with the proviso: "If he shall so long behave himself well."

Following this, the presidential nominations were referred to the appropriate committees. The nominations were as follows:

Attorney general, William H. Moody, Massachusetts.

Postmaster general, Robert J. Wynne, Pennsylvania.

Secretary of the navy, Paul Morton, Illinois.

Secretary commerce and labor, Victor J. Metcalf, California.

Consul at Canton, China, Henry B. Miller, Oregon.

Judge district court, Alaska, Royal A. Gunnison, New York.

Chief justice supreme court, Hawaii, Walter P. Frear, Hawaii.

Commissioner Indian affairs, Francis E. Leupp, District of Columbia.

Governor Alaska, John G. Bradin, Alaska.

Surveyor general of Alaska, William L. Distin, Illinois.

John D. Rockefeller, Jr., will take a rest. He will not have a monopoly on that pleasure, however, as his Blue class will get one, too.

ALL CONVICTED

Federal Jury Finds Against Land Fraud Defendants.

MARIE WARE EXEMPTED

McKinley and Confederates Now Face a Term in State's Prison.

HENEY ROASTS THE DEFENSE

Jury Only Requires 35 Minutes in Its Deliberation and Returns a Verdict Soon as a Ballot Can Be Taken.

Portland, Dec. 6.—In almost record time the jury in the federal court this afternoon returned a verdict against the principal defendants in the land frauds trial, and the famous case came to an end.

Marie Ware, upon the instruction of the court, was exonerated, but S. A. D. Puter, Horace G. McKinley, Emma Watson and D. W. Tarpley stand convicted of conspiracy to defraud the United States government.

Day commenced with a closing argument, and then followed in the behalf of the government. For over two hours Heney spoke without ceasing, and the defendants writhed under the scolding he received from the prosecuting attorney, pregnant as his remarks were with bitter sarcasm and denunciation for the prisoners and their attorneys.

The attorneys for the defense came in for their share of exhortation for the manner in which they have conducted their case, and, step by step, fact by fact, Heney analyzed the pertinent points in the case and his argument will make him famous in the annals of criminal trial in Portland. His argument was closed by an earnest appeal to the jury to return a verdict against the guilty defendants, and he asked that none be spared, and that no compromise be taken of the fact that among them were women. Mrs. Watson was one of the accused persons.

It was noon when Heney finished. At 2 o'clock Judge Bellinger delivered his charge to the jury, and in it he consumed but ten minutes. The jury retired to deliberate and at 2:50 they returned.

"Gentlemen," asked the court, "have you agreed upon a verdict?"

"We have, your honor," and the balliff handed the verdict to the court, who passed it to the clerk.

"We, the jury," read the clerk, "find the defendants, Emma L. Watson, S. A. D. Puter, Horace G. McKinley, D. W. Tarpley and Frank H. Wolgamut guilty of the crime of conspiracy to defraud the government of a part of the public land—township south 11, range 7 east, as charged. We find defendant Marie L. Ware, not guilty."

"Is that your verdict, gentlemen?" asked the court.

"It is," was the reply of the foreman, and the long trial was a thing of the past.

Heney's Excoriation.

In his address Heney said: "Now we come to another phase of the situation. We brought Governor Richards out here at great expense, the defense says, for the purpose of attacking Herrmann. What we did it for was this, we wanted to prove that Herrmann transmitted the two false affidavits which Puter and Watson introduced at Washington, and that Mrs. Watson was living with Puter."

"All of this talk about \$100,000 prosecutions is absurd," declared Mr. Heney, taking up another phase of the defense's argument. "We have brought here any person we deemed necessary because the government of the United States is in earnest in this case for the purpose of stopping the robbery of its public lands, and not for the purpose of convicting these defendants for the mere sake of securing a conviction."

"The defense," thundered Mr. Heney, "asked us why we didn't get after the big corporations whom, it was stated, had robbed the country of more land

than these defendants ever thought of. We propose to stop the stealing of public lands whether the conspirators be railroads, or United States senators, or surveyor generals, or governors, or congressmen, or corporations. And if the actions of these defendants are but a cloak to conceal the operations of a corporation, we will find it out.

"Now let us come to the next thing," continued Mr. Heney, his eyes flashing and his tone that of a man in deadly earnest. "It is charged here by the defense that I have unnecessarily dragged into this case the private life of the defendants. I say I, because I want to assume the entire responsibility for bringing that class of evidence into this case. I was to blame for it, although John Hall would not say it."

"They say it is a shame and a disgrace to bring the private lives of the defendants to the light when it was unnecessary for our case. Gentlemen of the jury, they even went so far as to drag the name of Joel Ware into this case, a man who was loved by everybody who knew him and whose reputation for honor, honesty and integrity was almost a proverb in the community in which he lived. Gentlemen of the jury, Joel Ware is looking down from heaven today crying for vengeance upon the man who dragged his fair, young daughter down into the mire of crime and degradation. I refer to Horace McKinley."

"There is no man on the face of this earth who deplores more than I that the name of any woman should be dragged into a criminal case. Why was it done, you ask yourselves, and the defense asks the same question. Why was it brought into this case, and why have the defense kept away from it? What is the story?"

"Puter and Watson were in Washington making false affidavits. She said that she had borrowed money and was about to lose the lands she had mortgaged. We had to show that Watson and Porter were the same person, and (Continued on Page 5.)

FORTRESS HOLDS OUT

St. Petersburg Officials Say the End Is Not Yet.

BATTLESHIPS BELIEVED SAFE

Japanese Reports of Losses of Russians Before 203-Meter Hill Ridiculed As Being Impossible—Other War News.

St. Petersburg, Dec. 5.—Although the war office and the admiralty are still without direct news from Port Arthur, a confidence in the ability of the fortress to hold out is still expressed.

Reports from Tokio of the shelling of battleships and the recapture of 300-Meter hill are considered misleading. According to high officer of the general staff, warships would be able to seek shelter from firing from 203-Meter hill by anchoring behind Antse hill peninsula.

Reports that the Russians are clearing the mine fields outside the harbor is taken as evidence that the squadron is preparing to move out to this anchorage to secure the protection of the shore batteries.

Tokio's reports of the loss of 3000 men in the attempt to recapture 203-Meter hill is ridiculed in view of the counter attacks being made when the loss of 300 men would have crippled resistance.

Tokio, Dec. 6 (Noon).—The Russians are nightly attacking 203-Meter hill in a determined endeavor to retake the summit of the ground in contention.

The Japanese are increasing their defenses on the position and have succeeded so far in repelling all the assaults. The Russians have suffered the heaviest losses, and it is estimated that they have sacrificed 2000 men in an effort to recapture the ground, which the Japanese are confident in their ability to hold. Observations indicate that the garrison is feeling the shortage of men.

The works against the forts on Sung Shu mountain, eastward, are progressing speedily and all indications point to an early general assault, although the date when it will begin is kept secret. It is expected that the next general assault will prove successful.

GIRL'S PLIGHT

Found Unconscious in the Streets of Portland.

NOT IDENTIFIED AS YET

No Evidence of Poison Is Revealed by the Physicians' Examination.

GIRL WORE GOOD CLOTHING

Case Is a Mystery as no Identification Could Be Secured During the Day—Case May Be One of Assault.

Portland, Dec. 6.—Unconscious, but bearing no marks of violence or indications of having taken drugs, a woman was found lying beneath the trees at Beech and Gantenbein streets at 7:30 o'clock this morning. She has not been identified. She has been taken to Good Samaritan hospital and it is thought she will recover.

At a late hour this afternoon the woman gave signs of regaining consciousness. There is nothing about her whereby she can positively be identified and the authorities are waiting impatiently for her to tell the story of how she came to be in the plight in which she was discovered.

A. H. Boyland, general agent for the International Harvester Company, who resides with his father-in-law, T. C. Boorn, on the opposite corner from the vacant lot where the woman lay, found her when he started to his office this morning. She was carried into the house, where she was attended by Dr. W. B. Hamilton of 430 Williams avenue.

When found, the woman was suffering light convulsions, but her clothing was in no way disarranged. It was at first thought she had taken poison, but examination of the contents of the stomach failed to reveal the presence of any drug. She appeared stupefied and dazed.

The woman was well-dressed and apparently was enjoying prosperity. On her handkerchief, which had a black border, was worked "Orgele." About her neck was a short gold chain, to which was attached a gold locket. On this locket were the initials, "F. H." Those marks were the only things about her that supplied a clue to her identity.

She is a woman about 25 years old and was wearing a gold wedding ring. Her hands are calloused, as though she had been doing hard work. Her shoes are new, possibly being worn for the first time. Her hair had been bleached. She was wearing a dark, heavy coat, nearly new, with a silk shawl over her shoulders. Her headgear was a crush traveling hat, and when found she was using that for a headrest.

In her purse, which lay beside her, was found \$4.20, but no papers of any kind. The laundry mark on her collar appeared to be "F. A. 3."

A careful search of the lot in the vicinity of where she was found did not reveal anything.

"I think the woman will regain consciousness," said Dr. Hamilton this morning. "I gave her medicine to stop the convulsions and her pulse is considerably better. She may not revive before tomorrow."

Fifteen Killed at Football.

Des Moines, Dec. 6.—Calvin Farmer, of Sac City, Iowa, seventeen years old, is dead as the result of injuries received in a football game with the team from Lake City on Thanksgiving Day. The lad was playing left half-back, and was thrown while carrying the ball, injuring his stomach. Peritonitis developed later.

Fourteen deaths from football had occurred this year, up to yesterday.

Farmer's is the fifteenth. Thirteen fatalities were caused by the game last year.

BIG DIAMOND STEAL.

Vancouver Man Victimized in Sum of Ten Thousand Dollars.

Vancouver, B. C., Dec. 6.—A. Lowe, a jeweler, reported to the chief of police today that his store had been robbed of ten thousand dollars worth of diamonds last night. He stated that he believed that he knew who had taken the gems and thought the man would probably go to Seattle whither he has followed the suspected man.

Handsome Gift.

New York, Dec. 6.—A full length portrait of Baron Arnold Leroy, executed by the great painter, Anton Van Dyck, has been presented by George A. Hearn to the Metropolitan Museum of this city. It is valued at \$45,000 regarded as one of the most important and interesting examples of the great Dutch painter. The canvas was imported about two and a half years ago. It was probably painted about 1630 and belonged to the artists so-called Genoese period.

Argentine Students.

Ithaca, N. Y., Dec. 6.—Two members of the International Council for the promotion of Women's Ernestina and Elvira Lopez, of the Argentine republic, have arrived at Cornell, where they will study the system of coeducation of women. They will remain as students in the university for several weeks, when they will go to Harvard to study the system there.

Secretary Shaw says money is cheap and plentiful. He evidently had been circulating around among his party friends who had just collected their election bets.

MORE RACE SUICIDE

Germany Is Committing it at Rapid Rate.

BIRTH RATE ALARMS OFFICIALS

Statistical Bureau Says the Outlook for a Satisfactory Flight of the Storks Is Anything But Promising.

Berlin, Dec. 6.—Official statistics covering 26 years show a steady and noticeable decrease in the birth rate in the large cities in Germany, in spite of the fact that the marriage rate is higher than in cities of less than 100,000 inhabitants and in the country. Berlin which passed the two million mark in December, presents the heaviest decrease in the birthrate. In the period from 1896 to 1900 it averaged 28.9 against 44.9 from 1875 to 1890.

The highest birth rate is in the great industrial centers of the Rheinisch province. In Essen the average is 47.7 and in Cologne 40.2. The marriage rate is highest in Berlin, 21.9 and in the other great cities it is 17.21 per thousand.

The statistical bureau points out that this portends a considerable falling off in the national birth rate, the decline in the great cities with an increasing proportion of people and a high marriage rate are most important in the general effect.

MARKETS

New York—Silver, 59 1-8.

Union Pacific, 114, preferred 95.

Chicago—December wheat opened at \$1.11 3-8; closed at \$1.10 7-8; barley 42@51c; flax \$1.13; northwestern, \$1.27 1/2.

San Francisco—Cash wheat, \$1.50.

Portland—Wheat for export, Walla Walla, 80c; bluestem, 85c; milling, Walla Walla, 81c; bluestem, 88c; valley, 87 1/2c. For eastern markets, Walla Walla, 85c; bluestem, 90c.

Tacoma—Wheat, bluestem, 89c; club, 86c.

Tacoma—Wheat, club, 86c.

A man has recently died in Missouri at the advanced age of 104. It is stated that he was an "Old Hickory" democrat, and that his life was cut short by the election returns from Missouri.