



## PRESIDENT'S MESSAGE

### Calls Attention for Legislation on Anarchy.

### THE SHORTEST MESSAGE

### He Transmits a Report Reviewing the Legal Phases by Attorney General Bonaparte.

### THE ENEMY OF ALL MANKIND

### No Paper Published Here or Abroad Should be Permitted in Circulation in This Country if it Propagates Anarchistic Opinions.

In one of the shortest messages which he has yet transmitted to Congress, President Roosevelt today called the attention of that body to the necessity for further legislation on the subject of anarchy. With the message he transmitted a report reviewing the legal phases of the question by Attorney-General Bonaparte. The message of the President is as follows:

"To the Senate and House of Representatives:

"I herewith submit a letter from the Department of Justice which explains itself. Under this opinion I hold that existing statutes give the President power to prohibit the Postmaster-General from being used as an instrument in the commission of crime, that is to prohibit the use of the mails for the advocacy of murder, arson and treason; and I shall act upon such construction. Unquestionably, however, there should be further legislation by Congress in this matter. When compared with the suppression of anarchy, every other question sinks into insignificance. The anarchist is the enemy of humanity, the enemy of all mankind, and his is a deeper degree of criminality than any other. No immigrant is allowed to come to our shores if he is an anarchist; and no paper published here or abroad should be permitted in circulation in this country if it propagates anarchistic opinions.

"Signed,

"THEODORE ROOSEVELT.

"The White House, April 9, 1908.

Besides his direction to the Postmaster General to exclude from the mails such publications as "La Question Sociale," President Roosevelt in his letter to Attorney-General Bonaparte asking for an opinion on the legal phase of the subject says he has the particular case called to the attention of the Governor of New Jersey by Sec. Root, the governors may proceed under the state laws. The opinion of the attorney-general which the President transmits to Congress embraces the discussion of the whole subject from many angles.

His first conclusion are that the articles in question which advise the use of arms and dynamite for the purpose of annihilating the police and other officials in order that anarchy may prevail constitutes a "seditious libel" and undoubtedly "a crime at common law."

He declares that there is no federal statute which makes such publications an offense against the United States and that the Federal courts consequently have no jurisdiction in the matter. That there is full power in the possession of Congress to make such publication criminal the attorney-general asserts and quotes Chief Justice Fuller of the supreme court end Justice Field as authority.

The greater portion of his opinion

is devoted to the question whether in the absence of any legislation by Congress the postmaster-general has the right to exclude such publications. On this point his conclusion is correct.

The postmaster-general will be justified in excluding from the mails any issue of any periodical otherwise entitled to the privileges of second class mail matter which shall contain any article constituting a seditious libel and counseling such crimes as murder, arson, riot and treason."

In arriving at the latter conclusion the attorney-general makes a clear distinction with reference to the authority of postal officers over sealed and unsealed mail. In conveying letters and newspapers to persons to whom they are directed he says the United States "undertakes the business of a messenger."

He adds: "Insofar as it conveys sealed documents, its agents not only are bound not to know but are expressly forbidden to ascertain what the purpose of such messages may be; therefore neither the government nor its officers can be held either legally or morally responsible for the nature of the letters to which they thus in ignorance afford transportation. But in the case of printed matter intended for general circulation which by virtue of the statutes above mentioned, and in consideration of reduced rates at which it is transported the officers of the postoffice department have the legal right to thoroughly inspect, it seems obvious that neither these officers nor the government which employs them can escape responsibility for the consequence if knowingly transporting matter which becomes and which they must know might be treasonably become a cause of crime.

## M'GREGOR THE MAN

### Fulton Wires Ellis and Bourne Favoring Astoria Capitalist.

### FOR COLLECTOR OF CUSTOMS

### Senator Bourne Says McGregor is Unknown to Him and he Will Take No Action Until He Further Investigates.

WASHINGTON, April 9.—Senator Fulton telegraphed Representative Ellis today that he favored the appointment of William F. McGregor as Collector of Customs at Astoria, to succeed C. W. Carnahan, deceased. Representative Ellis will join Senator Fulton in indorsing Mr. McGregor, but before filing his recommendation will endeavor to find Senator Bourne and ascertain his desires. In view of the fact that the vacancy occurred in Senator Fulton's home town, it is believed his candidate will be accepted by Senator Bourne. In any event, Senator Fulton and Representative Ellis constitute a majority of the delegation entitled to be consulted on his appointment, and their choice is binding on Senator Bourne.

Senator Bourne also received a telegram from Senator Fulton advising him of the death of Mr. Carnahan, and his indorsement of Mr. McGregor. Senator Bourne says that McGregor is unknown to him, and he will take no action in the case until he has an opportunity to acquire more information.

### GOLD MINE PROSPECTORS.

VICTORIA, B. C., April 9.—Carrying a party of miners to develop a gold mine found on Klaskino Inlet on the West Coast of Vancouver Island for Lieut. Gov. James Duns-muir, the tug Pilot left port yesterday. Prospectors who have visited the mines say there are evidences there of primitive workings, probably by Spaniards during the Spanish occupancy of this coast.

## LIABILITY BILL PASSED

### Without Amendment and Without a Division.

### DOES NOT BAR RECOVERY

### Many Amendments Were Offered to the Bill but All Were Voted Down.

### BILL ABOLISHED COMMON LAW

### It Relaxes the Rule Which Makes Contributory Negligence a Defense to the Claims for Injuries and Permits an Employee to Recover.

WASHINGTON, April 9.—The bill relating to the liability of common carriers by the railroads passed by the House, April 6, was today passed by the Senate without an amendment and without a division. The Senate bill on the same subject was confined to railroads but covered all forms of common carriers and Senator Dolliver sought to substitute it for the House bill but his motion was defeated. Numerous amendments were offered to the bill, but they all were voted down. As passed the bill is expected to meet the objections of the United States supreme court to the liability law of 1906. The bill abolishes the strict common law liability which bars the recovery for personal injury or the death of an employe occasioned by the neglect of his fellow servants. It also relaxes the common law rule which makes contributory negligence a defense to the claims for injuries and permits an employe to recover. The bill does not bar recovery even though the injured one contributed by his own negligence to the injury. The amount of recovery, however, is diminished as the negligence of the injured increases. During the discussion of the measure there was an extended reference to campaign contributions by the railroad men and especially to the Harriman contribution to the Republican party fund of 1904. The bill is now ready for the President's signature.

### AMERICAN INTERVENTION.

### State Department Says Policy is Hands Off.

WASHINGTON, April 9.—"What grounds has the United States to intervene in Hayti?"

This is the response made by the officers of the State Department to inquiries regarding the reported desire for American intervention in the affairs of the turbulent island government. That the United States has no ground to intervene is made clear here. The only exception to this would be in case American interests were put in jeopardy. The intention to keep our hands off in Hayti is in accordance with the general and broader policy which has been adopted to govern American diplomacy, that of discouraging revolution in the Western Hemisphere.

### "LOVES OLD SWEET SONG."

### Had Music Transposed From "C" Major to "A" Minor.

CHICAGO, April 9.—What amount of money a musician should receive for fifty hours spent in transposing the music of a love song by Mrs. McDonald from "C" major to "A" minor

was a question Judge Lantry was called to decide yesterday. After hearing the testimony of Mrs. McDonald, the musician Hans Biedermann, experts and others and the reader of the poem which gained notoriety when the widow of the late Michael McDonald was arrested for the murder of Webster Guarin, the court announced \$5 a fitting recompense.

Two years ago Mrs. McDonald wrote some verses entitled "I will Aton." She decided to set them to music and received the promise of a prominent vaudeville actress to sing them. Hans Biedermann, director of a musical college, said he had been asked to do the work for Mrs. McDonald in the latter part of 1905.

### GASTLY EXHIBIT.

### Hair and Scalp of Murdered Woman Displayed as Evidence

OAKLAND, Cal., April 9.—The ghastly display of the scalp and hair of a woman who had been dead for nearly a year was presented in Judge Melvin's courtroom this morning in the trial of Mark A. Wilkins, charged with the murder of Mrs. Vernie Carmin, the runaway wife of L. L. Carmin, of Kansas City. The scalp and hair were exhibited by the physician as proof. The defendant watched the exhibit without an outward sign of feeling.

### TO BRING BACK SWINDLERS.

SAN FRANCISCO, April 9.—Detective Ryan will leave for Hoboken, N. J., to-day to bring back Mr. and Mrs. Wm. Kluegalias Kraus, alias Meyer, who, it is charged, victimized Fritz Plaen, an elevator man, in the Monadnock building, out of nearly a thousand dollars in January last.

## CAUGHT NAPPING

### Democrats Catch the Republicans Off Their Guard.

### FORCED TO PRODUCE QUORUM

### The Senate Bill to Increase the Efficiency of the Revenue Cutter Service Was With Democratic Help Passed—Cannon Applied Reed Rule.

WASHINGTON, April 9.—Three times today in the House the Democrats caught the Republicans napping and forced them to produce a quorum. On one other occasion the vote by tellers disclosed the absence of a quorum, but Speaker Cannon promptly applied the Reed Rule and secured a quorum to be present. In doing so Cannon had a brief but lively clash with Williams. Notwithstanding the repeated roll call progress was made in the transaction of public business. Both the army and fortification bills were sent to a conference. The Senate bill to increase the efficiency of the revenue cutter service was with Democratic help passed and the bill to promote the safe transportation of interstate commerce explosives was considered. It will be finally disposed of tomorrow. The Democrats prevented the adoption of a conference report on the Indian appropriation bill and caused it to be sent back to a conference. At five o'clock the House took a recess until tomorrow.

### TRIAL OF FORD.

SAN FRANCISCO, April 9.—The third trial of Tiry L. Ford on the charge of bribing the supervisors in connection with the granting of trolley franchises to the United Railways was begun before Judge Lawlor today. Of the 22 veniremen examined the prosecution challenged 15 for cause. The defense challenged only one.

## HELD UP BY DESPERADOES

### Traveling Man Held Up by Seven Men.

### THE MARSHAL SHOT

### The Drummer Reported Facts to Town Marshal Miller Who Went to Arrest Them.

### THE FIRE BELLS WERE RUNG

### As the Marshal Approached, the Men Opened Fire Shooting Miller in the Hand and in the Stomach and he Will Probably Die.

### MRS. EVANS ARRIVES.

### Admiral Much Cheered by Coming of His Wife and Daughter

PASO ROBLES, Cal., April 9.—Mrs. Evans and her daughter, Mrs. Marsh, arrived this evening and joined Admiral Evans at the Hot Springs. Their coming has cheered him greatly and will have, it is said, a good effect.

### HUGHES VIGOROUS PROTEST.

### The Anti-Gambling Law Isn't Dead—Will Call Special Session.

ALBANY, N. Y., April 9.—Any expectation that a lull would follow the storm of yesterday in the Legislature when the Senate by a tie vote defeated the anti-race track gambling legislation advocated by Governor Hughes was dispelled at the opening of the session this morning in a dramatic fashion. Hardly had either House convened before the secretary to Governor Hughes marched up the aisle with a communication in writing from the chief executive. When read in each House, the "Communication" proved to be a special message couched in the governor's most direct and vigorous style, declaring first, that yesterday's vote in the Senate could not be regarded as disposing of the anti-gambling question and also calling attention to several other matters upon which the Governor believes the Legislature should pass upon before the final adjournment. Almost simultaneously with the sending of the message to both

Houses caused it to be made known that it was his intention to proclaim a special election, possibly on May 12, in Niagara, in the Orleans district, to fill the vacancy caused by the death of Senator Franchet. At the same time he put forth also an intimation that he will probably call an extra session of the Legislature to convene on Monday evening, May 11.

### HENEY LEAVES FOR NORTH.

SAN FRANCISCO, April 9.—Francis J. Heney left tonight for Portland. His mission to Oregon is not known but it is stated he will make a reply to the statements made by United States Senator Fulton recently. District Attorney Langdon and Assistant District Attorney O'Gara will conduct the trials of Ruef and Ford now under way, during the absence of the special prosecutor.

PORTLAND, April 9.—Francis J. Heney will speak in this city next Saturday night under the auspices of the municipal league at which time it is expected he will go further into the controversy with Senator Fulton. At the time Heney delivered his good government address here several weeks ago, he said he would later have something more to say regarding Fulton. The news that he has started for Portland, therefore, was not wholly unlooked for.

### ABSOLUTE DIVORCE.

NEW YORK, April 9.—Referee McClure tonight filed his report in the case of Mrs. Alfred G. Vanderbilt who has brought suit for divorce from her husband. The report will be handed up to the supreme court next Monday. While official confirmation is lacking, it is reported that the referee recommends that an absolute divorce be granted.

## COMING TO OREGON

### Francis J. Heney to Deliver a Speech in Salem.

### NOTIFIES LAWYER McMAHAN

McMahan is the Attorney Who is Representing J. S. Smith, the Complainant in the \$5000 Slander Suit Against Senator Fulton.

SALEM, Or., April 9.—Francis J. Heney today telegraphed L. H. McMahan, of this city saying that he would be in Salem to deliver a speech on April 12. McMahan is the lawyer who is representing J. S. Smith, the complainant in the \$5000 slander suit growing out of Fulton's denial of the truth of an affidavit read by Heney during his speech in Portland several weeks ago. The affidavit was made by Smith and it made serious charges against Fulton.

### TREATIES SIGNED.

### Three Treaties Signed Between Mexico and Honduras.

MEXICO CITY, April 9.—Three treaties between Mexico and Honduras were signed at the foreign office yesterday by Gen Policarpo Bonilla, minister of Honduras and Federico Gamboa, sub-secretary of foreign affairs for Mexico.

The first treaty is for commerce and friendship. The second, extradition, and the third, a postal convention.

Minister Bonilla and Dr. Madriz, who were the central American delegates sent to Mexico, to thank President Diaz for his part in bringing about the Washington conference will leave tomorrow for Salinas Cruz, where they will sail for Amapala on board the Mexican gunboat Tampico.

### BASEBALL SCORE.

At San Francisco—San Francisco 8, Portland 1.