

# THE DES MOINES, IOWA, CAPITAL SAYS:

These figures speak for themselves. There is only one morning paper in St. Paul, there is only one in Detroit. There is only one in Seattle, one in Portland. Morning papers have been on the decline for several years. The Capitol is as good a newspaper in Des Moines as the News in Detroit or the Dispatch in St. Paul. It regularly leads its morning competitor in circulation and advertising. But there are some advertisers yet who choose a morning paper as a fetch without regard to circulation or results.

The Evening News of Detroit writes: "For the nine months ending September 30, 1907, our daily paper carried 268,226 inches of advertising, while our only morning competitor carried 148,174 inches. These figures speak for themselves." There is only one in Seattle, one in Portland. Morning papers have been on the decline for several years. The Capitol is as good a newspaper in Des Moines as the News in Detroit or the Dispatch in St. Paul. It regularly leads its morning competitor in circulation and advertising. But there are some advertisers yet who choose a morning paper as a fetch without regard to circulation or results.

**THAT WHICH IS TRUE IN DES MOINES, DETROIT, ST. PAUL, IS GETTING TRUE IN PORTLAND**

# Oregon Daily Journal

**JOURNAL CIRCULATION**  
YESTERDAY WAS  
**29,600**

**Real Estate for Sale? Business for Sale?**  
Advertise in The Journal—Order Your Sunday Journal Ads Today.  
The weather—Fair tonight and Saturday; easterly winds.

VOL. VI. NO. 284. PORTLAND, OREGON, FRIDAY EVENING, JANUARY 31, 1908.—SIXTEEN PAGES. PRICE TWO CENTS. ON TRAINS AND NEWS STANDS FIVE CENTS

# ROOSEVELT DEFENDS HIS POLICY

## PRESIDENT'S MESSAGE DENIES THAT ADMINISTRATION BROUGHT ON PANIC

### Takes Rap at Stock Gambling, Scores Corporations and Advises That Employers' Liability Act Be Revised. Upholds "Proper Injunctions".

Washington, Jan. 31.—President Roosevelt sent his first of a series of special messages to congress today. The message was somewhat of a disappointment to party leaders, as they had expected that he would give an inkling as to what policy he would pursue in the approaching campaign.

The president reviewed the employers' liability act, touching on the supreme court reversal, and advised that the act be so amended that it might serve the purpose for which it was framed and escape legal disapproval.

The policy of the administration during the recent panic was upheld and indirect denial made that the administration was in any manner accountable for the flurry, the blame being attached to stock gambling and corporate influence on the money market.

Washington, Jan. 31.—To the senate and house of representatives: The recent decision of the supreme court in regard to the employers' liability act, the experience of the interstate commerce commission and of the department of justice in enforcing the interstate commerce and anti-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 should be additional legislation in regard to the relation of labor and capital between the great corporations and the public.

The supreme court has decided the employers' liability law to be unconstitutional because its terms apply to employees engaged wholly in intrastate commerce as well as to employees engaged in interstate commerce. Upon substantially majority the court held that the congress has power to deal with the question insofar as the interstate commerce is concerned. As regards the employers' liability law, I advocate its immediate reenactment, limiting its scope so that it shall apply only to the class of cases as to which the court says it can constitutionally apply, but strengthening its provision within this scope. Interstate employment being thus covered by an adequate law, the field of interstate employment will be left to the action of the several states.

**For Government Employees.**  
I also very urgently advise that a comprehensive act be passed providing for compensation by the government to all employees injured in the government service. Under the recent law an injured workman in the employ of the government has no remedy, and the entire burden of the accident falls 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 atone for such misfortune when it comes upon a man through no fault of his own while faithfully serving the public. The same broad principle which should apply to the government should ultimately be made applicable to all private employers. Where the nation has the power it should enact laws to this effect.

There is a special bill to which I call your attention. Secretary Taft has urgently recommended the immediate passage of a law providing for compensation to employees of the government injured in the work of the Isthmian canal and that \$100,000 be appropriated for this purpose each year. I earnestly hope this will be done.

As regards the rights and wrongs of labor and capital, from blacklisting to boycotting, the whole subject is covered in admirable fashion by the report of the anthracite coal strike commission, which report should serve as a chart for the guidance of both legislative and executive officers. Even though it were possible I should consider it most unwise to abolish the use of the process of injunction. It is necessary in order that the courts may maintain their own dignity, and in order that they may in effective manner check disorder and violence.

**Injunctions Wrongly Used.**  
It is all wrong to use the injunction to prevent the entirely proper and legitimate action of labor organizations in their struggle for industrial betterment, or under the guise of protecting property rights unwarrantably to invade the fundamental rights of the individual. It is futile to concede, as we all do, the right and the necessity of organized effort on the part of the wage-earners, and yet by injunctive process to forbid peaceable action to accomplish the lawful object for which they are organized and upon which success depends.

It is my purpose, as soon as may be, to submit some further recommendations in reference to our laws regulating labor conditions within the sphere of federal authority. Not only should there be action on certain laws affecting wage-earners; there should also be such action on laws better to secure control over the great business concerns engaged in interstate commerce, and especially over the great common carriers. The interstate commerce commission should be empowered to pass upon any rate or practice on its own initiative. Moreover, it should be provided that whenever the commission has reason to believe that advance is not to be made without investigation, it should have authority to issue an order prohibiting the advance pending examination by the commission.

**Valuing Roads.**  
The interstate commerce commission should be provided with the means to make a physical valuation of any road as to which it deems the valuation necessary. In some form the federal government should exercise supervision over the financial operation of our interstate railroads.

I think that the federal government must also assume a certain measure of control over the physical operation of railroads in the handling of interstate traffic.

In reference to the Sherman anti-trust law, I repeat the recommendation in my message at the opening of the sixtieth congress as well as in my message to the previous congress. The attempt in this law to provide in sweeping terms against combinations of whatever character if technically in restraint of trade, as such restraint has

### FLEET ENTERS STRAITS.



Washington, D. C., Jan. 31.—Admiral Evans' battleship fleet is entering the straits of Magellan. The torpedo fleet is in the advance and is picking up the channel for the large vessels and taking precautions to avoid treachery on the part of an enemy.

### STEEL PLATE MILLS WILL BE REOPENED

(United Press Leased Wire.)  
Chicago, Ill., Jan. 31.—Plate mills number one and two of the Illinois Steel company's plant at South Chicago, after being closed for repairs, will reopen Monday, giving employment to 1,500 men. Other departments that have been closed will open, it is said, within a week.

### Burned to Death.

(United Press Leased Wire.)  
Vancouver, B. C., Jan. 31.—D. P. Marpole, the executive head of the Canadian Pacific affairs in British Columbia was burned to death yesterday at Spence's bridge where he lived with his wife and child. The latter was away at Kamloops visiting so that no one knows how the fire occurred. He was 28 years old.

### MILWAUKIE GIVEN FIVE CENT FARE

Railroad Commission Decides Ride to Suburb Not Worth Dime—Transfers Must Be Issued Same as on Lents Line.

Milwaukie Heights, Courtney, Oak Grove, Center and Risley Are Allowed 10-Cent Rate and Benefit of Same Transfers.

(United Press Leased Wire.)  
Salem, Or., Jan. 31.—The Oregon railroad commission today decided the cases brought by citizens of suburban towns on the Oregon Water Power company lines as follows:

Fares either way between Portland and Milwaukie are reduced from 10 cents to 5 cents, and the same transfers must be issued as between Portland and Lents either way. On representation of the Oak Grove Improvement association from Milwaukie Heights, Courtney, Oak Grove, Center and Risley to Portland (reduced from 15 cents to 10 cents, with the same privilege of transfers as on the Lents line. The new rates will go into effect in 30 days.

On the west side line the Southern Pacific company is ordered to keep an agent at Welldale, the only station between Independence and Corvallis. This order goes into effect in 20 days.

The Southern Pacific east side and west side lines are ordered to check baggage via Albany and Corvallis both ways, the order being in effect now.

The rate cases of the Portland chamber of commerce versus the O. R. & N. Co. are to be argued and submitted Saturday at the Wells-Fargo building in Portland.

### DOCTORS VICTIMS OF SMOOTH GAME

New Variety of Bunko Artists Soft Soap Physicians for "Touch."

A new brand of crime has been called to the attention of the police through the operations of a man and woman who appear to be making a comfortable living out of the scheme. Members of the medical profession are the especial prey of the alleged criminals, and it was through one of the victims that the attention of the authorities has been called to the matter.

The workings of the scheme are extremely simple, and it is perhaps because of its simplicity that it has proved successful from the point of view of the schemers. The plan is for the woman and man to go to a doctor's office, where the woman will eulogize a list of ills from which she claims to be a sufferer. The fact that the ills are purely fictitious does not seem to interfere with the ultimate success of the scheme. After consultation the couple agree to a long course of treatment that will involve the payment of fees to the amount of \$100 or more. A date is set for the beginning of the treatment and the conspirators depart.

On the following day the man will visit the doctor's office on some plausible pretext, and before departing will negotiate a small loan—say \$5 or \$10, which amount the doctor usually consents to part with without protest, on the strength of the big fee in prospect. He does not discover his mistake until the patient fails to appear, and inquiry at the fictitious address given discloses the fact that the man and woman have never lived there and that they are not known in the neighborhood.

Chief Gritzmacher has instructed his officers to keep a strict watch for the thrifty couple, and if found to arrest and prosecute them on charges of obtaining money by false pretenses.

## HARRY THAW'S FATE IN HANDS OF JURY



EVELYN NESBIT THAW LEAVING THE TOMBS AFTER HEARING BEEN ON WITNESS-STAND. PHOTO BY HEARST-JOURNAL PHOTOGRAPHER.

(United Press Leased Wire.)  
New York, Jan. 31.—The fate of Harry Kendall Thaw, whose second trial for the murder of Stanford White, the noted architect, in Madison Square garden, on the night of June 25, 1906, closed yesterday afternoon, is in the hands of the jury.

When court opened this morning Justice Dowling began the reading of his lengthy charge to the jury, and at 1:30 o'clock he had concluded. He immediately ordered the jury to retire to decide upon a verdict.

Justice Dowling's charge to the jury was one of the most voluminous ever presented by any magistrate sitting in a murder trial in New York. It contained 7,500 words, and began by detailing the responsibility involved under the state laws and warning the jury that speeches should not be considered in deciding upon a verdict.

"Nor should you be concerned in the question of the punishment that follows a verdict of guilty," said the justice. "Your sole function is to determine if

## WOOD PIPE PLANT LETS CONTRACT

New Concern to Build Here Closes Deal With Pence Company to Furnish 50,000,000 Feet of Lumber—Involves \$600,000.

Erection Here of Large Factory Announced in The Journal Some Weeks Ago Follows—Deal Will Liquidate Title Guarantee Debt

A contract aggregating \$600,000 has been closed by Lafa Pence, of the Pence company, with W. E. Hampton, president of the National Wood Pipe company and the Pacific Tank company, for delivery of 50,000,000 feet of lumber by the Cornelius Gap flume.

It is expected that the contract will be followed by the erection at Portland of the National Wood Pipe company's largest plant, and also the payment by the Pence company of indebtedness aggregating \$20,000 due to the Title Guarantee & Trust company for monies advanced to the former and liabilities assumed by the latter on purchases at and near the Lewis and Clark exposition grounds.

**Will Complete Project.**  
A proposal has been made by Lafa Pence to William M. Ladd and Receiver R. S. Howard, of the Title Guarantee & Trust company, by which the obligations undertaken by the Pence company and by the Title Guarantee & Trust company in that connection may be discharged without calling upon the bank for a dollar of further working capital, and the proposal is now under consideration.

Mr. Howard yesterday afternoon visited the hills above Balch's gulch, where one of the Pence Company's hydraulic giants is in operation, and was given a practical demonstration. He will, with experts, inspect the flumes and timber tracts controlled by the Pence company through and west of Cornelius Gap, and within a few days it will be finally determined whether or not the fair grounds development project undertaken by Lafa Pence two years ago and now half completed shall be carried forward to its final consummation.

The receiver has given no intimation as to what his decision will be, but it is believed a favorable announcement will be made within the next few days.

**Includes Electric Line.**  
Should the Pence plan be carried forward it will mean the establishment of two or three sawmills with a daily capacity of 200,000 feet, the building of a large wood pipe plant employing 350 men at the start, the opening of a suburb near Linnton, the occupancy of tracts controlled by the Pence company through and west of Cornelius Gap, and the inauguration by outside capital of a very extensive plan of paying out the entire indebtedness incurred by the Title Guarantee & Trust company in connection with its operations at the fair grounds.

The plan includes construction of an electric road between the fair grounds and Linnton, for which Mr. Pence last year secured a franchise along the Linnton road, in consideration of his furnishing the crushed rock necessary for paving the road the entire distance.

The Pence company has obtained from Josselin & Hubbard, 5,000 acres (Continued on Page Two.)

## LAWYER THROWS BOOKS IN COURT

Judge Jones of Reno Knocks Opposing Counsel Down With Legal Volumes.

(United Press Leased Wire.)  
Reno, Nev., Jan. 31.—A sensational scene was enacted in court here when Judge W. D. Jones, who has been a jurist in this state for 15 years, becoming angry when opposing counsel, Attorney G. W. Shuster-Cottrell, said he was no gentleman, threw a stack of law books at the latter, knocking him down.

Judge Jones was about to follow this attack up with further abuse when a deputy sheriff sprang at him and seized his arms. The trouble grew out of an argument in a small case.

(Continued on Page Three.)

## HOFMANN'S WIFE LOSES JEWELS

Violinist's Spouse Robbed While Listening to Her Husband Playing.

(United Press Leased Wire.)  
San Francisco, Cal., Jan. 31.—Mrs. Josef Hofmann, the beautiful wife of the pianist, was robbed of practically all the ready money and jewelry in her possession, amounting in value to nearly \$3,000, while seated in the center of a fashionable audience listening to her husband's recital in Christian Science hall last night.

The money and jewels were in a handbag, which Mrs. Hofmann had placed on an empty seat beside her during the recital. She did not discover her loss until the end of the recital.

Mrs. Hofmann laid the handbag on the seat during the playing of the last number, and when she turned to pick it up the bag had vanished.

## EASY TO UNDERSTAND WHY OREGON PEOPLE READ THE JOURNAL

BECAUSE THE OREGON SUNDAY JOURNAL IS ALWAYS SOMETHING GOOD TO LOOK FORWARD TO AND BECAUSE THE DAILY JOURNAL FILLS THE BILL DURING THE WEEK BETTER THAN ANY OTHER PORTLAND NEWSPAPER.

THE OREGON SUNDAY JOURNAL NEXT SUNDAY will be an Oregon paper for Oregon people in every particular. There will be numerous stories of Oregon and among them a story of the great opportunities offered capital at Oregon City.

PORTLAND CHINESE WHO IS A FRIEND OF THE EMPRESS—An interesting story of the other side of "The yellow peril."

COLORS SUPPLEMENT—Special articles by leading writers, illustrations by the best artists in the country.

## DON'T FORGET TOMORROW

THE SATURDAY JOURNAL WILL CONTAIN the usual four-color process comic supplement in addition to its complete newspaper. Take a copy home to the little ones; they will be amused at a small cost to you.