

PRESIDENT READS HIS MESSAGE

(Continued from page one.)

would like to call attention to the very unsatisfactory state of our criminal law, resulting in large part from the habit of setting aside the judgments of inferior courts on technicalities absolutely unconnected with the merits of the case, and where there is no attempt to show that there has been any failure of substantial justice. It would be well to enact a law providing something to the effect that:

No judgment shall be set aside or a new trial granted in any cause, civil or criminal, on the ground of misdirection of the jury or the improper admission or rejection of evidence, or for error as to any matter of pleading or procedure unless, in the opinion of the court to which the application is made, after an examination of the entire cause, it shall affirmatively appear that the error complained of has resulted in a miscarriage of justice. * * *

In this matter of injunctions there lodged in the hands of the judiciary a necessary power which is nevertheless subject to the possibility of grave abuse. It is a power that should be exercised with extreme care and should be subject to the closest scrutiny of all men and condemnation should be meted out as much to the judge who fails to use it boldly when necessary as to the judge who uses it wantonly or oppressively.

In connection with the delays of the law, I call your attention and the attention of the nation to the prevalence of crime among us, and above all to the epidemic of lynching and

mob violence that springs up, now in one part of our country, now in another. Each section, north, south, east, or west, has its own faults; no section can with wisdom spend its time jeering at the faults of another section; it should be busy trying to amend its own shortcomings. To deal with the crime of corruption it is necessary to have an awakened public conscience, and to supplement this by whatever legislation will add speed and certainty in the execution of the law. When we deal with lynching even more is necessary. A great many white men are lynched, but the crime is peculiarly frequent in respect to black men. The greatest existing cause of lynching is the perpetration, especially by black men, of the hideous crime of rape—the most abominable in all the category of crimes, even worse than murder. Mobs frequently avenge the commission of this crime by themselves torturing to death the man committing it; thus avenging in bestial fashion a bestial deed, and reducing themselves to a level with the criminal.

The one hope for success for our people lies in a resolute and fearless, but sane and cool-headed, advance along the path marked out last year by this congress. There must be a stern refusal to be misled into following either that base creature who appeals and panders to the lowest instincts and passions in order to arouse one set of Americans against their fellows, or that other creature, equally base but no baser, who in a spirit of greed, or to accumulate or add to an already huge fortune, seeks to exploit his fellow-Americans with callous disregard to their welfare of soul and body. The man who debauches others in order to obtain

a high office stands on an evil equality of corruption with the man who debauches others for financial profit; and when hatred is sown the crop which springs up can only be evil. * * *

I call your attention to the need of passing the bill limiting the number of hours of employment of railroad employees. The measure is a very moderate one and I can conceive of no serious objection to it. Indeed, so far as it is in our power, it should be our aim steadily to reduce the number of hours of labor, with as a goal the general introduction of an eight-hour day.

More and more our people are growing to recognize the fact that the questions which are not merely of industrial but of social importance outweigh all others; and these two questions most emphatically come in the category of those which affect in the most far-reaching way the home life of the nation. The horrors incident to the employment of young children in factories or at work anywhere are a blot on our civilization. It is true that each state must ultimately settle the question in its own way; but a thorough official investigation of the matter, with the results published broadcast, would greatly help toward arousing the public conscience and securing unity of state action in the matter. * * *

It is not wise that the nation should alienate its remaining coal lands. I have temporarily withdrawn from settlement all the lands which the geological survey has indicated as containing, or in all probability containing, coal. The question, however, can be properly settled only by legislation, which in my judgment

should provide for the withdrawal from entry of these lands from sale or from entry, save in certain special circumstances. The ownership would then remain in the United States, which should not, however, attempt to work them, but permit them to be worked by private individuals under a royalty system, the government keeping such control as to permit it to see that no excessive price was charged consumers. It would, of course, be as necessary to supervise the rates charged by the common carriers to transport the product as the rates charged by those who mine it; and the supervision must extend to the conduct of the common carriers, so they shall in no way favor one competitor at the expense of another. The withdrawal of these coal lands would constitute a policy analogous to that which has been followed in withdrawing the forest lands from ordinary settlement. The coal, like the forests, should be treated as the property of the public and its disposal should be under conditions which would insure to the benefit of the public as a whole. * * *

It can not too often be repeated that experience has conclusively shown the impossibility of securing the actions of nearly half a hundred different state legislatures anything but ineffective chaos in the way of dealing with the great corporations which do not operate exclusively within the limits of any one state. In some method, whether by a national license law or in other fashion, we must exercise, and that at an early date, a far more complete control than at present over these great corporations—a control that will among other things prevent

the evils of excessive over capitalization, and that will compel the disclosure by each big corporation of its stockholders and of its properties and business, whether owned directly or through subsidiary or affiliated corporations. This will tend to put a stop to the securing of inordinate profits by favored individuals at the expense whether of the general public, the stockholders, or the wage-workers. Our efforts should be not so much to prevent consolidation as such, but so as to supervise and control it as to see that it results in no harm to the people. The reactionary or ultraconservative apologists for the misuse of wealth assail the effort to secure such control as a step toward socialism. As a matter of fact it is these reactionaries and ultraconservatives who are themselves most potent in increasing socialistic feeling. One of the most efficient methods of averting the consequences of a dangerous agitation, which is 80 per cent wrong, is to remedy the 20 per cent of evil as to which the agitation is well founded. The best way to avert the very undesirable move for the governmental ownership of railways is to secure by the government on behalf of the people as a whole such adequate control and regulation of the great interstate common carriers as will do way with the evils which give rise to the agitation against them. * * *

The national government has long derived its chief revenue from a tariff on imports and from an internal or excise tax. In addition to these there is every reason why, when next our system of taxation is revised, the national government should impose a graduated inheritance tax, and, if possible, a graduated income tax. The man of great wealth owes a peculiar obligation to the state, because he derives special advantages from the obligation in the way he leads his daily life and in the way he earns and spends his money, but it should also be recognized by the way in which he pays for the protection the state gives him. * * *

Great progress has already been made among farmers by the creation of farmers' institutes, of dairy associations, of breeders' association, horticultural associations, and the like. A striking example of how the government and the farmers can cooperate is shown in connection with the menace offered to the cotton growers of the southern states by the advance of the boll weevil. The department is doing all it can to organize the farmers in the threatened districts, just as it has been doing all it can to organize them in aid of its work to eradicate the cattle fever tick in the south. The department can and will cooperate with all such association, and it must have their help if its own work is to be done in the most efficient style. * * *

Let me once again call the attention of the congress to two subjects concerning which I have frequently before communicated with them. One is the question of developing American shipping. I trust that a law embodying in substance the views, expressed in the report on his subject laid before the house at its last session will be past. I am well aware that in former years objectionable measures have been proposed in reference to the encouragement of me that the proposed measure is as nearly unobjectionable as any can be.

There should be a considerable increase in bills of small denominations. Permission should be given banks, if necessary under settled restrictions, to retire their circulation to a larger amount than three millions a month.

I most earnestly hope that the bill to provide a lower tariff for or else absolute free trade in Philippine products will become a law. No harm will come to any American industry, and while there will be some small but real material benefit to

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the Philippines, the main benefit will come by the showing made as to our purpose to do all in our power for their welfare.

* Alaska's needs have been partially met, but there must be a complete reorganization of the governmental system, as I have before indicated to you. I ask your especial attention to this. Our fellow-citizen who dwell on the shores of Puget sound with characteristic energy are arranging to hold in Seattle the Alaska Yukon Pacific exposition. Its special aims include the upbuilding of Alaska and the development of the American commerce on the Pacific ocean. This exposition, in its purposes and scope, should appeal not only to the people of the Pacific slope, but to the people of the United States at large. Alaska since it was bought has yielded to the government eleven million of dollars of revenue, and has produced nearly three hundred millions of dollars in gold, furs, and fish. When properly developed it will become in large degree a land of homes. The countries bordering the Pacific ocean a population more numerous than that of all the countries of Europe; their annual foreign commerce amounts to over three billions of dollars of which the share of the United States is some seven hundred million dollars. If this trade were thoroughly understood and pushed by our manufacturers and producers, the industries not only of the Pacific slope, but of all our country, and particularly of our cotton growing states, would be greatly benefited. Of course, in order to get these benefits, we must treat fairly the countries with which we trade.

The message has extended mention of Porto Rico, Hawaii and our other insular possessions, and devotes considerable space to Secretary Root's visit to South American republics. It only mentions the Panama affairs of which the President promises to speak more fully later.

X-RAYS

Secretary Root's statement in a speech made at Rio Janeiro, Brazil, last July he said: "We wish for no victories but those of peace; for no territory except our own; for no sovereignty except the sovereignty of ourselves." In the light of history Mr. Root's statements are not horns out by the facts. We purchased Florida from Spain, Louisiana with much of the territory west of the Mississippi from France. We made war on Mexico in order to swing Texas. We made the Gadsden purchase from Mexico, and very foolishly forgot to purchase the mouth of the Colorado river. We purchased Alaska from Russia, and very recently put up \$20,500,000 to Spain for the Philippines. The sovereignty of the Philippines is not the "sovereignty of ourselves." Not by any stretch of imagination. The evidence to somewhat enervative that Elihu was talking through his head gear and trying to say something that would sound pretty. As a matter of fact the United States is much in the position of the old farmer, who didn't want much, only the land that "jiced" his.



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