The O'Neill Frontier

D. H. CRONIN, Publisher,

O'NEILL, NEBRASKA

The Southern Power company will erect a 4,000 horsepower plant at Great Falls, S. C., to furnish power for the manufacture of fertilizer from the air. Two similar plants are now in successful operation in European countries, one in Norway and the second in Austria, and producing fertilizers and nitrogen compounds. The process is an electro-chemical one, and centers about the forcing of atmosphere through flame at high pressure, thereby producing gas, which, with the addition of water in certain proportions, produces nitric acid. By subjecting these gases to limestone a valuable compound used in commercial fertilizers is obtained. The possible saving that may be realized through the establishment of such process can be estimated when it is stated North Carolina uses 540,000 tons of fertilizer last year and South Carolina 700,000 tons, or about 1,240,000 tons in the Carolinas.

When he is working in water infested by sharks and other sea monsters likely to do him harm, the diver has at present to rely for his safety on the use of the knife, or failing that, on a quick return to the surface. Now comes the invention of Captain Grobl, a German diving instructor, who has constructed a rifle which can be fired under water, and is designed for the better arming of the diver. The most remarkable thing about this is that it fires, not bullets, but water, which is propelled with such force that it has an extraordinary power of penetration. Indeed, the inventor himself has pierced armor plate of medium thickness with the water jet from his weapon. The rifle has a stout barrel and is loaded with a cartridge cased in india rubber.

When Miss Jennie Lee was on tour with the dramatized version of "Bleak House," she met with an amusing experience. One night she was in the midst of the long and harrowing death scene of poor Jo. The stage was darkened and the limelight illuminated the pale features of the death stricken boy. People were sobbing all over the house. Suddenly, to her consternation, Miss Lee heard the limelight man addressing her in a brawny Scotch whisper, audible to half the house. "Dee quick, Miss Lee—dee quick!" he roared softly. "The limelight's gaen oot!" She did die "quick" but it was for the purpose of making a speech to that limelight man which he said he would never forget.

Apparently every new invention brings with it some evil. The British Medical Journal points out that among distinctively modern diseases are the poisoning produced by the fumes of calcium carbide of acetylene; the headache, dyspepsia, cardiac failure and sensory disturbances traceable to the manufacture and use of aniline dyes; the frothing of the blood, known as caisson disease, which follows too rapid decompression in workers at the foundations of bridges; the functional neurosis known as telegraphers' cramp, resulting from the use of the Morse key, and the numerous affections of the skin, lungs, digestive tract and eyes due to irritation by organic or unorganic dusts of industrial origin.

A dual language law, respecting contracts with public utility companies, has been enacted in the province of Quebec, Canada. It provides that all passenger tickets, baggage checks, way bills, bills of lading, printed telegraph forms and contract forms, made, furnished or delivered by a railway, navigation, telegraph, telephone, transportation, express or electric power company, as well as all notices of regulations posted up in its stations, carriages, boats, offices, factories or workshops, shall be printed in both French and English.

Miss Sheila O'Neill recently showed and explained in London a model of a tandem monoplane which she has just completed. This exhibition was given under the auspices of the Woman's Aerial league of London. Miss O'Neill is the only woman allowed to drive a motor car in the Irish reliability motor trials. She has won many prizes in motoring, has patented several inventions and is at present perfecting a new splash device for motors. She went out as a nurse during the Boer war and holds medals from both the king and the queen of England.

Buenos Ayres needs a channel of 30 feet at low tide for large vessels, for a distance of 22 miles. Four dredges will soon be at work; each cost over $352,000, and has a capacity of annually dredging 9,000,000 cubic meters.

In the Klondike steam, hot air and hot water plants are displacing the old-fashioned wood stoves, especially in hotels and the bigger trading places.

There are two monuments to Hannah Dustin, a heroine of early colonial New England. One is at Concord, N. H., and the other at Haverhill, Mass.

As only a little over one acre in 100 in Ireland is under timber, great results are expected from the reforesting movement now in progress.

Hardly a single American advertisement can be found in all the newspapers, journals and other advertising mediums in Uruguay.

The telegraph companies of this country employ about 30,000 persons. This does not include the railroad service.

The inventor of the papier-mache matrix process of stereotyping, Willard S. Whitmore, died recently in Washington.

A zigzag arrow has been adopted in Germany as a danger sign to be displayed on high tension electrical apparatus.

More coal is mined a person employed in the United States than in any other nation, with Austrialia ranking next.

So radioactive is the water supplied the city of Belgrade that scientists are searching its source for radium.

The use of electricity for light and power in the United States has more than doubled in the last eight years.

Since its opening in 1869 the Suez canal has been completely changed so for as its dimensions are concerned.

To read the bible through at the rate of a chapter a day would take three years and three months.

At present the 2,500,00 population of Manhattan is increased to 3,000,000 during business hours.

The exertion of riding 50 miles on a good bicycle is about equal to that of a 15-mile walk.

The Esquimos will not allow their women to use tobacco in any form.

New York's new aqueduct will cost $162,000,000.

PRESIDENT TOUCHES MANY LARGE TOPICS IN ANNUAL MESSAGE

Declares It Is Time to Stop Legislating Against Corporations and Enforce Statutes.

SHIP SUBSIDY IS URGED

Executive Advises That Tariff Board Be Made Permanent, but Opposes Another General Revision.

Washington, Dec. 6.—President Taft's annual message to congress, which was delivered today, opens with a discussion of the settlement before the Hague tribunal this year. It takes up the relations of the United States with foreign countries, and recites the treaties of various kinds which have been entered into during the year. The formation of the republic of Portugal is touched upon, together with its tentative recognition by the United States.

Relations with the far east, the Chinese railroad loan and kindred matters are then discussed. The friendly visits of oriental potentates to this country are touched upon, as are relations with Latin America, particularly the Nicaraguan revolution. Former President Zelaya is severely condemned for his alleged acts of maladministration.

Tariff Negotiations.

The first domestic topic discussed in the message is that of tariff negotiations, and on this point the president says:

The new tariff law, in section 2 respecting the maximum and minimum tariffs of the United States, which provisions came into effect on April 1, 1910, imposed upon the president the responsibility of determining prior to that date whether or not any undue discrimination existed against the United States and its products in any country of the world with which we sustained commercial relations.

In the case of several countries instances of apparent undue discrimination against American commerce were found to exist. These discriminations were removed by negotiation. Prior to April 1, 1910, when the maximum tariff was to come into operation with respect to importations from all those countries in whose favor no proclamation applying the minimum tariff should be issued by the president, 134 such proclamations were issued. This series of proclamations embraced the entire commercial world, and hence the minimum tariff of the United States has been given universal application, thus testifying to the satisfactory character of our trade relations with foreign countries.

Marked advantages to the commerce of the United States were obtained through these tariff settlements. Foreign nations are fully cognizant of the fact that under section 2 of the tariff act the president is required, whenever he is satisfied that the treatment accorded by them to the products of the United States is not such as to entitle them to the benefits of the minimum tariff of the United States, to withdraw those benefits by proclamation, giving 90 days' notice, after which the maximum tariff will apply to their dutiable products entering the United States. In its general operation, this section of the tariff law has thus far proved a guaranty of continued commercial peace, although there are, however, unfortunately instances where foreign governments deal arbitrarily with American interests within their jurisdiction in a manner injurious and inequitable.

The policy of broader and closer trade relations with the Dominion of Canada, which was initiated in the adjustment of the maximum and minimum provisions of the tariff act of August, 1909, has proved mutually beneficial. It justifies further efforts for the readjustment of the commercial relations of the two countries so that their commerce may follow the channels natural to contiguous countries and be commensurate with the steady expansion of trade and industry on both sides of the boundary line. The reciprocation on the part of the Dominion government of the sentiment which was expressed by this government was followed in October by the suggestion that it would be glad to have the negotiations, which had been temporarily suspended during the summer, resumed. In accordance with this suggestion the secretary of state, by my direction, dispatched two representatives of the department of state as special commissioners to Ottawa to confer with representatives of the Dominion government. They were authorized to take such steps for formulating a reciprocal trade agreement as might be necessary and to receive and consider any proposition which the Dominion government might care to submit.

Pursuant to the instructions issued conferences were held by these commissioners with officials of the Dominion government at Ottawa in the early part of November.

The negotiations were conducted on both sides in a spirit of mutual accommodation. The discussion of the common commercial interests of the two countries had for its object a satisfactory basis for a trade arrangement which offers the prospect of a freer interchange for the products of the United States and of Canada. The conferences were adjourned to be resumed in Washington in January, when it is hoped that the aspiration of both governments for a mutually advantageous measure of reciprocity will be realized.

The Department of State.

All these tariff negotiations, so vital to our commerce and industry, and the duty of jealously guarding the equitable and just treatment of our products, capital and industry abroad devolve upon the department of state.

The Argentine battleship contracts, like the subsequent important one for Argentine railway equipment, and those for Cuban government vessels, were secured for our manufacturers largely through the good offices of the department of state.

The efforts of that department to secure for citizens of the United States equal opportunities in the markets of the world and to expand American commerce have been most successful. The volume of business obtained in new fields of competition and upon new lines is already very great and congress is urged to continue to support the department of state in its endeavors to further trade expansion.

Our foreign trade merits the best support of the government and the most earnest endeavor of our manufacturers and merchants, who, if they do not already in all cases need a foreign market, are certain soon to become dependent on it. Therefore, now is the time to secure a strong position in this field.

I can not leave this subject without emphasizing the necessity of such legislation as will make possible and convenient the establishment of American banks and branches of American banks in foreign countries. Only by such means can our foreign trade be favorably financed, necessary credits be arranged, and proper avail be made of commercial opportunities in foreign countries, and most especially in Latin America.

Merchant Marine.

Another instrumentality indispensable to the unhampered and natural development of American commerce is merchant marine. All maritime and commercial nations recognize the importance of this factor. The greatest commercial nations, our competitors, jealously foster their merchant marine. Perhaps nowhere is the need for rapid and direct mail, passenger and freight communication quite so urgent as between the United States and Latin America. We can secure in no other quarter of the world such immediate benefits in friendship and commerce as would flow from the establishment of direct lines of communication with the countries of Latin America adequate to meet the requirements of a rapidly increasing appreciation of the reciprocal dependence of the countries of the western hemisphere upon each other's products, sympathies and assistance.

I alluded to this most important subject in my last annual message; it has often been before you and I need not recapitulate the reasons for its recommendation. Unless prompt action be taken the completion of the Panama canal will find this the only great commercial nation unable to avail in international maritime business of this great contribution to the means of the world's commercial intercourse.

Quite aside from the commercial aspect, unless we create a merchant marine where can we find the seafaring population necessary as a natural naval reserve and where could we find, in case of war, the transports and subsidiary vessels without which a naval fleet is arms without a body? For many reasons I can not too strongly urge upon the congress the passage of a measure by mail subsidy or other subvention adequate to guarantee the establishment and rapid development of an American merchant marine, the restoration of the American flag to its ancient place upon the seas.

With our increasing international intercourse it becomes incumbent upon me to repeat more emphatically than ever the recommendation which I made in my inaugural address that congress shall at once give to the courts of the United States jurisdiction to punish as a crime the violation of the rights of aliens secured by treaty with the United States, in order that the general government of the United States shall be able, when called upon by a friendly nation, to redeem its solemn promise by treaty to secure to the citizens or subjects of that nation resident in the United States, freedom from violence and due process of law in respect to their life, liberty and property.

I also, and for the same general reasons, strongly commend to the favorable action of the congress the enactment of a law applying to the diplomatic and consular service the principles embodied in Section 1763 of the Revised Statutes of the United States, in the Civil Service Act of January 16, 1883, and the executive orders of June 27, 1906, and of November 26, 1909.

Treasury Department.

Every effort has been made by each department chief to reduce the estimated cost of his department for the ensuing fiscal year ending June 30, 1912. I say this in order that congress may understand that these estimates thus made present the smallest sum which will maintain the departments, bureaus, and offices of the government and meet its obligations under existing law, and that a cut of these estimates would result in embarrassing the executive branch of the government in the performance of its duties. This remark does not apply to the river and harbor estimates, except to those for expenses of maintenance and the meeting of obligations under authorized contracts, nor does it apply to the public building bill nor to the navy building program. Of course, as to these congress could withhold any part or all of the estimates for them without interfering with the discharge of the ordinary obligations of the government or the performance of the functions of its departments, bureaus, and offices.

The final estimates for the year ending June 30, 1912, as they have been sent to the treasury, on November 29 of this year, for the ordinary expenses of the government, including those for public buildings, rivers and harbors, and the navy building program, abount to $630,494,013.12. This is $52,964,887.36 less than the appropriations for the fiscal year ending June 30, 1911. It is $16,883,153.44 less than the total estimates, including supplemental estimates submitted to congress by the treasury for the year 1911, and is $5,574,659.39 less than the original estimates submitted by the treasury for 1911.

These figures do not include the appropriations for the Panama canal, the policy in respect to which ought to be, and is, to spend as much each year as can be economically and effectively expended in order to complete the canal as promptly as possible, and, therefore, the ordinary motive for cutting down the expense of the government does not apply to appropriations for this purpose. It will be noted that the estimates for the Panama canal for the ensuing year are more than $56,000,000, an increase of $20,000,000 over the amount appropriated for this year—a difference due to the fact that the estimates for 1912 include something over $19,000,000 for the fortification of the canal.

Against the estimated expenditures of $630,494,013.12, we have estimated receipts for next year of $680,000,000, making a probable surplus of ordinary receipts over ordinary expenditures of about $50,000,000, or, taking into account the estimates for the Panama canal, which are $56,920,847.69, and which will ultimately be paid in bonds, it will leave a deficit for the next year of about $7,000,000 if congress shall conclude to fortify the canal. The cost of the fortifications is about $19,000,000. Should there be no appropriations this year for fortifications, then there would be, even including the Panama canal appropriation, a surplus of about $12,000,000 according to treasury estimates.

Public Buildings.

In our public buildings we still suffer from the method of appropriation, which has been so much criticised in connection with our rivers and harbors. Some method should be devised for controlling the supply of public buildings, so that they will harmonize with the actual needs of the government. Not only are buildings appropriated for by congress which are not needed, and buildings left unappropriated for by congress which are needed, but when it comes to the actual construction there has been in the past too little study of the building plans and sites with a view to the actual needs of the government. Postoffice buildings which are in effect warehouses for economical handling of transportation of thousands of tons of mail have been made monumental structures, and often located far from the convenient and economical spot. In the actual construction of the buildings a closer scrutiny of the methods employed by the government architects or by architects employed by the government have resulted in decided economies. It is hoped that more time will give opportunity for a more thorough reorganization. The last public buildings bill carried authorization for the ultimate expenditure of $33,011,500 and I approved it because of the many good features it contained, just as I approved the river and harbor bill, but it was drawn upon a principle that ought to be abandoned. It seems to me that the wiser method of preparing a public building bill would be the preparation of a report by a commission of government experts whose duty it should be to report to congress the government's needs in the way of the construction of public buildings in every part of the country, just as the army engineers make report with reference to the utility of proposed improvements in rivers and harbors, with the added function which I have recommended for the army engineers of including in their recommendation the relative importance of the various projects found to be worthy of approval and execution.

Revenues.

As the treasury department is the one through which the income of the government is collected and its expenditures are disbursed, this seems a proper place to consider the operation of the existing tariff bill, which became a law August 6, 1909. As an income-producing measure, the existing tariff bill has never been exceeded by any customs bill in the history of the country.

The corporation excise tax, proportioned to the net income of every business corporation in the country, has worked well. The tax has been easily collected. Its prompt payment indicates that the incidence of the tax has not been heavy. It offers, moreover, an opportunity for knowledge by the government of the general condition and business of all corporations, and that means by far the most important part of the business of the country. In the original act provision was made for the publication of returns. This provision was subsequently amended by congress, and the matter left to the regulation of the president. I have directed the issue of the needed regulations, and have made it possible for the public generally to know from an examination of the record, the returns of all corporations, the stock of which is listed on any public stock exchange or is offered for sale to the general public by advertisement or otherwise. The returns of those corporations whose stock is not so listed or offered for sale are directed to be open to the inspection and examination of creditors and stockholders of the corporation whose record is sought. The returns of all corporations are subject to the inspection of any government officer or to the examination of any court, in which the return made by the corporation is relevent and competent evidence.

The Payne Tariff Act.

The schedules of the rates of duty in the Payne tariff act have been subjected to a great deal of criticism, some of it just, more of it unfounded, and to much misrepresentation. The act was adopted in pursuance of a declaration by the party which is responsible for it that a customs bill should be a tariff for the protection of home industries, the measure of the protection to be the difference between the cost of producing the imported article abroad and the cost of producing it at home, together with such addition to that difference as might give a reasonable profit to the home producer. The basis for the criticism of this tariff is that in respect to a number of the schedules the declared measure was not followed, but a higher difference retained or inserted by way of undue discrimination in favor of certain industries and manufactures. Little, if any, of the criticism of the tariff has been directed against the protective principle above stated; but the main body of the criticism has been based on the charge that the attempt to conform to the measure of protection was not honestly and sincerely adhered to.

Tariff Board.

The time in which the tariff was prepared undoubtedly was so short as to make it impossible for the congress and its experts to acquire the information necessary strictly to conform to the declared measure. In order to avoid criticism of this kind in the future and for the purpose of more nearly conforming to the party promise, congress at its last session made provision at my request for the continuance of a board created under the authority of the maximum and minimum clause of the tariff bill, and authorized this board to expend the money appropriated under my direction for the ascertainment the cost of production at home and abroad of the various articles included in the schedules of the tariff. The tariff board thus appointed and authorized has been diligent in preparing itself for the necessary investigations. The hope of those who have advocated the use of this board for tariff purposes is that the question of the rate of a duty imposed shall become more of a business question and less of a political question, to be ascertained by experts of long training and accurate knowledge. The halt in business and the shock to business, due to the announcement that a new tariff bill is to be prepared and put in operation, will be avoided by treating the schedules one by one as occasion shall arise for a change in the rates of each, and only after a report upon the schedule by the tariff board competent to make such report. It is not likely that the board will be able to make a report during the present session of congress on any of the schedules, because a proper examination involves an enormous amount of detail and a great deal of care; but I hope to be able at the opening of the new congress, or at least during the session of that congress, to bring to its attention the facts in regard to those schedules in the present tariff that may prove to need amendment. The carrying out of this plan, of course, involves the full co-operation of congress in limiting the consideration in tariff matters to one schedule at a time, because if a proposed amendment to a tariff bill is to involve a complete consideration of all the schedules and another revision, then we shall only repeat the evil from which the business of this country has in times past suffered most grievously by stagnation and uncertainty, pending a resettlement of a law affecting all business directly or indirectly, and the effect of which no wise business man would ignore in new projects and new investments. I can not too much emphasize the importance and benefit of the plan above proposed for the treatment of the tariff. It facilitates the removal of noteworthy defects in an important law without a disturbance of business prosperity, which is even more important to the happiness and the comfort of the people than the elimination of instances of the injustice in the tariff.

The inquiries which the members of the tariff board made during the last summer into the methods pursued by other governments with reference to the fixing of tariffs and the determination of their effect upon trade, show that each government maintains an office or bureau, the officers and employes of which have made their life work the study of tariff matters, of foreign and home prices and cost of articles imported, and the effect of the tariff upon trade, so that whenever a change is thought to be necessary in the tariff law this office is the source of the most reliable information as to the propriety of the change and its effect. I am strongly convinced that we need in this government just such an office, and that it can be secured by making the tariff board already appointed a permanent tariff commission, with such duties, powers, and emoluments as it may seem wise to congress to give. It has been proposed to enlarge the board from three to five. The present number is convenient, but I do not know that an increase of two members would be objectionable.

Whether or not the protective policy is to be continued, and the degree of protection to be accorded to our home industries, are questions which the people must decide through their chosen representatives; but whatever policy is adopted, it is clear that the necessary legislation should be based on an impartial, thorough and continuous study of the facts.

Banking and Currency.

The method of impartial scientific study by experts as a preliminary to legislation which I hope to see ultimately adopted as our fixed national policy with respect to the tariff, rivers and harbors, waterways and public buildings, also is being pursued by the non-partisan monetary commission of congress. An exhaustive and most valuable study of the banking and currency systems of foreign countries has been completed.

A comparison of the business methods and institutions of the country are sure to be of immediate value. I urge upon congress the importance of a non-partisan and disinterested study and consideration of our banking and currency system.

It is idle to dream of commercial expansion and of the development of our national trade on a scale that measures up to our matchless opponents unless we can lay a solid foundation in a sound and enduring banking and currency system. The problem is not partisan, is not sectional—it is national.

Organization of Army.

I further recommend that congress establish a commission to determine as early as practicable a comprehensive policy for the organization, mobilization and administration of the regular army, the organized militia, and the volunteer forces in the event of war.

One of the great difficulties in the prompt organization and mobilization of militia and volunteer forces is the absence of competent officers of the rank of captain to teach the new army, by the unit of the company, the business of being soldiers and of taking care of themselves so as to render effective service. This need of army officers can only be supplied by provisions of law authoriing the appointment of a greater number of army officers than are needed to supply the commands of regular army troops now enlisted in the service.

Philippine Islands.

During the last summer, at my request, the secretary of war visited the Philippine Islands and has described his trip in his report. He found the islands in a state of tranquility and growing prosperity, due largely to the change in the tariff laws, which has opened the markets of America to the products of the Philippines, and has opened the Philippine markets to American manufactures.

Rivers and Harbors.

I have already expressed my opinion to congress in respect to the character of the river and harbor bills which should be enacted into law; and I have exercised as much power as I have under the law in directing the chief of engineers to make his reports to congress conform to the needs of the committee framing such a bill in determining which of the proposed improvements is the more important and ought to be completed first, and promptly.

Panama Canal.

At the instance of Colonel Goethals, the army engineer officer in charge of the work on the Panama canal, I have just made a visit to the isthmus to inspect the work done and to consult with him on the ground as to certain problems which are likely to arise in the near future. The progress of the work is most satisfactory. If no unexpected obstacle presents itself, the canal will be completed well within the time fixed by Colonel Goethals, to-wit, January 1, 1915, and within the estimate of cost, $375,000,000.

Among the questions arising for present solution is the decision whether the canal shall be fortified. I have already stated to the congress that I strongly favor fortification and I now reiterate this opinion and ask your consideration of the subject in the light of the report already before you made by a competent board.

If, in our discretion, we believe modern fortifications to be necessary to the adequate protection and policing of the canal, then it is our duty to construct them. We have built the canal. It is our property. By convention we have indicated our desire for, and indeed undertaken, its universal and equal use. It is also well known that one of the chief objects in the construction of the canal has been to increase the military effectiveness of our navy.

Failure to fortify the canal would leave the attainment of both these aims in the position of rights and obligations which we should be powerless to enforce and which could never in any other way be absolutely safeguarded against a desperate and irresponsible enemy.

National Incorporation.

In a special message last year I brought to the attention of congress the propriety and wisdom of enacting a general law providing for the incorporation of industrial and other companies engaged in interstate commerce, and I renew my recommendation in that behalf.

Judiciary Procedure.

One great crying need in the United States is cheapening the cost of litigation by simplifying judicial procedure and expediting final judgment. Under present conditions the poor man is at a woeful disadvantage in a legal contest with a corporation or a rich opponent. The necessity for the reform exists both in United States courts and in all state courts. In order to bring it about, however, it naturally falls to the general government by its example to furnish a model to all states. A legislative commission appointed by joint resolution of congress to revise the procedure in the United States courts has as yet made no report.

Under the law the supreme court of the United States has the power and is given the duty to frame the equity rules of procedure which are to obtain in the federal courts of first instance. In view of the heavy burden of pressing litigation which that court has had to carry, with one or two of its members incapacitated through ill health, it has not been able to take up problems of improving the equity procedure, which has practically remained the same since the organization of the court in 1789. It is reasonable to expect that with all the vacancies upon the court filled, it will take up the question of cheapening and simplifying the procedure in equity in the courts of the United States. The equity business is much the more important in the federal courts, andi I may add much the more expensive. I am strongly convinced that the best method of improving judicial procedure at law is to empower the supreme court to do it through the medium of the rules of the court, as in equity. This is the way in which it has been done in England, and thoroughly done. The simplicity and expedition of precedure in the English courts today make a model for the reform of other systems.

Several of the lord chancellors of England and of the chief justices have left their lasting impress upon the history of their country by their constructive ability in proposing and securing the passage of remedial legislation effecting law reforms. I can not conceive any higher duty that the supreme court could perform than in leading the way to a simplification of procedure in the United States courts.

Relief of Supreme Court.

No man ought to have, as a matter of right, a review of his case by the supreme court. He should be satisfied by one hearing before a court of first instance and one review by a court of appeals. The proper and chief usefulness of the supreme court, and especially of the supreme court of the United States, is, in the cases which come before it, so to expound the law, and especially, the fundamental law—the constitution—as to furnish precedents for the inferior courts in future litigation and for the executive officers in the construction of statutes and the performance of their legal duties. Therefore, any provisions for review of cases by the supreme court that cast upon that court the duty of passing on questions of evidence and the construction of particular forms of instruments, like indictments, or wills, or contracts, decisions not of general application or importance, merely clog and burden the court and render more difficult its higher function, which makes it so important a part of the framework of our government. The supreme court is now carrying an unnecessary burden of appeals of this kind, and I earnestly urge that it be removed.

The statutes respecting the review by the supreme court of the United States of decisions of the court of appeals of the District of Columbia ought to be so amended as to place that court in the same position with respect to the review of its decisions as that of the various United States circuit courts of appeals. The act of March 2, 1907, authorizing appeals by the government for certain judgments in criminal cases where the defendant has not been put in jeopardy, within the meaning of the constitution, should be amended so that such appeals should be taken to the circuit courts of appeals instead of to the supreme court in all cases except those involving the construction of the constitution or the constitutionality of a statute, with the same power in the supreme court to review on certiorari as is now exercised by that court over determinations of the several circuit courts of appeals. Appeals from the United States court in Porto Rico should also run to the circuit courts of appeals of the third circuit instead of to the supreme court. These suggested changes would, I am advised, relieve the supreme court of the consideration of about 80 cases annually, and would be in harmony with the theory of review which led to the establishment of the circuit courts of appeals and which I have state above.

Injunction Bill.

I wish to renew my urgent recommendation made in my last annual message in favor of the passage of a law which shall regulate the issuing of injunctions in equity without notice in accordance with the best practice now in vogue in the courts of the United States. I regard this of especial importance, first because it has been promised, and second because it will deprive those who now complain of certain alleged abuses in the improper issuing of injunctions without notice of any real ground for further amendment and will take away all semblance of support for the extremely radical legislation they propose, which will be most pernicious if adopted, will sap the foundations of judicial power, and legalize that cruel social instrument, the secondary boycott.

I further recommend to congress the passage of the bill now pending for the increase in the salaries of the federal judges, by which the chief justice of the supreme court shall receive $17,500 and the associate judges $17,000; the circuit judges constituting the circuit court of appeals shall receive $10,000, and the district judges $9,000.

Postoffice Department.

At its last session congress made provision for the establishment of savings banks by the postoffice department of this government, by which, under the general control of trustees, consisting of the postmaster general, the secretary of the treasury and the attorney general, the system could be begun in a few cities and towns, and enlarged to cover within its operations as many cities and towns and as large a part of the country as seemed wise. The initiation and establishment of such a system has required a great deal of study on the part of experts in the postoffice and treasury departments, but a system has now been devised which is believed to be more economical and simpler in its operation than any similar system abroad. Arrangements have been perfected so that savings banks will be opened in some cities and towns on the 1st of January, and there will be a gradual extension of the benefits of the plan to the rest of the country.

Wiping Out of Deficit.

As I have said, the postoffice department is a great business department, and I am glad to note the fact that under its present management principles of business economy and efficiency are being applied. For many years there has been a deficit in the operations of the postoffice department which has been met by appropriation from the treasury. The appropriation estimated for last year from the treasury over and above the receipts of the department was $17,500,000. I am glad to record the fact that of that $17,500,000 estimated for, $11,500,000 were saved and returned to the treasury. The personal efforts of the postmaster general secured the effective co-operation of the thousands of postmasters and other postal officers throughout the country in carrying out his plans of reorganization and retrenchment. The result is that the postmaster general has been able to make his estimate of expenses for the present year so low as to keep within the amount the postal service is expected to earn. It is gratifying to report that the reduction in the deficit has been accomplished without any curtailment of postal facilities. On the contrary the service has been greatly extended during the year in all its branches. A principle which the postmaster general has recommended and sought to have enforced in respect to all appointments has been that those appointees who have rendered good service should be reappointed. This has greatly strengthened the interest of postmasters throughout the country in maintaining efficiency and economy in their offices, because they believe generally that this would secure for them a further tenure.

Extension of the Classified Service.

Upon the recommendation of the postmaster general, I have included in the classified service all assistant postmasters, and I believe that this giving a secure tenure to those who are the most important subordinates of postmasters will add much to the efficiency of their offices and an economical administration. A large number of the fourth class postmasters are now in the classified service. I think it would be wise to put in the classified service the first, second, and third class postmasters. It is more logical to do this than to classify the fourth class postmasters, for the reason that the fourth class postoffices are invariably small, and the postmasters are necessarily men who must combine some other business with the postmastership, whereas the first, second, and third class postmasters are paid a sufficient amount to justify the requirement that they shall have no other business and that they shall devote their attention to their postoffice duties. To classify first, second, and third class postmasters would require the passage of an act changing the method of their appointment so as to take away the necessity for the advice and consent of the Senate.

The Franking Privilege.

The unrestricted manner in which the franking privilege is now being used by the several federal services and by congress has laid it open to serious abuses, a fact clearly established through investigations recently instituted by the department. While it has been impossible without a better control of franking to determine the exact expense to the government of this practice, there can be no doubt that it annually reaches into the millions. It is believed that many abuses of the franking system could be prevented, and consequently a marked economy effected, by supplying through the agencies of the postal service special official envelopes and stamps for the free mail of the government, all such envelopes and stamps to be issued on requisition to the various branches of the federal service requiring them, and such records to be kept of all official stamp supplies as will enable the postoffice department to maintain a proper postage account covering the entire volume of free government mail. As the first step in the direction of this reform, special stamps and stamped envelopes have been provided for use instead of franks in the free transmission of the official mail resulting from the business of the new postal savings system. By proper recording the issuance of such stamps and envelopes accurate records can be kept of the cost to the government of handling the postal savings mail, which is certain to become an important item of expense and one that should be separately determined. In keeping with this plan it is hoped that congress will authorize the substitution of special official stamps and stamped envelopes for the various forms of franks now used to carry free of postage the vast volume of departmental and congressional mail matter. During the past year methods of accounting similar to those employed in the most progressive of our business establishments have been introduced in the postal service and nothing has so impeded the department's plans in this regard as the impossibility of determining with any exactness how far the various expenses of the postal service are increased by the present unrestricted use of the franking privilege. It is believed that the adoption of a more exact method of dealing with this problem as proposed will prove to be of tremendous advantage in the work of placing the postal service on a strictly businesslike basis.

Second-Class Mail Matter.

In my last annual message I invited the attention of congress to the inadequacy of the postal rate imposed upon second class mail matter in so far as that includes magazines, and showed by figures prepared by experts of the postoffice department that the government was rendering a service to the magazines, costing many millions in excess of the compensation paid. An answer was attempted to this by the representatives of the magazines, and a reply was filed to this answer by the postoffice department. The utter inadequacy of the answer, considered in the light of the reply of the postoffice department, I think must appeal to any fair-minded person. Whether the answer was all that could be said in behalf of the magazines is another question. I agree that the question is one of fact; but I insist that if the fact is as the experts of the postoffice department show, that we are furnishing to the owners of magazines a service worth millions more than they pay for it, then justice requires that the rate should be increased. The increase in the receipts of the department resulting from this change may be devoted to increasing the usefulness of the department in establishing a parcels post and in reducing the cost of first class postage to one cent. It has been said by the postmaster general that a fair adjustment might be made under which the advertising part of the magazine should be charged for at a different and higher rate from that of the reading matter. This would relieve many useful magazines that are not circulated at a profit, and would not shut them out from the use of the mails by a prohibitory rate.

Parcels Post.

With respect to the parcels post, I respectfully recommend its adoption on all rural delivery routes, and that 11 pounds—the international limit—be made the limit of carriage in such post, and this with a view to its general extension when the income of the postoffice will permit and the postal savings banks have been fully established. The same argument is made against the parcels post that was made against the postal savings bank—that it is introducing the government into a business which ought to be conducted by private persons, and is paternalism. The postoffice department has a great plant and a great organization, reaching into the most remote hamlet of the United States, and with this machinery it is able to do a great many things economically that if a new organization were necessary it would be impossible to do without extravagant expenditure. That is the reason why the postal savings bank can be carried on at a small additional cost and why it is possible to incorporate at a very inconsiderable expense a parcels post in the rural delivery system. A general parcels post will involve a much greater outlay.

Abolition of Navy Yards.

The secretary of the navy has given personal examination to every navy yard and has studied the uses of the navy yards with reference to the necessities of our fleet. With a fleet considerably less than half the size of that of the British navy, we have shipyards more than double the number, and there are several of these shipyards, expensively equipped with modern machinery, which after investigation the secretary of the navy believes to be entirely useless for naval purposes. He asks authority to abandon certain of them and to move their machinery to other places where it can be made of use.

In making these recommendations the secretary is following directly along progressive lines which have been adopted in