

lette, and they have expressed themselves as highly pleased with his speech, which they characterized as one of the greatest that has been delivered in the senate for many years.

Senator La Follette was unfortunate in delivering his speech at a time when the public attention was occupied with a great horror on the Pacific coast, wherein a great city was destroyed and many lives lost. This event of absorbing interest to the people of the entire nation not only diverted attention of what was going on in the senate but absorbed the thoughts of the people of the entire country and filled the columns of the newspapers. At such a time little attention could be given to the speech of the senator no matter how meritorious it might be. But it is believed here by many senators and congressmen who have the reputation of being politically wise, that if it had not been for the San Francisco fire Senator La Follette's speech would have created a sensation in the nation, and lengthy extracts from it would have been published in the columns of the daily press in the country, and that liberal comment upon it would be found in the editorial columns. If such had been the case and the remarks of the Badger senator had been given the publicity that they undoubtedly would have received were it not for the San Francisco fire, it is believed that the effect of it would have been to make it impossible for the republican party to nominate any other than Mr. La Follette himself or some one holding views on the railroad question in line with Mr. La Follette's views and acceptable to him. These political sages say that there is grave danger even now that the Wisconsin senator will upset the political dough-pan of Fairbanks, Cannon and all others of the corporation ilk. It is understood here that Senator La Follette is receiving letters from all sections of the country in vast numbers and that he has had to employ a couple of extra secretaries to assist in handling his mail, all of which goes to show how receptive are the people of the country to advanced views upon the railroad question.

The president has about concluded that in order to pass a rate bill that will rebound to his credit that he must have help from the democrats, and has about concluded that he must stop playing politics and get down to business.

A Gallant Boy

A Bostonian was talking about the late Henry Harland.

"Harland was a graceful, gallant soul," he said. "Even in his boyhood he turned the prettiest compliments.

"In his boyhood he studied Latin under a charming young lady.

"This young lady, calling him up in class one morning, said:

"Henry, name some of the chief beauties of education."

"The boy, smiling into his teacher's pretty eyes, answered:

"Schoolmistress." — New York Tribune.

All Run Down

Wanting in vitality, vigor, vim,—that is a condition that no one can safely neglect, for it is the most common predisposing cause of disease. The blood is at fault; it needs purifying or enriching and the best medicine to take is

Hood's Sarsaparilla
the great alterative and tonic—builds up the whole system.

For testimonials of remarkable cures send for Book on That Tired Feeling, No. 8. C. I. Hood Co., Lowell, Mass.

MAKES THE LAW A FARCE

Says President Roosevelt of the Acquittal of the Beef Packers
by Federal Judge

President Roosevelt sent a sensational message to congress on the 18th inst., in which he denounced the decision of Judge Humphrey in the Chicago beef packers' case as a "miscarriage of justice."

The president declared that Judge Humphrey's interpretation of the law made the will of congress abortive, and that he did not believe other judges would follow the decision.

"Such an interpretation of the law," says the president, "makes the law a farce."

The president therefore asks congress to pass a declaratory act making its real intention on the law of immunity clear. He also requests congress to confer upon the government by statute the same right of appeal in criminal cases which the defendant now enjoys, where the merits of the case have not been determined.

Text of the Message

The full text of the president's message, which is one of the most sensational ever sent to congress in the history of the republic, follows:

"To the Senate and House of Representatives: I submit herewith a letter of the attorney general, enclosing a statement of the proceedings by the United States against the individuals and corporations commonly known as the 'beef packers' and commenting upon the decision of District Judge Humphrey. The result has been a miscarriage of justice. It clearly appears from the letter of the attorney general that no criticism whatever attaches to Commissioner Garfield; what he did was in strict accordance with the law and in pursuance of a duty imposed on him by congress, which could not be avoided; and, of course, congress in passing the Martin resolution could not possibly have foreseen the decision of Judge Humphrey.

"But this interpretation by Judge Humphrey of the will of the congress as expressed in legislation is such as to make that will absolutely abortive. Unfortunately there is grave doubt whether the government has the right of appeal from this decision of the district judge.

"The case well illustrates the desirability of conferring upon the government the same right of appeal in criminal cases, on question of law, which the defendant now has, in all cases where the defendant had not been put in jeopardy by a trial upon the merits of the charge made against him. The laws of many of the states, and the law of the District of Columbia, recently enacted by the congress, give the government the right of appeal. A general law of the character indicated should certainly be enacted.

"Furthermore, it is very desirable to enact a law declaring the true construction of the existing legislation so far as it affects immunity. I can hardly believe that the ruling of Judge Humphrey will be followed by other judges, but if it should be followed the result would be either completely to nullify very much, and possibly the major part of the good to be obtained from the interstate commerce law and from the law creating the bureau of corporations in the department of commerce and labor; or else frequently to obstruct an appeal to the criminal laws by the department of justice.

"There seems to be no good reason why the department of justice, the department of commerce and labor, the interstate commerce commission, each should not, for the common good, proceed within its own powers without undue interference with the functions of the other. It is, of course, necessary under the constitution and the laws that persons who give testi-

mony or produce evidence as witnesses, should receive immunity from prosecution. It has hitherto been supposed that the immunity conferred by existing laws was only upon persons, who, being subpoenaed, had given testimony or produced evidence, as witnesses, relating to any offense with which they were, or might be charged. But Judge Humphrey's decision is, in effect, that if either the commissioner of corporations does his duty or the interstate commerce commission does it, by making the investigations which they by law are required to make, though they issue no subpoena and receive no testimony, or evidence, within the proper meaning of those words, the very fact of the investigation may of itself operate to prevent the prosecution of any offender for any offense which may have been developed in even the most indirect manner during the course of the investigation or even for any offense which may have been detected by investigations conducted by the department of justice, entirely independently of the labors of the interstate commerce commission or of the commissioner of corporations—the only condition of immunity being that the offender should have given, or directed to be given information which related to the subject out of which the offense has grown.

"In offenses of this kind, it is at the best hard enough to execute justice upon offenders. Our system of criminal jurisprudence has descended to us from a period when the danger was lest the accused should not have his right adequately preserved, and it is admirably framed to meet this danger, but at present the danger is just the reverse; that is, the danger nowadays is, not that innocent men will be convicted of crime, but that the guilty man will go scot free. This is especially the case where the crime is one of greed and cunning, perpetrated by a man of wealth in the course of those business operations where the code of conduct is at variance, not merely with the code of humanity and morality, but with the code as established in the law of the land. It is much easier, but much less effective, to proceed against a corporation than to proceed against the individuals in that corporation who are themselves responsible for the wrong-doings.

"Very naturally outside persons who have no knowledge of the facts and no responsibility for the success of the proceedings are apt to clamor for action against the individuals. The department of justice has most wisely invariably refused thus to proceed against individuals unless it was convinced both that they were in fact guilty and that there was at least a reasonable chance of establishing this fact of their guilt. These beef packing cases offered one of the very few instances where there was not only the moral certainty that the accused men were guilty, but what seemed and now seems sufficient legal evidence of the fact.

"But in obedience to the explicit order of the congress the commissioner of corporations had investigated the beef-packing business. The counsel for the beef packers explicitly admitted that there was no claim that any promise of immunity had been given by Mr. Garfield, as shown by the following colloquy during the argument of the attorney general:

"Mr. Moody: I dismiss almost with a word the claim that Mr. Garfield promised immunity. Whether there is any evidence of such a promise or not, I do not know, and I do not care."

"Mr. Miller (the counsel for the beef packers): There is no claim to it."

"Mr. Moody: Then I was mistaken and I will not even say that word."

"But Judge Humphrey holds that if the commissioner of corporations, and therefore if the interstate commerce commission in the course of any investigation prescribed by congress asks any questions of a person not called as a witness, or asks any questions of an officer of a corpora-

tion not called as a witness with regard to the action of the corporation on a subject out of which prosecutions may subsequently arise, then the fact of such questions having been asked operates as a bar to the prosecution of that person or of that officer of the corporation for his own misdeeds. Such interpretation of the law comes measurably near making the law a farce; and I therefore recommend that the congress pass a declaratory act stating its real intention.

"THEODORE ROOSEVELT,
"The White House, April 17, 1906."

CHINATOWN WIPED OUT

This Abode of Abomination More Extensive Than Before Known.

Los Angeles, Calif.—"Strange is the scene where San Francisco's Chinatown stood," says W. W. Overton, who reached Los Angeles today among the refugees. "No heap of smoking ruins marks the site of the wooden warrens where the slant-eyed men of the orient dwelt in thousands. The place is pitted with deep holes and seared with dark passageways, from whose depths come smoke wreaths. All the wood has gone and the winds are streaking the ashes.

"Men, white men, never knew the depth of Chinatown's underground city," says Mr. Overton. "They often talked of these subterranean runways, and many of them had gone beneath the street levels, two and three stories. But now that Chinatown has been unmasked, for the destroyed buildings were only a mask, men from the hillside have looked on where were its inner secrets. In places they can see passages a hundred feet deep.

"The fire swept the Mongolian section clean. It left no shred of the painted wooden fabric. It ate down to the bare ground and this lies stark, for the breezes have taken away the light ashes. Joss houses and mission schools, grocery stores and opium dens, gambling halls and theaters—all of them went. The buildings blazed up like tissue paper lanterns used when the guttering candles touched their sides.

"From this place I followed the fire and saw hundreds of fright-crazed yellow men flee. In their arms they bore their opium pipes, their money bags, their silks and their children. Beside them ran the baggy-trousered women, and some of them hobbled painfully.

"But these were the men and women of the surface. Far beneath the street levels in those cellars and passage ways were other lives. Women who never saw the day from their darkened prisons, and blinking jailors were caught like rats in huge traps. Their very bones were eaten by the flames.

"And now there remain only holes. They pit the hillside like a multitude of ground swallow nests. They show depths which the police never knew. The secret of those burrows will never be known, for into them the hungry fire first sifted its red coals and then licked eagerly in tongues of creeping flames, finally obliterating everything except the earth itself."

A Minister's Story

A certain minister of Bangor, Me., joined a fishing party of his friends for two weeks in a woods camp. Sunday morning some of the boys wanted to go fishing, and go away without being seen by the minister; but one fellow, slower than the rest, was caught by the minister just as he was setting up his rod. The fisherman made excuses, and added, "I suppose you would not care to go?"

In answer the minister told the following story: "When I was settled in the church at Dixmont, in the first years of my ministry, I was called out of bed one night to marry a couple who had both been bereft of their first partners by death. When I got to the place where I asked the man if he took this woman to be his lawful wife, he exclaimed: 'Look a-here, parson, what in — do you think I'm here for?'" — Boston Herald.