

UP TO CONGRESS

PRESIDENT ROOSEVELT SENDS A SPECIAL MESSAGE TO BOTH HOUSES

URGING SOME ACTION

WANTS THE RE-ENACTMENT OF THE EMPLOYER'S LIABILITY ACT AND OTHER THINGS.

TAKES UP RAILROAD REBATES

And He Produces Letters Showing How This Has Been Done and Lays Some Action.

Washington, Jan. 31.—A special message from the president on the subject of the employer's liability act and injunctions in labor cases was read to both the houses today. In the senate both the democrats and the republicans applauded the message.

The president said in part:

To the Senate and House of Representatives:

The recent decision of the supreme court in regard to the employer's liability act, the experience of the interstate commerce commission and the department of justice in enforcing the interstate commerce act and the attitude toward the law and its administration recently reported by certain houses of congress, all lead me to believe that there should be additional legislation as to certain of the relations between labor and capital, and between great corporations and the public.

The supreme court has decided the employer's liability law to be unconstitutional because it terms apply to interstate commerce as well as to employees engaged wholly in intrastate commerce. By a substantial majority the court holds that the congress has power to deal with the question in so far as interstate commerce is concerned.

As regards the employer's liability law I advocate its immediate re-enactment, limiting its scope so that it shall apply only to the cases to which it was originally intended, but strengthening its provisions within that scope. Interstate employment being thus covered by an adequate national law, the field of intrastate employment will be left to the action of the several states. With this clear definition of responsibility the states will undoubtedly give to the performance of their duty within their own construction fields the consideration and importance of the subject demands.

For Injured 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 present law an injured workman in the employment of the government has no remedy, and the burden of the accident falls on the helpless man, his wife, and his young children. This is an outrage. It is a matter of humiliation to the nation that three should not be on our statute books provision to meet and partially atone for cruel misfortune when it comes to the government.

As a special bill.

There is a special bill to which I call your attention. Secretary Taft has urgently recommended the immediate passage of a law providing for the government's liability in the work of the institution canal, and that \$100,000 be appropriated for this purpose each year. This bill should be done, and that a special bill be passed covering the case of Yardsmaster Roster, who was injured nearly three years ago in the service of the government. He is now helpless to support his wife and three little boys.

Abuse of Injunctions.

I again call your attention to the need of some action in connection with the abuse of injunctions in labor cases. As you are all well acquainted with the facts and the wrongs of labor and capital, and the subject is covered in admirably full detail in the report of the interstate strike commission, which report should serve as a chart for the guidance of both legislative and executive action. Under the present law I can do little but repeat what I have said in my message to congress.

It would require it most unwise to abolish the use of the process of injunction. It is necessary in order that the courts may maintain the peace and order in order that they may in effective manner check disorder and violence. The judge who abuses the process of injunction is not only a public enemy, but he is also a public enemy.

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GUTHRIE DOINGS

RULING OF SPEAKER MURRAY GETS TO THE SENATE IN FORM OF A BILL.

UP TO MR. BELLAMY

THE TELEGRAPH AND TELEPHONE BILL RECALLED FROM THE HOUSE.

EVENTS OF BOTH HOUSES

The Anti-Cigarette Bill Has Passed The Third Reading in the House.

Guthrie, Okla., Jan. 31.—Under Speaker Murray's ruling that the prohibition enforcement bill of itself carries the "employer's clause" which would not be ratified by the house separately from the bill, the measure in question was yesterday postponed in the senate late yesterday afternoon. It bears the title of senate bill No. 61, and its house record shows that on final passage there were 377 affirmative and 18 negative votes, which is two-thirds of the house membership.

As soon as its delivery had been announced, Senator Billings, who never appeared as the author when it came before the senate, immediately went to the senate and asked the president of the senate if a motion to reconsider should be in order. Senator Davis, who introduced a prohibition bill Tuesday, opposed consideration, submitting that it should take the status of a new measure and be referred to a committee. Gov. Bellamy remained from ruling on the question and by agreement it went to the senate today.

The senate recalled from the house the bill by Senator Stewart regarding telegraph and telephone companies, the desire being to make a change in the Jim Crow section added to the bill by Senator Graham, providing for separate booths and phones. Provision will now be made to compel separate accommodations in towns where the people apply to the corporation, commission, or other authority, and not otherwise.

A resolution by Senator Landrum was adopted memorializing congress to purchase the inland buildings in the state and donate them to the state.

Most of the session was consumed in considering the jury bill by Senators Taylor and Blair of the senate and Mr. Durham and Mr. Japp of the house. An amendment was adopted establishing among the qualifications of a juror those who can read and write English or in some apprehension was expressed that the Jim Crow rule could be extended to juror, but Senator Taylor announced that another qualification for jury service was to be alector and when the election bill passed the legislature he was of the opinion the qualifications to be qualified an elector would meet the requirements.

The anti-cigarette bill, which forbids the possession of cigarettes for "junkies," as one member termed cigarette paper and tobacco, also forbids the giving of tobacco in any form to a person under 16 years of age. The house placed an amendment in the bill providing any person to smoke a tobacco cigarette in Oklahoma, the penalty for which is a fine of \$5 to \$25.

The committee bill appropriating \$10,000 for the support of the state insane asylum at Fort Supply was passed separately, and an organized effort made to lower the amount. This continued until the appropriation for \$300 per year for farm hands was reached, when sentiment went the other way and the amount was increased to \$750.

The debate brought out that the state was now paying out that amount to a private asylum company for the care of about 600 insane patients.

McAlester's request.

Senator Browder asked if he might also have an explanation of how a statement was made by him and misinterpreted to mean that he would not be a candidate for secretary of the state had entered into a contract to purchase \$18,000 worth of books, an erroneous conclusion.

Under the head of petitions school board of here declared their anxiety to have laws made. Others acted on the part of the board and Mr. McAlester, who has been a member of the committee, wanted pending legislative measures enacted.

A strong plea against the abolition of the bucket shop was read.

Russell moved reconsideration of Senate bill 128 (Stewart) pertaining to telegraph and telephones. Johnson of the tenth district asked the reason for reconsideration, as the bill was passed the day previous. Graham and Stewart felt that the house could handle the fourth section (Jim Crow clause) if necessary. Anyhow, the delay would be expensive, considering the importance of other features to the people.

Sorrels explained that he had felt from the first that the clause known as section fourteen was ill-thought legislation.

The vote on the motion to reconsider was 21-ayes, 14-nays, 9-absent.

No. 213, by Taylor, regulating issuance of teachers' certificates.

No. 244, by Stafford, defining contributory dependency and delinquency.

Senator Egan and Sorrels denounced Senator Bageman's dangerous bill of his amendments, 709 East Cleveland avenue, afflicted with erysipelas, the malady being severe in form.

Wolf Catcher in Danger.

The wolf-catcher is in danger of being legislated out of business in the new state and may soon find himself weeping, like Alexander of old, because there are no more wolves to conquer. Chastain has introduced a bill for the extermination of the wolf and the wolf-catcher, providing for the bounty on the scalp of these "varmints." The committee on general agriculture reported the bill for passage. Inasmuch as these animals are highly prized by the property and small stock raisers of the state, the bill has the strong support of the farmers and their organizations. In some counties the farmers' union has succeeded in having bounty offered by the county commissioners, an indication of the extent of the depredations by the animals mentioned.

This is the first bill introduced that bears the referendum clause. The text of the clause follows:

"This law shall not take effect until it shall, at a general election, have been submitted to the people and have received a majority of all the votes cast for or against it at such election, and then it shall apply only to the county or counties in which it shall have been adopted."

A resolution by Japp was adopted, inviting the senate to attend the lecture by Dr. Dowd, for men only, last night.

THE JURY HAS IT

THE THAW CASE WAS GIVEN TO TWELVE MEN TO DELIBERATE TODAY.

TOOK THE EXHIBITS

WHICH INDICATES THAT THEY EXPECT TO DELIBERATE FOR SOME TIME.

JEROME SEVERE IN SPEECH

He Called Both Thaw and White Degenerates and Spared the Wife of Young Thaw.

New York, Jan. 31.—The case of Harry K. Thaw, charged with the murder of Stanford White, was given to the jury at 11:40 this morning. Justice Dowling finished his charge five minutes earlier. The jurymen took with them all the exhibits in the case.

Justice Dowling said in part: "Your verdict must not be influenced by any matter outside the record. Your sole function is to determine if any crime has been committed, its grade and leave the question of penalty to those responsible for its imposition."

Thaw listened intently. The defendant listened intently to the charge.

The fact that the jury desired to examine the exhibits is taken to indicate they will be some time at their deliberations.

Mrs. Wm. Thaw, her son, Joseph, Mrs. George Carnegie, and Evelyn Knight-Thaw were in the room when the charge was read.

After the jury retired Mrs. Wynne Thaw visited her son for a time in the prison room just outside the court chamber, then left the court house.

Young Mrs. Thaw remained. Jerome's Great Speech.

In District Attorney Jerome's plea before the jury yesterday vindictiveness, sneers, insinuations, all were lacking; logic, analysis and calm consideration of the facts were his attributes.

It was no blind appeal for the vengeance of the law that Jerome addressed to the jury, but ever and always there was a note of fairness, even at times of passion.

That was the first time that the defendant had brought a wonderful and stirring charge in the prosecution. No longer attempting to shield the name of Stanford White, he accepted the story told by Evelyn Knight-Thaw as true—all but the dragging, and he made a frank confession to the jury that the velvet swings and the mirrored rooms at the studio house described by the girl were indeed a miserably reality.

No longer attacking Evelyn Thaw as a skilled adventuress, Jerome pleaded for the girl, because she never had a chance for a higher, cleaner, sweeter thing of life.

The criminal's plea, however, was a dramatic denunciation of Thaw. While in one breath he denounced Thaw as a degenerate, a scoundrel, a woman, and the woman, the prosecutor declared, knew no more, had been taught no more by the world, than to play up against the other wild, irrepressible, in blind, unreasoning vehemence of all the devil's gross wrong done to his wife. Thaw shot and killed the architect.

Jerome turned a willing ear to the testimony of insanity placed before the jury and emphasized it in a number of instances. He admitted that Thaw had shown a marked weakness and that at times his mind had been unstrung and while at no point was there a clear-cut act of comprehension in the prosecutor's speech there was a notable indication that he would not feel that justice had been done if it were of some lesser grade should be eliminated out of the jurors' deliberations.

Coming to the conclusion of his long address, which lasted throughout the morning and afternoon sessions of the court, Jerome denounced Harry Thaw in the bitterest terms as a coward, skulking behind the protection of the law, attempting to shield and save his worthless life behind the sham.

"Twice in his sanity," declared the prosecutor, "he has set his hand to murder and had nearly succeeded in his pitiful wickedness, to all the slightest consideration of your hands."

EXPLOSION IN AN ARSENAL

Several Persons Were Seriously Injured as a Result.

PHILADELPHIA, JAN. 31.

Several persons were seriously injured today in an explosion at the Frankford arsenal in the outskirts of this city. The explosion was slight and occurred in the reloading room.

There was a panic among a large number of employees but it was quickly allayed.

A DESCENDANT OF CROMWELL

Edward Cromwell Dies at Denver, Colorado.

Denver, Jan. 31.—Edward Cromwell, aged 87, died here last night. His life was largely spent in his native country of one of the oldest American families and the oldest direct descendant of Oliver Cromwell.

OKLAHOMA SAFE BLOWERS

Postoffice at Mustang Was Visited Early Today.

Oklahoma City, Jan. 31.—Sheriff Jara kept the safe at the postoffice at Mustang early today and secured \$100 in cash.

CHAPTER HOUSE IS DESTROYED

New Haven Scientific School Loses Fine Building.

New Haven, Jan. 31.—The chapter house of Bazelina, one of the leading secret societies of the state, was destroyed by fire today. The building was valued at \$10,000.

RESEGREGATED SETTLERS MEET

And Discuss the Proposition of Rent Paying.

THE AGGREGATED LAND SETTLERS ASSOCIATION IS HOLDING A MEETING AT ITS ROOMS THIS AFTERNOON IN THE INDIAN BUILDING TO CONSIDER THE PROPOSITION OF THE GOVERNMENT THAT THEY MUST TAKE RENT FOR THIS YEAR AND THEY CLAIM A HARSHSHIP IS BEING WORKED UPON THEM BY THIS LAST ORDER OF THE DEPARTMENT.

Mr. Howerton is here and will begin collecting rent at McAlester tomorrow. Those paying rent for this year must sign a form of application to which they take objection. The application provides that the applicant shall occupy the land on or before December 31, 1908, and be subject to removal at any time on thirty days' notice. The wording of the application further presumes that the government is the owner of all improvements on the lands and the applicant in signing makes application to use the improvements he may have been years in establishing, thus admitting, as the government claims, that all of the improvements are the property of the United States and he must agree to keep the same in good repair and turn them over and deliver them to the "proper person" at the expiration of the lease, or when notified to vacate the property.

In the application the settler waives all right, title or interest in the land he may lease, or on which he has been making his home for years. He also must waive any right of preference to purchase the same in case the lands are ordered sold. He must also waive the right to acquire any title to the lands by reason of holding over under the lease.

STATE FINISHED ITS CASE

Now the Defense of Mrs. Flora McDonald Begins.

Chicago, Jan. 31.—The state today finished its side in the case of Mrs. Flora McDonald charged with murder.

DEATH CAUSED BY CRAFT

Investigation Is Being Made in Pennsylvania Theatre Fire.

Boyetown, Pa., Jan. 31.—Sugestions of graft and admissions of neglect, which, it is intimated, may result in prosecutions, marked the opening session of the inquest here in the horror of the Rhodes opera house on January 13, when 169 persons lost their lives.

It was charged that the tragedy was the result of the negligence of the fire officer, that the stairway and the going of exit and entrance were but three feet and one inch in width; that Harry Fisher, the operator of the fire alarm, had received only two days' instructions in the method of handling calcium light, and that he operated the machine in public for the first time on that night.

In addition to this, Dr. Thos. A. Rhoades, the owner of the building, declared that the "big" gas burner was inspected and found by the factory inspector to be in good condition. He also stated that he had a contract for five engines to Reading, Pa. He added, in a reply to a pointed question in District Attorney Rhoades' line, that the factory inspector told him when he should buy his fire escapes from that he placed the order with the Reading contractor and that the inspector passed the building.

The lessee of the opera house, E. C. Manger, of Pottstown, who admitted that he did not know the location of the gas burner, said that he had a contract for five engines to Reading, Pa. He added, in a reply to a pointed question in District Attorney Rhoades' line, that the factory inspector told him when he should buy his fire escapes from that he placed the order with the Reading contractor and that the inspector passed the building.

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SOME WATCHES

Keep time.

All keep time after a fashion but only a few can be depended upon to register time to the second.

Did you realize that the true watch-maker is the most difficult in the world to master? By that we mean that the technical, knowledge and manual skill required is more than any other mechanical vocation.

The finished watch-maker should be able to make any part of a watch as well as to do the necessary repairs to any watch that has gone wrong.

We have several watches made entirely from the rough metal by our watch-makers as proof of our claim.

A little attention and a little oil once a year will make any watch run like a clock for a long time. If yours does not run as it should, bring it to us. We will not only prompt but cheap repairs.

The McIntyre Shortess Co. Jewelers.

OVER 250 USERS OF Mazer's Ink Pencils IN THIS CITY.

More of them being added every day.

Are you among the list? The only ink-writing instrument now on the market that can be kept in your pocket, that will not leak, that will not stain, that will not run, that will not dry up, that will not break, that will not cost you more than a few cents.

Your car now has your Mazer pencil. The price is within the reach of all.

\$2.50

JOS. MAZER

THE MALESTER DAILY CAPITAL

CAPITAL PRINTING CO., Publisher. (Incorporated) Melven Cornish... President Preston S. Lester... Vice-President...

FRIDAY, JANUARY 31, 1908

OKLAHOMA'S EXPERIMENT

The following from the Saturday Evening Post, one of the most highly esteemed independent journals of the nation...

The latest state, unless we are badly mistaken, is not going to live in ignoble fear of precedent. This ignominious trial has been conducted...

AS MURRAY SAYS IT. As hearing on the right of the county central committee to appoint chairman of precinct meetings...

Mr. Murray states a very sound democratic doctrine, and one which the Capital emphasized, when he says that the party cannot afford to endorse the policy laid down by the committee...

Coming as this does from one whose character of democracy few will question, it is significant that the warnings which the Capital uttered in its first article on this phase of the committee's work will be taken seriously...

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It was fighting for a principle, which it ignored would disrupt the democratic party as a party of the people. So far as a division of the party in the county is concerned, the position is taken that there is just one side to this matter...

North Texas has suddenly gotten sentimental. It is to set aside many hundred acres for onions this year. "That's attorney has actually asked that his client be acquitted. In the interest of public decency, the American people join in this request."

Galveston has a fight on its hands. It is to form a brigade for the purpose of exterminating the rats and mosquitoes. No ladies allowed to take a hand in this praiseworthy work.

The Philadelphia girl who ate two packages of gelatin, sixteen bananas, six oranges and one pound of molasses candy was just sweet to live to tell the story. Of course her age was "sweet" sixteen.

A Muskogee man decided to take a special train south the other day. It is reported that he traveled so fast he could not see the telegraph poles, trees or houses—he was locked up in a freight car. This is certainly moving sure.

It ought to be very gratifying to all that the school-medicine has come out or is in a fair way to come out. All right. Governor Haskell has gotten the ball rolling together with the state authorities and the federal authorities will work together...

Columbia, Missouri, the site of the state university, is proposing now to tax all households \$50 annually. The city council recently decided on this action. The purpose of the council is to materially increase the city revenues to treat the loss occasioned by voting saloons out of the town.

Mr. Walter C. Haun, American consul at Hull, England, reports that of more than 25,000 ships that entered the harbor during the year there was only one vessel of American register. There are various causes for this miserable showing...

There was a time when the American merchant marine was the first in the world—exceeding England's even, but that was when our country did not hold international trade as a criminal to be hauled up before a collector of customs.

Of all the beggars fastened on the American people, the most interested is the fastest and the sleekest. It is protected by a prohibitory tariff that costs the people a few cents millions and millions every year. And yet the foreigner finds a way to smuggle us under the fifth rib.

But the ship subsidy is loaded, cocked and primed, and it will go off in this congress—Washington Post.

YOU'RE INVITED To the State Breeder's and Growers' of Oklahoma. Gentlemen: In response to requests from some of the leading breeders and growers of swine in the state of Oklahoma for an improved swine breeders' association...

and realizing the necessity and benefit of such an organization, I hereby request you to meet every farmer and stock raiser in the state of Oklahoma interested in the organization of such an association...

Who Pays for the Railroad? The annual report of the Union Pacific Railway is now over. Not so much because it shows that in the ten years since reorganization, with the increase of six per cent in miles of road operated, gross earnings have increased from \$33,281,136 to \$87,474,765...

Stockholders now know at what price Mr. Harman bought or their various shares involving an aggregate investment of \$24,887,392, and at what price he sold them for a total value of \$17,869,800. We judge it will be a satisfaction to them to know...

Everybody knows who owns the railroad information as to what they have for them to lose extensive and great—Saturday Evening Post.

Winter Reading for the Farmer—A valuable contemporary devoted to the interests of the soil, counsels farmers to improve the long winter evenings by reading good books on agriculture. It seems to us shocking advice.

There is a kind of misbehavior in the winter evenings in the country. It is a kind of misbehavior in the winter evenings in the country. It is a kind of misbehavior in the winter evenings in the country.

What do hibernating bears eat in winter? It is a question that has puzzled many. Mr. Roosevelt's admired brother naturalist has given us a symposium by fifty eminent bears on the "Best Bear Winter Diet."

Hoag Juice Remedies. We are asked for some good remedy for lice on dogs by a Texas citizen. Dipping vats are recommended by hundreds of Mr. Hoag's readers.

THE KIDNEYS ARE OVERTAXED. Have too much to do. They tell about it in many aches and pains. Backache, headache, dizziness, symptoms of kidney illness.

Successor to HYDE'S PHARMACY. A Complete Line of DRUGS. Our Line of Toilet Articles.

EVERYBODY INVITED TO CALL AND GET ACQUAINTED. Remember the name—Doan's—and take no other.

Very Decided Tumble in Prices on Men's and Boys' Clothing

The Model MALESTER'S GREATEST STORE. Office rooms for rent. Model building. Oliver Typewriter for sale.

For Female Ills

You should take, for female ill, a medicine which acts on the female system and functions. Cardal is not a man's medicine. It is for women. Its pure, healing, curative, vegetable ingredients go direct to the womanly organs, relieve their pain and inflammation, and build up their strength.

WINE OF CARDUI

has done for me. I am on my third bottle and so on much better. Before I began to take Cardui, I could not do a day's work. Now I can work all day. My husband took four bottles of Cardui before confinement, got along fine and has been stronger ever since.

WOMAN'S RELIEF

WRITE FOR FREE ADVICE, stating age and describing symptoms. The Chattanooga Medicine Co., Chattanooga, Tenn. E 40

the cyclopedia of agriculture, like those for cattle, and as insecticides, Zenolium and chloronaphtholene. These may be used in a three per cent solution for young pigs and in four per cent solution for older pigs.

Where it is inconvenient to go to the trouble and expense of having a hot, one-temperature, is referred to the following comments and suggestions from one of the agricultural papers of his own state:

Preventive and destructive measures are both necessary in combating hog lice. It does no good to use destructive measures unless preventive methods are also adopted. The beds and houses are filled with lice. It is a waste of time to destroy the vermin on the hog. The beds and houses should be disinfected first.

Notice. Pursuant to the call of the Pittsburg County executive committee, I hereby call a meeting of the democrats of the Fourth ward at the courthouse building at 10 o'clock, Monday evening, the 30th day of January, 1908, for the purpose of electing three delegates to the county convention to be held the 15th of February next. Sam E. Boyden, Committee Man.

Notice. The firm of Lowe & Foster is this day dissolved by mutual agreement. All debts owing by the firm will be paid and all accounts due the firm will be collected by F. M. Foster. F. M. POSTER.

Successor to HYDE'S PHARMACY. A Complete Line of DRUGS. Our Line of Toilet Articles.

EVERYBODY INVITED TO CALL AND GET ACQUAINTED. Remember the name—Doan's—and take no other.

AMERICAN NATIONAL BANK UNITED STATES DEPOSITORY

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