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PRESIDENT ROOSEVELT'S MESSAGE TO CONGRESS

Forceful Presentation Of Needed Legislation

DOCUMENT OF UNUSUAL VIGOR

Message Goes at Length Into Questions of Vital Interest to the Whole People.

The following is the substance of the annual message of President Roosevelt to Congress, as read in both Houses:

Introductory.

As a nation we still continue to enjoy a literally unprecedented prosperity, and it is probable that only reckless speculation and disregard of legitimate business methods on the part of the business world can materially retard this prosperity.

No Congress in our time has done more good work of importance than the present Congress. There were several matters left unfinished at our last session, however, which I most earnestly hope you will complete before your adjournment.

Corporation Campaign Contributions.

I again recommend a law prohibiting all corporations from contributing to the campaign expenses of any party. Such a bill has already passed the House of Congress. Let individuals contribute as they desire; but prohibit in effective fashion all corporations from making contributions for any political purpose directly or indirectly.

Government's Right to Appeal in Criminal Cases.

Another bill which has past one House of the Congress which it is generally necessary should be enacted is that conferring upon the government the right of appeal in criminal cases on questions of law. This right exists in many of the States; it exists in the District of Columbia by act of the Congress. It is of course not proposed that in any case a verdict for the defendant on the merits should be set aside. Really in one district where the Government had indicted certain persons for conspiracy in connection with the court sustained the defendant's demurrer; while in another an indictment for conspiracy to obtain a verdict has been sustained by the court, convictions obtained under it and two defendants sentenced to imprisonment. The two cases referred to may not be in real conflict with each other, but it is unfortunate that there should even be an apparent conflict. At present there is no way in which the Government can cause such a conflict, when it occurs, to be resolved by an appeal to a higher court and the wheels of justice are blocked without any real decision of the question. I can not too strongly urge the passage of the bill in question.

Setting Aside of Judgments and Granting of New Trials.

In connection with this matter, I 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 technical grounds 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 by a new trial granted in any case, 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 case, it shall affirmatively appear that the error complained of has resulted in a miscarriage of justice.

Injunctions.

In my last message I suggested the enactment of a law in connection with the issuance of injunctions, attention having been sharply drawn to the matter by the demand that the right of applying injunctions in labor cases should be wholly abolished. It is at present doubtful whether a law abolishing altogether the use of injunctions in such cases would stand the test of the courts; in which case of course the legislation would be ineffective.

Lynching.

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 the violence that springs up, now in part of our country, now in an

other. Each section, North, South, East and 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.

Capital and Labor.

In dealing with both labor and capital, with the questions affecting both corporations and trades unions, there is one matter more important to remember than aught else, and that is the infinite harm done by preachers of mere discontent. These are men who seek to excite a violent class hatred against all men of wealth. They seek to turn wise and proper movements for the better control of corporations and for doing away with the abuses connected with wealth, into a campaign of hysterical excitement and falsehood in which the aim is to inflame to madness the brutal passions of mankind. The sinister demagogues and foolish visionaries who are always eager to undertake such a campaign of destruction sometimes seek to associate themselves with those working for a genuine reform in governmental and social methods, and sometimes masquerade as the reformers. In reality they are the worst enemies of the cause they profess to advocate, just as the purveyors of sensational slander in newspaper of magazine are the worst enemies of all men who are engaged in an honest effort to better what is bad in our social and governmental conditions.

Railroad Employees' Hours and Eight Hour Law.

I call your attention to the need of passing a 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. There are industries in which it is not possible that the hours of labor should be reduced; just as there are communities not far enough advanced for such a movement to be for their good, or, if in the Tropics, so situated that there is no analogy between their needs and ours in this matter. On the Isthmus of Panama, for instance, the conditions are in every way so different from what they are here that an eight hour day would be absurd; just as it is absurd, so far as the Isthmus is concerned, where white labor can not be employed, to bother as to whether the necessary work is done by alien black men or by alien yellow men. But the wage-workers of the United States are of so high a grade that alike from the merely industrial standpoint and from the civic standpoint it should be our object to do what we can in the direction of securing the general observance of an eight hour day.

Employers' Liability.

Among the excellent laws which the Congress past at the last session was an employers' liability law. It was marked step in advance to get the recognition of employers' liability on the status books; but the law did not go far enough. In spite of all precautions exercised by employers there are unavoidable accidents and even deaths involved in nearly every line of business connected with the mechanic arts. This is inevitable sacrifice of life may be reduced to a minimum, but it can not be completely eliminated.

Investigation of Disputes Between Capital and Labor.

The commission appointed by the President October 16, 1902, at the request of both the anthracite coal operators and miners, to inquire into, consider, and pass upon the questions in controversy in connection with the strike in the anthracite regions of Pennsylvania and the causes out of which the controversy arose, in their report, findings, and award express the belief that the State and Federal governments should provide the machinery for what may be called the compulsory investigation of controversies between employers and employees when they arise.

Corporations.

The present Congress has taken long strides in the direction of securing proper supervision and control by the National Government over corporations engaged in interstate

business—and the enormous majority of corporations of any size are engaged in interstate business. The passage of the railway rate bill, and only to a less degree the passage of the pure food bill, and the provision for increasing and rendering more effective national control over the beef-packing industry, mark an important advance in the proper direction. In the short session it will perhaps be difficult to do much further along this line; and it may be best to wait until the laws have been in operation for a number of months before endeavoring to increase their scope, because only operations will show with exactness their merits and their shortcomings, and thus give opportunity to define what further remedial legislation is needed. Yet in my judgment it will in the end be advisable in connection with the packing house inspection law to provide for putting a date on the label and for the packers. All these laws have already justified their enactment.

Agriculture.

The only other persons whose welfare is as vital to the welfare of the whole country as is the welfare of the wage-workers are the tillers of the soil, the farmers. It is a mere truism to say that no growth of cities, no growth of wealth, no industrial development can atone for any falling off in the character and standing of the farming population. During the last few decades this fact has been recognized with ever-increasing clearness.

Marriage and Divorce.

I am well aware of how difficult it is to pass a constitutional amendment. Nevertheless in my judgment the whole question of marriage and divorce should be relegated to the authority of the National Congress. At present the wide difference in the laws of the different States on this subject result in scandals and abuses; and surely there is nothing so vitally essential to the welfare of the nation, nothing around which the nation should so bend itself to throw every safeguard, as the home life of the average citizen. The change would be good from every standpoint.

International Morality.

On the question of international morality Mr. Roosevelt comes out strongly, advocating clean dealing between the nations of earth and also strongly advocates international arbitration as a means of settling all difficulties that may arise.

American Shipping.

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, or a major part of the views, expressed in the report on this 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 American shipping; but it seems to me that the proposed measure is as nearly unobjectionable as any can be.

Currency Reform.

I especially call your attention to the second subject, the condition of our currency laws. The national bank act has ably served a great purpose in aiding the enormous business development of the country; and within ten years there has been an increase in circulation per capita from \$21.41 to \$33.08. For several years evidence has been accumulating that additional legislation is needed.

Our Island Possessions.

It is urged that these shall receive the careful consideration of Congress and that tariffs, etc., shall be upon a just basis.

Army and Navy.

The message goes at length into the matter of the efficiency of our army and navy. The President is much gratified at the progress we are making in both branches of our common defense. In the matter of rifle practice the President says:

The Congress has most wisely provided for a National Board for the promotion of rifle practice. Excellent results have already come from this law, but it does not go far enough. Our Regular Army is so small that in any great war we should have to trust mainly to volunteers; and in such event these volunteers should already know how to shoot; for if a soldier has the fighting edge, and ability to take care of himself in the open his efficiency on the line of battle is almost directly proportionate to excellence in marksmanship. We should establish shooting galleries in the large public and military schools, should maintain national target ranges in different parts of the country, and should in every way encourage the formation of rifle clubs throughout all parts of the land. The little Republic of Switzerland offers us an excellent example in all matters connected with building up an efficient citizen soldiery.

THEODORE ROOSEVELT, The White House, Dec. 3, 1906.

FUNERAL OF PRES. SPENCER

Notable Tributes Paid Distinguished Railroad Magnate by Associates, Statesmen and Men Eminent in all Walks of Life—Every Train on Southern System Stopped for Five Minutes During Ceremony.

Washington, Special.—All that is mortal of Samuel Spencer, late president of the Southern Railway, whose tragic death on his own railroad on the morning of Thanksgiving Day shocked the people of two hemispheres, was laid to rest Sunday afternoon in the receiving vault at Oak Hill Cemetery, there to await final disposition.

A notable tribute was paid to the memory of the distinguished railroad magnate by his associates, by statesmen and by men eminent in all the walks of public life. The funeral obsequies, held in historic St. John's Protestant Episcopal church, were attended by railroad officials, financiers and public men from all parts of the country.

At 2 o'clock the services began, and at the same instant throughout the system of railroads lately presided over by Mr. Spencer, every train came to a dead stop, every wheel ceased to turn, every employe put aside his work. For five minutes over the thousands of miles of railway every employe paid silent respect to the dead president.

TRIBUTE TO SAMUEL SPENCER.

Voting Trustees and Board of Directors in Joint Meeting Adopt Minutes to Be Printed in Press Along Route of Southern Railway.

Washington, D. C., Special.—At a joint meeting of the voting trustees of the board of directors of the Southern Railway Co., held at its office the following minute was adopted to be entered on the records and published at length in the press upon the lines of the Southern Railway:

"Samuel Spencer, born in Columbus, Ga., March 2, 1847, died Nov. 29, 1906, near Lawyers Station, Virginia, upon the railroad of the Southern Railway Company, of which he was the first and only president. The personal qualities of Mr. Spencer; his integrity in heart and mind; his affectionate and genial disposition; his loyal and courageous spirit; his untiring devotion to duty; his persistent achievement of worthy ends; and his comradeship on the field of battle of affairs and of manly spirit combined to establish him in the loving regard of hosts of friends in every section of his country, and nowhere more securely than in the affection of his fellow-workers in the service of the Southern Railway Company. The importance of his service to this company is a matter of common knowledge throughout the railroad world; but the character, the extent, and the consequence of that service are and can be appreciated at their full worth only by his associates now gathered here to attest their regard for him and to record their high estimate of his life and work.

"Upon June 18th, 1894, on the completion to the Richmond terminal, a re-organization conceived by J. Pierpont Morgan and conducted by his partner, Charles H. Coster, the first meeting of the Southern Railway Company was called to order at Richmond by Samuel Spencer as president. In that calendar year, the Southern Railway Company embraced 4,391 miles of road, with 623 locomotives and 19,694 cars, which carried 3,427,858 passengers and 6,673,750 tons of freight and earned \$16,643,298. In the last fiscal year, the Southern Railway system embraced 7,515 miles of road with 1,429 locomotives, and 42,110 cars, which carried 11,663,550 passengers, and 27,339,337 tons of freight, and earned \$53,641,438. The number of employes had increased from 16,718, June 30th, 1895, to 37,003 June 30th, 1906, and the wages paid from \$6,712,796 to \$21,189,020. The full details and impressive character of this remarkable advent, too extended for present recital, are exhibited in the masterly communication which upon February 1, 1906, Mr. Spencer addressed to Messrs. J. P. Morgan & Co., as the basis of the development and general mortgage.

"In this progress every step had been initial and conducted by Mr. Spencer with the cordial concurrence of the voting trustees and the board of directors, and it is significant of the conservative and cautioned position of Mr. Spencer and his supporters, and this pronominal enlargement of the system and its business was not made the basis of any increase in dividends beyond the amount contemplated and stated in the plans of 1893 with reference to the properties originally re-organized. Every dollar that could be borrowed under President Spencer's management was put into the proper

ty in the effort to enable it to meet the every increase in demands of the vigorous and wonderful growth of the South and its industries. The mighty fabric, which for 12 years he had been molding, must continue under others to develop and to improve in the service that shall render to the public, but never can it cease to bear the impress, or to reveal the continuing impulse of the master mind of its first president. In the height of his usefulness and his powers he has been called away, but the inspiration of the shining example and his lofty standards must ever animate his successors.

"To many corporations conducting the commerce of the country as well as the Southern Railway, did Mr. Spencer render invaluable service and all of them will share in our sense of loss and personal grief. As their chosen spokesman in the tremendous agitation culminating in the congressional action of 1906, his mastery of his subject, his dignity of bearing and his integrity of character commend the confidence and approval of the vast interests whose constitutional rights it became his duty to assert and to protect. To the great public—not less than to the commercial interest did he recognize his obligation. How well he conceived, how admirably he performed that duty, was indicated in the last of his public addresses, his last message to his friends in the South, delivered at Montgomery, Ala., on October 25th, 1906, an address which deserves wide circulation and close consideration, not only in his own South that he loved so well, but throughout the whole country which he had learned to know far better than most of its citizens wherever born. His chosen career has closed but the wisdom and the virtue that characterized that career will abide as long as there shall be a regard for duty bravely done and for high service gallantly rendered.

"To his family we extend our deep and most respectful sympathy and our assurance that for them, as well as for his associates, honor and happiness will ever result from their relation to Samuel Spencer, that just and upright man and officer."

Phil Hedrick a Free Man.

Salisbury, Special.—On Thursday afternoon, Philip Hedrick walked from the court house a free man, the jury having rendered a verdict of not guilty. The verdict was received with an unusual demonstration of clapping hands in which the attorneys joined heartily. Judge Ferguson rapped for order and instructed the officers to arrest any man who partook further in the applause. When quiet was restored, L. H. Clement moved for the discharge of the prisoner and after some remarks upon the decision of the jurors, Judge Ferguson so ordered it.

A Sad Accident.

On Thursday an accident occurred near Oxford which has cast a gloom over the community. Mr. Percy Parham, son of Mr. J. B. Parham, was shot by the accidental discharge of a gun in the hands of his young nephew a little son of James Parham, who accompanied his uncle and his two little boys hunting.

Murderer Respited.

Governor Heyward on Thursday granted a respite to John Henderson, the negro under sentence to be hanged at Sumter the next day. Some time ago petitions were presented to the Governor asking that the sentence of Henderson be commuted and the papers were referred to Judge Klugh and the solicitor who tried the case. The recommendations in the matter have not been received by the Governor, but as the time was drawing near for the execution Governor Heyward telegraphed Sheriff Emerson that he would grant the respite until January 13, 1907.

Died Suddenly.

Newton, Special.—J. M. Murray, a prominent merchant of Newton, dropped dead in his store Tuesday morning at about 9 o'clock from an attack of apoplexy.

Cotton Goes to 11 Cents.

Charlotte, Special.—Spot cotton on the local market advanced to 11 cents a pound here. This was the first time cotton has reached this price since the middle of October, when it was above 11 cents for three or four days. The receipts were 174 bales. The receipts for the corresponding date of last year, when the price was 11.50 cents a pound, were 82 bales.

OVER AND ABOVE.

"Mother, does Dr. Smith wear his everyday clothes under that long white gown when he preaches?" asked a little girl who had seen the edge of the minister's trousers under the robe.

"Yes, dear," was the reply.

"Well," she continued, "now I know why it is called a surplus."—Harper's Weekly.

STATEMENT OF OPERATOR.

Says He is Not Responsible For Wreck and Could Prove Claim If Given Opportunity to be Heard.

Lynchburg, Va., Special.—Operator G. D. Motto, who is charged by officials of the Southern Railway Company with being responsible for Thursday's wreck, ten miles below Lynchburg, when seen Sunday at his home, eight miles from here, by the representative of the Associated Press, made the following statement in his own behalf:

"The statement of officials of the Southern Railway that I have been missing since the wreck of Thursday morning and could not be found, although detectives of the company were scouring the country for me, is without the slightest foundation. I have been at my boarding place practically all of the time since the accident. This is the first statement I have been asked to make about the matter and you (referring to the reporter) are the first person that I know of that has asked for me.

"On the night preceding the wreck I attended a box party in the neighborhood with friends, the day operator working for me until I returned to the office about midnight. The night being chilly the operator, L. Clemmer, decided to remain at the office until 6 o'clock. He returned at 7 and relieved me, suggesting that I go home, because it was apparent to him that I had passed through in the previous hour. I did this and remained at home the entire day. About 6 o'clock getting my usual midnight lunch I started for the station to report for night duty. Reaching the office I saw a large crowd congregated outside and from what I heard I concluded it would be best for me not to go in the office. I learned from the day operator that another operator had been sent to relieve me and this is all the notice I have had that my services were not wanted that night. After that I returned and slept the night through.

"I am not to blame for the wreck and I think I would have no trouble to substantiate this claim if given the opportunity to be heard. Operator Clemmer and a student operator were both in the office and heard the operator at Lawyers give me a clear track for No. 33 (the train to which President Spencer's car was attached). This was at 6 o'clock, as the block sheet in the office will show. If my recollection serves me right, No. 33 passed Rangoon at 6:06 and I reported this to Lawyers. I cannot recall that the operator there signed for the report, but it was his business to be there to take the report. I let No. 33 in the block because Lawyers gave me the right of way for the train. When No. 37 (which collided with the rear of No. 33) left Wilmers (the first block station north of Rangoon) I began to call for Lawyer's. I continued to call until the train was nearly in sight of my office and got Lawyers just as 37 was coming in sight. He gave me a clear block for No. 37 at 6:12. I remember the time very distinctly and the train passed the block at 6:14. As No. 37 was passing Rangoon I was talking to the operator at Lawyers. He wanted to know when No. 33 was by me. I told him at the time my sheet shows, but I cannot recall the minute.

"Then I asked him, 'When by you,' and he said 'by,' but did not give me the time. I did not give No. 37 a clear block until the operator at Lawyers gave me authority and I can prove this by Operator Clemmer and by the student operator, who has been studying at the office for the past year. When No. 37 had entered the block Lawyers told me that No. 33 was by and when I asked him the time so I could record it, he opened his key and did not reply. No. 37 had gone then.

"I do not feel responsible for the accident and I have been and am now where the railway detectives or authorities can find me at any time. I have no desire to get away, but would court an investigation to clear the matter up."

JUST ONE COMB.

The craze for numerous combs has died a natural death.

Woman no longer desires to make her coiffure the display ground for a job lot of odd combs.

The reintroduction of the empire model of hairdressing has opened the way for the quiet high comb of the same period.

The combs are usually made of tortoise shell, curiously fashioned, and artistically ornamented with gold and jewels.

All of these combs are costly, but to meet the popular demand there are excellent imitations to be had at a moderate price.

A favorite style for ordinary wear is a plain tortoise shell comb pierced at intervals with water diamonds.

Plating nail heads.

These high combs should be noted, are decided aids to the proper adjustment of the modern styled hat.—New Haven Register.