

STRONG DEFENSE OF LABOR BY TAFT

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For such wages as they choose to accept is sound, and any lawless invasion of that right cannot be too severely condemned. All advantages of trades unions, great as they are, cannot weigh a feather in the scale against the right of any man lawfully seeking employment to work for whom and at what price he will. And I say that with all the emphasis possible, even though were I a workman, should probably deem it wise to join a union for the reasons given.

Influence Good.

"The effect of organized labor upon such abuses as the employment of child labor, the exposure of laborers to undue risk in dangerous employments, the continuance of unjust rates of law exempting employers from liability for accidents to laborers, has been direct, immediate and useful, and such reforms in these matters as have taken place would probably be long delayed but for the energetic agitation of the question by the representatives of organized labor. Of course, when organized labor permits itself to sympathize with violent methods, with breaches of the law, with boycotts and other methods, of undue duress, it is not entitled to sympathy. But it is not to be expected that such organizations shall be perfect and that they may not at all times and in particular cases show defective tendencies that ought to be corrected.

"The defect which has been pointed out has been the disposition of majority members in labor unions to reduce the compensation of all men engaged in a particular trade to a dead level and to fail to recognize the difference between the highly skilled and very industrious workman and the only less skilled and less industrious. I think there is a movement among trades unions themselves to correct this leveling tendency and nothing could strengthen the movement more than the adoption of some plan by which there should remain among union workmen the impetus and motive to be found in greater reward for greater skill and greater industry.

Deplores Socialism.

"There is one thing to be said in respect to American trades unionism that its critics are not generally alive to. In France the trades unions are intensely socialistic. Indeed, in some of the later difficulties it was plain that there was a strong anarchistic feeling among them and that they opposed all authority of any kind. It is also plain that the tendency toward socialism in England and England's trades unions is growing stronger. I need not point out the deplorable results in this country if trades unionism became a synonym for socialism. Those who are now in active control of the federation of labor and all the great railroad organizations have set their faces like flint against propaganda of socialistic principles. They are in favor of the rights of property and of our present institutions and of such remedial legislation as to put workmen on equality with their opponents in trade controversies and trade contracts and to stamp out the monopoly and the corporate abuses which are an outgrowth of our present system unaccompanied by proper limitation. I think all of us who favor the maintenance of our present institutions should recognize this battle which has been carried on by the conservative and influential members of trades unionism and willingly give credit to these men as the champions of a cause which commands our sympathy, respect and support.

Undue Delay.

"Our friends of the great unions at times complain of our courts—more, perhaps, because of the decisions in injunction cases than for anything else. I have already referred to this particular phase of litigation in which they have an interest, but when the subject of courts is mentioned it suggests to me a larger field for complaint and reform in which all citizens are interested and have a right to be heard. There is no subject upon which I feel so deeply as upon the necessity for reforms in the administration of both civil and criminal laws. To sum it all up in one phrase, the difficulty in all is undue delay. It is not too much to say that the administration of criminal law in this country is a disgrace to our civilization, and that the prevalence of crime and fraud, which is always in excess of that in the European countries, is due largely to the failure of the law and its administrators to bring criminals to justice. I am sure that this failure is not due to corruption of officials. It is not due to their negligence or laziness, although, of course, there may be both in some cases; but it is chiefly due to the system against which it is impossible for an earnest prosecutor and a competent judge to struggle. We may have inherited our system of criminal procedure and the constitutional provisions for the protection of the accused in his trial from England and

her laws. We inherited from her the jury trial. All these limitations and the jury system still remained in England, but they have not interfered with an effective prosecution of criminals and their punishment. There has not been undue delay in English criminal courts. In this country we have generally altered the relation of the judge to the jury. In England the judge controls the trial, controls the lawyers, keeps them to relevant and proper argument, aids the jury in its consideration of the facts, not by direction, but by suggestion, and the lawyers in the conduct of the cases are made to feel that they have an obligation not only to their clients, but also to the court and to the public at large, not to abuse their office in such a way as unduly to lengthen the trial and unduly to direct the attention of the court and the jury away from the real facts at issue.

Judge and Jury.

"In this country there seems to have been on the part of all state legislators a fear of the judge and not of the jury, and the power which he exercises in the English courts has by legislation been reduced from time to time until now, and this is especially true in western states, he has hardly more power than the moderator in a religious assembly. The tendency of legislation is to throw the reins on the back of the jury and to let them follow their own sweet will, influenced by all the arts of counsel for the defendant in leading them away from the real points at issue, and in awakening their emotions or pity for the defendant in forgetfulness of the wrongs of the prosecuting witness, or it may be of the deceased, and of the rights of society to be protected against crime. All these defects are emphasized in the delays which occur in the trials—delays made necessary, because the trial takes so great a time. A murder trial in England will be disposed of in a day or two that here will take three weeks or a month and no one can say, after an examination of the record in England, that the rights of the defendant have not been preserved and that justice has not been done.

"It is true that in England they have enlarged the procedure to the point of allowing an appeal from a judgment in a criminal case to a court of appeals, but this appeal is usually taken and allowed only on a few questions easily considered by the court above and promptly decided. Counsel are not permitted to mount through the record to find errors that in the trial seemed of little account, but that are developed into great injustices in the court of appeals. This is another defect of our procedure. No criminal is content with a judgment of the court below, and well may be, not because the record of reversals is so great as to encourage it in every case and to hold important judgments in appellate proceedings sometimes for years. I don't know what the reforms are to be brought about in this country. Until our people shall become fully aware and in some concrete way be made to suffer from the escape of criminals from just judgment the system by which it could be remedied in some degree is to give judges more power in the trial of criminal cases and enable them to aid the jury in considering facts and to exercise more control over the arguments that counsel see fit to advance, and especially judges who are elected ought not to be mistrusted by the people. A judge holds a great office, and the man who holds it should exercise great power, and he ought to be allowed to exercise that in a trial by jury.

A Game Here.

"Then it is undoubtedly true that in England lawyers in the conduct of their cases feel much more and respect much more their obligation to assist the court in administering justice, and restrain themselves from adopting desperate and extreme methods for which American lawyers are even applauded. The trial here is a game in which the advantage is with the criminal, and if he wins he seems to have the sympathy of the public. Trial by jury, as it has come to us through the constitution, is the trial by jury. The English law and under that law the vagaries, the weakness, the timidities and the ignorance of juries are to be neutralized by the presence in court of a judge to whom they should look for instruction upon the law and sound advice in respect to the facts, although, of course, with regard to the facts their ultimate conclusion must be their own, and they were fully at liberty to disregard the judicial suggestion.

"But reform in our criminal procedure is not the only reform we ought to have in our courts. On the civil side of the courts there is undue delay, and this always works for the benefit of the man with the longest purse. The employment of lawyer's and the payment of costs all become more expensive as the litigation is extended. It used to be thought that a system by which cases involving small amounts could be carried to the supreme court through two or three courts of intermediate appeal was a perfect system, because it gave the poor man the same right to go to the supreme court as a rich man. Nothing is further from the truth. What the poor man needs is a prompt decision of his case, and by limiting the appeals in cases involving small amounts of money so that there shall be a final decision in the lower court, an opportunity is given to the poor litigant to secure a judgment in time to enjoy it, and not after he has exhausted all his resources in litigation to the supreme court.

Too Many Lawyers.

"I am a lawyer and admire my profession, but I must admit we have had too many lawyers in legislating on legal procedure, and they have been prone to think that litigants were made for the purpose of furnishing business to courts and lawyers, and not courts and lawyers for the benefit of the people and litigants. More that this, I am bound to say that in the matter of reducing the cost of litigation and, indeed, the volume of it, congress and the federal courts have not set a good example. Probably under the constitution it is possible for the federal courts to unite suits at law and cases in equity in

one form of action, as has been done in the codes of the states, but it certainly is possible to introduce a simpler form of procedure, both in suits in law and suits in equity.

"This last form of procedure—that is, equity—has been entirely in the control of the courts, and especially the supreme court, and yet in years no real reform has taken place in that regard, and the procedure is just about as clumsy, just about as expensive, just about as likely to produce delay, as it was 30 or 40 years ago. The fact that no reform has been instituted may, perhaps, be due to the circumstances that our judges have been overloaded with work in the supreme court, and thus opportunity has not been seized for this reform. But I conceive that the situation is now ripe for the appointment of a commission by congress to take up the question of the law's delay in the federal courts and to report a system which shall not only secure quick and cheap justice to the litigants in the federal courts, but shall offer a model to the legislators and courts of the states by the use of which they can themselves institute reforms.

Would Abolish Fees.

"I would abolish altogether the system of payment of court officers by fees. The fee system may properly be continued for the reimbursement of the public treasury by litigants especially interested, but the fees ought to be reduced to the lowest point, and the motive for increasing the expense of litigation that arises from the payment of the compensation of court officers should be removed. I do not think the delays in justice are due to any niggardliness on the part of the public in appropriating money to meet the expenses of administration. The evil lies deeper in the system, which I have referred to only in a most summary way.

"Of all the questions before the American people I regard no one as more important than improvement of the administration of justice. We must make it so the poor man will have as nearly as possible an equal opportunity in litigation as the rich man, and under present conditions, ashamed as we may be, this is not the fact. And now, my friends, I have subjected you to a rather solemn discussion of a rather solemn subject. I always like to visit Chicago. It is a sense the center of the country. Much more than Boston is it the hub about which many people and many interests revolve. In making up the personnel of my cabinet and my administration I have been surprised to find how many admirable men you have in your community, and I must apologize for the drain which I have made upon your resources by calling to Washington and foreign countries, at least half a dozen of your most prominent and able citizens. In doing so I had to ask them all to make personal sacrifices in the matter of compensation, and to gather their reward from disinterested desire to serve the public and a patriotic willingness to put their abilities at the disposition of the country.

An Era of Prosperity.

"We are entering now upon an era of prosperity which I hope will long be continued. We have just passed a tariff bill which has ended for the time the disturbance of business that always arises from the consideration and agitation over such a bill, and there is nothing now to prevent the application of all the capital and all the forces which have been suspended for the last year and a half or two years by a lack of confidence and awaiting for such settlement, to the expansion of business and the further development of the resources of this country. But this prospect of prosperity must not blind us to the necessity for carrying out certain reforms urged by Mr. Roosevelt recommended in the republican party platform, which I believe are needed to prevent a return to the abuses, which all men recognize the evil of, in our previous business methods and the management of our great corporations. I expect to consider these questions more at length at another stage in my journey, as I do also the character of the tariff bill which has been adopted and which has been subjected to much criticism, but tonight I feel that I have wearied you far beyond any claim I have had to your attention."

DASH TO POLE IS PEARY'S SUBJECT

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will reach the United States and he was glad of the matter being submitted for consideration at an early date. It should be done inside of a couple of weeks, and when it was done, the commander declared, he was prepared to turn over to the board of arbitration, to the public and to scientific bodies, an array of testimony which would disprove Dr. Cook's claims for all time.

"Continuing the explorer said that he had stated in a private message to a friend that Dr. Cook had given the world a 'gold brick.' This message had been allowed to leak out, and while he would have preferred a more elegant expression, he was willing now to let these words stand, because they were at least euphonic.

MISSOULA MERCANTILE CO. THE STORE THAT "MAKES GOOD"

If Every Man Who Is Ready Or Going to Buy Fall Clothes Knew These Facts, He Would Buy Nowhere But at Missoula Mercantile Co.



If He Knew--

- 1. That he can get the best clothing made in America at Missoula Mercantile Co.
2. That he can choose from the most extensive variety to be found in Missoula at Missoula Mercantile Co.
3. That every garment sold at Missoula Mercantile Co. is guaranteed for satisfactory service, and that any defect which comes to light is made right immediately, without quibble.
4. That our long dealing with the best makers gives us first choice of all they have to offer.
5. That our immense business—easily greater than that of all other Missoula clothing stores combined—would never have grown to these proportions were it not for these facts.
6. That, having such a distributing power, we are possessed of unusual purchasing power, enabling us to offer better values.
7. That he need only to look around and make comparisons to be convinced that these facts are indisputably true.

We hope it's a case of "show me" with you—because we never were so well prepared to prove our case as we are this fall. Our clothing is at top notch in quality, in style, in beauty of fabrics and patterns. It fits right; it will hold its shape, and it will give the best wear that any clothing can give.

Men's Fall Suits \$15.00 to \$50.00

Young Men's Fall Suits \$12.50 to \$35.00

Men's Fall Shirts All Records Go to Smash in the Boys' Clothing Store

Marvels of Beauty To speak of beauty may seem a bit overdrawn, but really the shirts justify it for they are the handsomest in pattern and coloring that have yet been given man to wear.

It doesn't take mothers long to find out where the best boys' clothing is, and the way they are buying here is the best evidence that this is the place. Never before have we outfitted so many boys in the same time as we have since school began—the reason will be found in a comparison of our qualities, our styles, our values.

Here are the famous "Manhattan" Shirts—the best shirt known in a range of styles itself runs to beat—\$2 to \$3.50; beauties made by the E. W. people, and our "Coronet" line in extra fine designs, at from \$1.50 to \$4.00—making in all a variety from which any taste can be quickly satisfied.

Our "INDESTRUCTIBLE" Suits at \$5 and \$6 Are Absolutely Unmatchable

They are the greatest suits to wear, the most economical to buy. A great variety of patterns to choose from—fancy worsteds, dark mixed worsteds, cassimeres and kerseys, in the latest colorings and in plain blue. The models are strictly new and fully up to the most expensive in style. Sizes 8 to 16 years. Every suit unconditionally guaranteed.



Table listing clothing items and prices: Boys' Reefers Suits, Boys' Reefers Suits with Knickerbocker trousers, Boys' Corduroy Suits, Boys' Norfolk Suits, Juvenile Suits, Boys' and Children's Caps, Boys' and Children's Hats, Boys' House Waists, Boys' Shirts, Boys' Knee Pants, Knickerbockers.

Chief of Dr. Cook, particularly in view of the fact that Rudolph Francke was being invalided home. Whitney asked if he might remain on the station to hunt walrus and polar bear in the spring. This was decided on. In order to provide against the contingency of the Roosevelt not coming down from the north in the summer of 1909, in which event he would be obliged to remain in the Arctic for two years, Mr. Whitney made arrangements for a ship to come up for him this summer.



MISS MARIE PEARY, Daughter of Commander Peary, and the Happiest Girl in the World Today Over Her Father's Success.

Asked how Dr. Cook had made his way from Etah to South Greenland, Peary replied that he probably traveled by dogs and sledges south and across Meville bay. All the members of Commander Peary's party agree that the far north has a mysterious fascination for them and they say they would like to go back.

the expedition would tell that this was her last visit; but they seemed to understand this fact, inasmuch as the pelec had been reached, and gathered on the shore they went at their departure and waved signals as long as they were in sight.

A Disagreement.

An early dispatch from Battle Harbor sent by a local correspondent said that Commander Peary was accompanied to the north pole by only one man, an Eskimo. A later dispatch from the same place says that Matthew Henson, the negro assistant of Commander Peary, together with four Eskimos, accompanied the explorer to the pole. This apparent disagreement is thus far unexplained and inquiries have been made for its elucidation.

Important Message.

New York, Sept. 16.—When Herbert L. Bridgman, secretary and treasurer of the Peary Arctic club, returned from Sydney, he found awaiting him a number of cablegrams of congratulations, to Commander Peary, among which was the following, dated Uccle, Belgium, September 8: "Peary: International polar commission addresses sincerest congratulations to their members: "CAGNI, "NORDENSKJOLD, "LECOINTE."

Uccle is the seat of the royal Belgian observatory, of which M. Lecoqte is the director. Captain Umberto Cagni, who was the Italian leader of the Duke d'Abuzzi polar expedition, is president of the international polar commission. Dr. Nordenskjold is its vice president and headed a Swedish expedition into the Arctic, while M. Lecoqte is its secretary.

said the "O. K." to the Peary claims of the highest qualified body of international experts in the world.

Congratulatory telegrams also were received from the Scottish Geographical society, the General Societe Geographique of Paris and the Societe Geographique Italiana of Rome.

To Boost Peary.

A meeting of the Peary Arctic club will be held next week to decide whether the club will launch a formal campaign in behalf of Peary's claims as sole discoverer of the pole.

JAMES W. YOUNG DIES.

Helena, Sept. 16.—James W. Young, the well-known mine operator of Mitchell gulch, died last night at St. John's hospital as the result of injuries sustained recently by falling from an embankment. Mr. Young was one of the best-known old citizens of Helena and vicinity, where he had been engaged in mining for a great many years. He was 74 years of age and came to this city in 1866 and had resided in Helena and vicinity ever since. He is survived by one brother, R. S. Young, also of Mitchell gulch.

SPECIAL FEATURE MATINEE AT The ISIS SATURDAY ADULTS, 10c CHILDREN, 5c

Hay's Hair Health Never Fails to Restore Gray Hair to its Natural Color and Beauty. No matter how long it has been gray or faded, Promotes a luxuriant growth of healthy hair. Stops itching out, and positively removes dandruff. Keeps hair soft and glossy. Refuse all substitutes. 24 times as effective as any other hair restorer. \$1 & 50c. Bottles, fit druggists. Send 2c. for free book "The Care of the Hair."