

INTERESTING DATA CASE IS DISMISSED BY JUDGE

JOHN T. BURNS OF DRY FARMING CONGRESS GIVES SOME PERTINENT FACTS.

Billings, Oct. 12.—In an address before a mass meeting of Billings business men, Secretary John T. Burns of the Dry Farming congress has given some interesting data on the work and growth of that organization which will hold its fourth session at Billings, Mont., October 26-28. Mr. Burns said: "All indications point to this being the greatest development convention in the west. The dry farming movement has grown far beyond the conception of the most enthusiastic of those present at the first meeting in Denver three years ago when the congress was launched. The second convention at Salt Lake closed with about 300 members enrolled. Wyoming secured the third session, but even then it was not treated seriously as a movement of world magnitude. Money was needed to make a start on the work that had been planned at Salt Lake, and funds were raised under protest. But the movement grew in spite of the neglect of the public."

Campaign Started.
"Before the third congress met an aggressive campaign was started to get the work of the congress before the public, and a determined fight was made against the attacks to which it had been subjected from various quarters. When the third congress closed there were about 1,200 members and the movement was established upon a permanent basis as the leading economic force in the greater development of the west and a powerful factor in the betterment of every region of the world where agriculture is being practiced. Those memberships represented the east and west of this country, and some foreign lands, but the bulk of them were in Colorado, Wyoming, Utah, Idaho, Montana, the Dakotas and other western states."

"The membership today, seven months after the Cheyenne meeting, is more than 5,300 and represents 36 states and territories of the United States and 10 foreign countries. New Mexico leads with 1,267 members; Wyoming is second with 1,154; Nebraska third with 887; Montana has 262. There are members in New Hampshire, Rhode Island, Massachusetts, Connecticut, New Jersey, Maryland, Pennsylvania, West Virginia, New York, Ohio, District of Columbia, Louisiana and Illinois. These are among the states outside the commonly recognized dry farming region having more than 50 members. Canada leads the foreign lands with 23 members; Mexico has 10 and Australia 5. British Columbia, Russia, British South Africa, Hungary, Brazil and Turkey are among the foreign countries represented."

"All these members are getting the literature of the congress, and the correspondence handled through this office shows that we have the heartiest interest, the personal interest of every one of these members. The correspondence has increased in volume in the last few months so that with three stenographers constantly employed, we are scarcely able to keep pace with it."

"Every farming district in the world is covered with our publicity matter. In the last six weeks 157,000 pieces of printed matter has been mailed from this office. The names on our mailing lists have been compiled from reliable sources and are live addresses."
"In the conduct of our press bureau we have aimed at conservatism. 'Tell the truth' has been the motto. Eighteen months ago it was next to impossible to get into print. The congress, then, was attacked as a vehicle of land boomers. Newspapers and men in high position questioned its motives. All that has been changed. Today the congress is recognized as a genuinely earnest movement for the education of the farmers of the arid and semi-arid regions of the world—the most important development force of the present day. The leading publications of the world have thrown open their columns to our literature and through the publication of news items and editorial comment have given the Dry Farming congress serious consideration and generous support."

Free Remedy For Weak Bowels

There are two forms of bodily cleanliness, the external and the internal. The one is for your pride in yourself; the other for your life and health. Both are important, but of vastly more importance in the long run is the internal cleanliness. This is one point that all should watch about their bodies—the cleanliness of the bowels. Keep them clean and your system obeys. To do this you must have one or two evacuations of the bowels each twenty-four hours. In the process of eating and drinking, then you must obtain aid of some kind. After finding out that cathartics, salts and such things relieve you for a day, but bind you up worse than ever the next day, then try a simpler and more natural remedy like Dr. Caldwell's Syrup Pepsin. For the simplest way to be able to send your name and address to Dr. Caldwell for a free sample bottle. Use it as directed and it convinces you that a brief continuance of its use will relieve you permanently—that it will train the stomach and bowels muscles to again work naturally at certain hours—then buy it of your druggist at fifty cents and one dollar a bottle, and keep many others are doing. They began with a sample bottle, then bought a fifty cent bottle, and now, fully convinced of its merits, they buy the one dollar family size. All the members of the family can use it down to the very youngest.

A brief use of this grand laxative tonic will cure constipation in its worst form. Indigestion, liver trouble, sick headache, sour stomach and such ailments, and keep you in continuous good health at a very small cost. It is the experience of many families like that of Mrs. J. P. Daniel, Florence, Ind. J. P. Daniel, Sr., says: "I, and hundreds of others that could be named."

Dr. Caldwell personally will be pleased to give you any medical advice you may desire for yourself or family pertaining to the stomach, liver or bowels absolutely free of charge. Explain your case in a letter and he will reply to you in detail. For the free sample simply send your name and address on a postal card or otherwise. For either request the doctor's address is Dr. W. R. Caldwell, E. S. Caldwell building, Monticello, N. J.

JUDGE OF THE UNITED STATES COURT THROWS OUT CASE AGAINST EDITORS.

Indianapolis, Oct. 12.—Judge A. B. Anderson of the United States court, today dismissed the proceedings against Delavan Smith and Charles R. Williams, proprietors of the Indianapolis News, who were seeking removal to the District of Columbia for trial under a grand jury indictment charging them with criminal libel in publishing articles alleging there was a corrupt profit of \$25,000,000 in the sale of the Panama canal to the United States.

"That man has read the history of our institutions to little purpose," said Judge Anderson, "who does not view with apprehension the success of such a proceeding as this to the end that citizens could be dragged from their homes to the District of Columbia, the seat of government, for trial under the circumstances of this case. The defendants are discharged."

"I believe the fact that certain persons were called 'thieves' and 'swindlers' does not constitute libel per se. A newspaper has a certain duty to perform. As a former president had said 'it is the duty of a newspaper to print the news and to tell the truth about it,' it is the duty of a newspaper to draw inferences for the people."

"Now, there were many peculiar circumstances about the whole Panama canal business. The revolution in Panama, the circumstances concerning it were unusual. The people were interested in the construction of the canal. It was a matter of great public concern, a large portion of the people favored the Nicaragua route, another portion, those who were interested in it, officially and personally—just interested—preferred the Panama route. A committee was appointed to investigate and report the relative merits of the two routes. They investigated and reported in favor of the Nicaraguan. Shortly afterward they changed to Panama."

"Up to the time of that change, as I gather from the evidence, the lowest offer which had been suggested as the one at which the Panama property—the property of the Panama Canal company—could be procured, was something over \$100,000,000. Then rather suddenly it became known that it could be procured for \$40,000,000. Now, there were a number of people who thought there was something wrong, a committee of the United States senate was appointed to investigate. The committee met at St. Louis, and the men who knew all about it, William Nelson Cromwell, upon having questions put to him stood upon his privilege as an attorney and refused to answer. To my mind that was just ground for suspicion. I am suspicious about it now."

"Here was a newspaper printing the news, or trying to. Here was this matter up for discussion and I am not willing to say that the inferences were too strongly drawn. This indictment charges three defendants with commission of a crime in the District of Columbia. Now, the constitution of the United States in one of the amendments provides that the accused shall be tried in the state or district where the offense is committed. The Indianapolis News is owned by the defendants, conducted and published by them, printed by them in Indianapolis. At the time covered by this indictment it had a daily circulation of about 50,000 copies. All but about 2,000 were circulated and disposed of in the state of Indiana; some 400 or 500 more in one or two of the adjoining states and to the District of Columbia there were sent by mail about 50 copies to subscribers, persons who ordered them sent. The defendants have no agent or bureau of office and maintain no agent or bureau or office in Washington."

"So the question, do the defendants when they prepare and publish 50 copies in the city of Indianapolis and deposit them in the United States mail to be transmitted by mail to 50 subscribers in Washington—do they publish those 50 copies in Washington? If they do, if they did, the court has jurisdiction of the offense. But if they did not, then the court has neither jurisdiction of the offense or over the defendants."

One or Two Views.
"Everything that the evidence shows that the defendants did or did not do and did in the state of Indiana, city of Indianapolis. I have thought about this thing a good deal and it seems to me I am compelled to take one of two views, and there is nothing between them. Either when a newspaper owner or proprietor does what the evidence in this case shows these defendants did, he committed a crime and deposited in the mails for circulation, these papers containing the, for the purposes of this statement, libelous articles, either they are guilty here and in every county, district or jurisdiction into which these papers go, or they are only guilty here. There is no middle ground to take."

"When the defendants put those papers containing these libelous articles into the postoffice here in Indianapolis and they went through the mails throughout the country into the various states, counties and districts of the United States, either it became a crime, a separate and independent crime in every one of the counties, districts or states into which the papers went or there was but one crime and that was here in Indianapolis."

"The counsel for the government supposed a case where a paper is deposited in Indianapolis and circulated throughout the 92 counties of Indiana. I asked whether they could be prosecuted in every county, and the counsel thought they could and in the absence of this statute they could. Then suppose the case was an indictment in Posey county. Would they have the trial and prosecution in Marion county? The counsel for the government thought they would. I do not think so at all. I am so certain of it I feel like saying I know it."

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DEFIANCE OF POWER EXPRESSED

SAMUEL GOMPERS, PRESIDENT OF FEDERATION OF LABOR, WELCOMED HOME.

Washington, Oct. 12.—Defiance of any power that would attempt to curtail his right of free speech or the freedom of the press was expressed here tonight by Samuel Gompers, president of the American Federation of Labor. Mr. Gompers' address was the climax of a demonstration arranged by organized labor in honor of his return from Europe. The meeting was preceded by a street parade in which union men from many parts of this country, Canada and Cuba participated.

Mr. Gompers refused to allow a company of the state guard of the District of Columbia to take part. The Central Labor union at a meeting last night went on record as in favor of the guardsmen marching in the line, although there was some opposition among the delegates on the ground, it is said, that the organized militia of the country was used only to "shoot down strikers and union men."

The opponents of the idea communicated with Mr. Gompers today and he promptly decided the guardsmen should not parade. So they did not.

The celebration derived added interest from the fact that this was the day upon which the court of appeals of the District of Columbia was expected to hand down its decision in the contempt proceedings against Mr. Gompers and other federation officials. The decision, however, failed to materialize. Mr. Gompers' "declaration of independence" followed a narrative of his visit abroad, during which he expressed his confidence in the formation of a worldwide confederation of all labor organizations.

Referring to the jail sentence resting against him on a charge of contempt of court for referring to the Buck Stove & Range company after being warned against action by the United States supreme court of the District of Columbia, Mr. Gompers declared if they do, if they did, the court has jurisdiction of the offense. But if they did not, then the court has neither jurisdiction of the offense or over the defendants.

RESIGNATION OF CRANE INVITED BY SECRETARY

(Continued From Page One.)

on mature consideration, it is my judgment that my action was in accordance with the spirit at least of the president's wishes expressed by him to me and that it furnished no sufficient excuse for the sensational and inconsiderate action of the secretary of state. However, I did not seek this post and am absolutely unwilling to remain in it without the entire confidence of the president and the cordial support of the government. You will understand, of course, that my resignation is a your hands.

"(Signed) CHARLES R. CRANE"

Little Surprise.
Tokio, Oct. 12.—Little surprise was expressed by officials here at the news that Secretary of State Knox had determined to recall Charles R. Crane when he was on the eve of sailing as minister to China. Leading newspapers print long special dispatches giving the reasons for Mr. Crane's recall, most of the papers taking the stand that the reported utterances of Mr. Crane were exaggerated. Statements that President Taft approved of Mr. Crane's attitude and that the recalled minister had reported only what he first had heard from the president, caused much comment here.

Officials said that if Mr. Crane actually had disclosed the attitude of the United States government his recall was inevitable. However, they decline to believe, they said, that Washington had any intention of protesting the Chinese-Japanese agreement because, they asserted, there was absolutely no ground for such action. Leading Japanese seen by the Associated Press correspondent expressed gratification at the action of Secretary Knox, as it indicated a determination to discontinue prejudiced speeches and an unfriendly attitude on the part of the officials in dealing with Japan.

Sen's Cipher Message.
Riverside, Cal., Oct. 12.—The president sent a long cipher message to Washington yesterday and again today. It was declared on the president's train that any information on the position of Minister Crane must come from the state department where the entire matter has been handled. Secretary Knox absolutely declined to discuss the statement of Mr. Crane, regarding the incident as closed.

Assistant Secretary Huntington Wilson, who is recovering from a severe surgical operation, was, of course, wholly unacquainted with the latest developments in the case, including Mr. Crane's references to his failure to keep appointments made with him.

STORM LESS SERIOUS THAN WAS SUPPOSED

NO LIVES LOST.

Havana, Oct. 12.—The effects of yesterday's hurricane appeared tonight to have been clearly less serious than at first supposed. Communication has been reopened with all parts of Havana province and a large part of Pinar del Rio provinces. In the former some damage has been done by flood, but the sugar cane is in fine condition. The Isle of Pines which, it was feared, was devastated, escaped the storm. No fatalities are reported from the interior.

Apparently the brunt of the storm was borne by Havana and suburbs. Careful estimates of the damage suffered in the city and by the shipping in the harbor indicate the loss will not exceed \$500,000.

MERCURY DROPS.
Norfolk, Neb., Oct. 12.—Following yesterday's snow flurries in northern Nebraska and southern South Dakota the mercury dropped to 22 degrees above zero early today.

HEAVY FALL OF SNOW.
LaCrosse, Wis., Oct. 12.—Three inches of snow fell here during the night.

DEPARTMENT REPORTS.

Los Angeles, Oct. 12.—The session today of the national convention of the Women's Home Missionary society of the Methodist Episcopal church was given over to department reports, including a resume of the work of the society among the negroes of the south and among the Mexicans and Indians of the southwest. Tonight an address was delivered on "Mormonism" and a report was made on missionary work in Porto Rico.

A SNOWSTORM.
Chicago, Oct. 12.—Downtown Chicago was visited by a slight snowstorm today, the first of the season.

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We herewith append a list of specials which will add fresh luster to our fame of being the giver of best values in this city:

CORSETS. American Lady is recognized as the best corset made; we have a guaranteed number at \$1	BELTS. Odds and ends in belts and collars; some soiled; values up to 50c; while they last at 10c
SWEATERS. Children's sweaters in any color or style 50c to \$2.25	MUSLIN. Lonsdale muslin can't be beat; it is as good as any made; this week 10c

Sterling Values in Ready-Made Clothes

MONEY SAVERS IN SUITS AND COATS. Fine tailored suits in newest materials, such as diagonal serge in black or colors, colored broadcloths, homecap and mixtures; coats 45 to 48 inches long; newest plaided style skirt; these garments strictly tailor made \$15	MEN'S SUITS \$14.75. Our very finest lines of pure worsteds, chevots and mixtures, designed in newest models; today \$14.75
TAILORED COATS. All satin lined, 52-inch lengths, black broadcloth and colors; assorted styles; plain coat-shape collars or fancy braids or surly trimmed collarless effect; semi-fitting back; very stylish \$22.50	OVERCOATS \$12.50. The overcoats are made from high-class fabrics in plain black kerseys and handsome mixtures; splendid value, \$12.50.

THREAD 4c.
White or black, fine or coarse; per spool 4c

GLOVES 5c.
Men's and boys' canvas gloves, knit wrist 5c

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lined; angle iron all round to	\$12.50 trunk for \$8.50
protect edges. Heavy brass and	\$16.00 trunk for \$11.50
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