

WILL IF PEOPLE IN U. S. AFFAIRS FINAL, SAYS T. R.

Colonel Declares Recent Decision of N. Y. Court "A Flagrant Defiance of Right"

Laws Prohibiting All Business Combinations Are Branded "Flintlock" Legislation

not only the preservation of true democracy, but the extension of the principle of true democracy into industrialism, as well as into politics.

"It is impossible to invent constitutional devices which will prevent the popular will from being effective for wrong without also preventing it from being effective for right.

"I hold that he is the real progressive, that he is the genuine champion of the people, who endeavors to shape the policy of the nation and of the several states so as to encourage legitimate and honest business at the same time that he wars against all crookedness and injustice and unfairness and tyranny in the business world.

"This is the reason why I have for so many years insisted as regards our national government, that it is both futile and mischievous to endeavor to correct the evils of the government by an attempt to restore business conditions as they were in the middle of the last century, before railways and telegraphs had rendered larger business organizations both inevitable and desirable.

"The effort to restore such conditions and to trust for justice solely to such proposed restoration, is as foolish as if we should attempt to arm our troops with the flintlocks of Washington's continentals instead of with modern weapons of precision.

"Flintlock" legislation of the kind that seeks to prohibit all combinations, good or bad, is bound to fail, and the effort, in so far as it accomplishes anything at all, merely means that some of the worst combinations are not checked and that honest business is checked.

"What is needed is, first, the recognition that modern business conditions have come to stay, in so far as at least these conditions mean that business must be done in larger units, and then the cool headed and resolute determination to introduce an effective method of regulating big corporations so as to help legitimate business as an incident to thoroughly and completely safeguard the interests of the people as a whole.

"But in their turn the people must follow their conscience, and when they have definitely decided on a given policy they must carry out that policy. Keep clearly in mind the distinction between the end and the means to attain that end. Our aim is to get the type of judge that I have described, to keep him on the bench as long as possible, and to keep off the bench, and, if necessary, take off the bench, the wrong type of judge. The question of applying the recall in any shape is one of expediency merely.

"I do not believe in adopting the recall save as a last resort, when it has become clearly evident that no other course will achieve the desired result.

ROOSEVELT URGES CONTROL OF "BIG BUSINESS" AND EQUAL OPPORTUNITY

Colonel Roosevelt, in his Columbus address, laid particular stress upon the necessity for governmental control of big business, so that the wage earner may get a fair wage and the proper regulation of working hours and enjoy, with the small producer and the ordinary consumer, fair share of business prosperity.

"No man should receive a dollar unless that dollar has been fairly earned," he said. "Every dollar should represent a dollar's worth of service rendered. No watering of stocks should be permitted, and it can be prevented only by close governmental supervision of all stock issues so as to prevent over capitalization."

Roosevelt also urged a constitutional provision to prevent big business from crystallizing into a condition which will make private commercial initiative difficult.

The regulation of concerns doing an interstate business was advocated, to be fashioned along the lines now regulating transportation agencies.

"I believe in providing for direct nominations by the people, including therein direct nomination of the national nominating conventions. I believe in the election of United States senators by direct vote. I believe in the initiative and referendum, which should be used not to destroy representative government, but to correct it whenever it becomes misrepresentative.

"I believe that the initiative and referendum should be used not as substitutes for representative government, but as methods of making such government really representative. Action by the initiative and referendum ought not to be the normal way of legislation, but the power to take it should be provided in the constitution, so that if the representatives fail truly to represent the people on some matter of sufficient importance to rouse popular interest, then the people shall have in their hands the facilities to make good the failure.

"And I urge you not to try to put constitutional fetters on the legislature, as so many constitution makers recently have done. Such action on your part would invite the courts to render every legislative act to better social conditions.

"Give the legislature an entirely free hand, and then provide by the initiative and referendum that the people shall have power to reverse or supplement the work of the legislature should it ever become necessary.

"As to the recall, I do not believe that it is a great necessity for us as regards short term elective officers. There remains the question of the recall of judges.

"An independent and upright judiciary which fearlessly stands for the right, even at the cost of personal liability, but which also understands and sympathizes with popular needs, is a great asset of popular government. I believe in the necessity for the law, and interpretations of the law as law without the power to change the law or to substitute some other thing than law for it.

"But I agree with every great jurist, from Marshall downward, when I say that every judge is bound to consider two separate elements in his decision of a case, one the terms of the law, and the other the conditions of actual life which the law is to be applied. Only by taking both of these elements into account is it possible to apply the law as its spirit and intent demands that it be applied.

"Moreover, never forget that the judge is just as much the servant of the people as any other official. Of course, he must act conscientiously. He must do no wrong because there is popular clamor for it any more than under similar circumstances a governor or a legislator or a public utilities commissioner should do wrong.

"But in their turn the people must follow their conscience, and when they have definitely decided on a given policy they must carry out that policy. Keep clearly in mind the distinction between the end and the means to attain that end. Our aim is to get the type of judge that I have described, to keep him on the bench as long as possible, and to keep off the bench, and, if necessary, take off the bench, the wrong type of judge. The question of applying the recall in any shape is one of expediency merely.

"I do not believe in adopting the recall save as a last resort, when it has become clearly evident that no other course will achieve the desired result.

"I know of no popular vote by a state of the recall, but I think its defiance of right and justice, more shortsighted in its inability to face the changed needs of our civilization, than this decision of the highest court of the state of New York.

"Many of the judges of that court I know personally, and for them I have a profound regard. Even for as flagrant a defiler as this I would not vote for their recall, for I have no doubt the decision was rendered in accordance with their ideas of duty.

"MONSTROUS MISCONSTRUCTION" "But most emphatically I do wish that the people should have the right to recall the decision and authoritatively to stamp with disapproval what can not but seem to the ordinary, plain citizen a monstrous misconstruction of the constitution, monstrous perversion of the constitution into an instrument for the perpetration of social and industrial wrong and for the oppression of the weak and helpless.

"If there must be a recall by a close majority, then let the people step in and let it be their majority that decides."

T. R. Meets Politicians CLEVELAND, Ohio, Feb. 21.—Belief in the political doctrines of the "Progressives" was reiterated today by Theodore Roosevelt, who made four speeches in Ohio. It was his first trip of the kind since the series of journeys shortly after his return from Africa in 1910. He left here for New York on Monday.

RECALL FOR WOMAN FIRST COUNTY

Mrs. Elinor Carlisle and Two Other School Directors Scored in Petition

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which voters are being asked to sign, are:

"A grave condition in the public affairs of our city has arisen through the declared intention of a majority of the board of education of the city of Berkeley, of which John A. Wilson, ex-officio member of the board of education, was an assenting party, brought to our knowledge through the publication of letters dated February 1 and 5, 1912, signed by the president of said board and addressed to the superintendent of schools, Frank F. Bunker, notifying him that at the expiration of his present term of office he would no longer be retained as superintendent of schools.

"The prosperity of the schools of Berkeley is threatened by this declared intention of the majority of the board of education.

"The present superintendent is a man of high moral worth, enjoying the personal confidence and esteem of his fellow citizens; he has ever worked and planned for the improvement of the moral atmosphere of our schools.

"The policies initiated and developed under his administration have been and are bringing about an educational condition of a superiority heretofore unexisting.

"The city of Berkeley takes pride in the fact that what the United States commission on education calls the Berkeley plan of school administration has met with the highest commendation of the educational experts of the country; that many cities in the United States have recently adopted the same plan or plans similar thereto; and that this plan in particular has been endorsed by the bureau of municipal research established on the Russell Sage foundation, and has explained the plan distributed by that bureau to the school authorities in all parts of the country.

"Any breach in the continuity and development of this plan which is placing our schools on the highest plane of organization and efficiency and giving to Berkeley a national distinction as the exponent of the soundest and most progressive policies, would be a serious and deplorable misfortune to the city of Berkeley.

"The failure to retain the services of the educational expert in the able organization and efficient administrator, Frank F. Bunker, who has developed this system and brought this renown to our city, would be nothing short of the most flagrant folly."

BURGLARS STEAL HAIR; THUGS WAYLAY CITIZEN Pickpockets Get \$190 on Market Street Car

Burglars broke into the hair store of Mrs. S. Forrester, Sutter and Powell streets, early yesterday morning and struck her over the head with a blunt instrument. The highwaymen dragged him into the woods of the Presidio and robbed him of \$190 in currency.

Two armed footpads waylaid Harry Ruffie, 244 Columbus avenue, at Union and Lyon streets early yesterday and struck him over the head with a blunt instrument. The highwaymen dragged him into the woods of the Presidio and robbed him of \$190 in currency.

Charles Warren Hunt is Guest of Honor

Charles Warren Hunt, secretary of the American Society of Civil Engineers, who is here for the purpose of attending the meeting of the International engineering congress for San Francisco in 1915, was entertained at dinner at the Palace hotel last evening by local engineers interested in this movement.

MONEY FOR STREETS UNWISELY EXPENDED

Severe Criticism Levelled at the Head of Department

Without mentioning the name of President Casey of the board of works, severe criticism of the way street work has been performed during the last few years, levelled at the head of the department, was indicated in yesterday by George Renner at the meeting of the street committee.

BURNS DISMISSED; REARDON APPOINTED

John P. Burns was dismissed from the office of superintendent of public buildings yesterday by the board of works and Timothy A. Reardon was named for the job. The change was suggested from the mayor's office.

SCHOOL FADS TAKE UP TOO MUCH TIME

Teacher Complains of Display of Finery; New Ideas for Progress Proposed

During the session of the principals of the public schools at the regular meeting last Tuesday afternoon there was a protest against the overcrowding of the course of study. Miss Pauline Hart, principal of the Golden Gate primary school, said that the course is now overcrowded because two new subjects have been introduced, namely, industrial work, which includes folk dancing and recreation work, as a part of the culture, these occupying an hour's time, but that no work in any subjects in the course had been reduced so as to make time to accommodate the additional features.

Miss Josephine Saunders of the Edison school called attention to the marked decrease in attendance by reason of the enforcement of the rule which requires the absence of all children of a family if one member of the family is ill from contagious disease. This rule provides that in such case all the children of the family must remain at home for 21 days.

After full discussion, Miss Josephine Saunders, Miss Mary A. Scherer of the Garfield school and Dr. Arthur W. Scott were appointed to wait on Doctor Ancona, president of the board of education, and urge modification of the existing rule and show him that the marked decrease in attendance is greatly affected and is an injury to the school department, which receives its state appropriation on the average daily attendance.

Selden Sturges of the Everett school spoke on what he termed "the death rate" in the first year of high school and declared that from 15 to 25 per cent of the pupils of the first grade in the high schools fail to enter the second grade. Three causes were given for this: first, too great a gap between the grammar schools and the high school; second, pupils not well grounded in grammar school work; third, the course in the high schools is "too new."

It was suggested as a remedy that something be done to fill in the gap between the grammar and high schools closer together.

Miss Kate H. Crowley of the Mission grammar school urged a more simple graduation for the grammar schools, claiming that the present method of attaining the minds of the children are taken away to a great extent from school work by thoughts of dress and finery for the class graduation. She thought there was too much display of attire, jewelry and flowers, all for show.

William H. de Bell of the Fairmount school called attention to the lack of uniformity between the copy book and the system of handwriting taught by P. A. Espina, the supervisor of penmanship, and it was decided to make this a subject of special discussion at the next meeting.

A resolution requesting the board of education to revoke the rule that requires a principal to teach on the first day a teacher is absent was unanimously adopted and will be sent to the board.

Frank Morton, principal of the Lowell high school, spoke on the value of concentration in the education of the child, and urged that the present method is too scattered.

It was decided to recommend a systematic course of physical culture for the grammar schools. M. Paisoto, special teacher of such culture, spoke on organized play, and insisted that it is just as necessary to teach a boy how to play as it is to teach him mentally.

Mistook an Invitation

Smith's invitation read "Evening dress." By mistake he attended in his pajamas. He was somewhat embarrassed until he found he could not properly on the \$100 a week credit plan. 69 Stockton st., upstairs.

SUIT IS DROPPED—The case against John A. Johnson, charged with illegally cutting timber on government land in the month of May, 1907, was nolle prosequi in the United States district court yesterday.

SWITCHMAN BANKRUPT—Jaehno Xavier, Oakland switchman, filed a petition in bankruptcy in the United States district court yesterday with liabilities amounting to \$338.25 and assets nothing.

SKIPPER NORWOOD SEEKS VINDICATION

Suit Alleging Defamation by Charges of Cheating at Cards Contemplated

Captain H. H. Norwood, known to his friends as "Skipper" Norwood, who was fully exonerated by the directors of the Cosmos club last Monday night of the charges brought against him by Ernest A. Stent and Gay Lombard to the effect that he had cheated at cribbage by means of a deck of marked cards, is about to seek further vindication and redress. He is contemplating suit in the superior court against Stent and Lombard in which, as a ground for action, the charge will be made that Norwood's character was defamed in an accusation that was wholly unfounded.

"I am inclined to think that there is good cause for action," said Hanlon yesterday. "I defended Norwood in the hearing before the board of directors of the Cosmos club and can say that there was not the slightest evidence to show that he even so much as knew that this marked deck was in existence."

"I have been fully exonerated in the Cosmos club," said Captain Norwood last night. "I believe that I should seek redress elsewhere if further redress is coming to me. I have played cribbage for more than was my duty, never cheated at cards or at anything else, and my friends know this."

Stent's case against Norwood in the club was based upon the production of a pack of cards with which Norwood, Lombard and he had been playing in the clubrooms. The cards were marked and Stent asserted that this fact explained the easy manner in which Norwood had won money from him at the card table. Stent acknowledged that he had taken the cards away from the club after the game was over, but he had taken them to his home, carrying them to his children. He said that the deck was examined by an expert gambler by whom the markings were discovered.

HAIR HEALTH

If You Have Scalp or Hair Trouble, Take Advantage of This Offer

We could not afford to so strongly endorse Rexall "93" Hair Tonic and continue to sell it as we do, if we were not certain that it will do all we claim it will. Showers of praise and commendation are taken away to a great extent from school work by thoughts of dress and finery for the class graduation.

Therefore, when you assure you that if your hair is beginning to unaturally fall out, or if you have any scalp trouble, Rexall "93" Hair Tonic will promptly eradicate dandruff, stimulate hair growth and prevent premature baldness, you may rest assured that we know what we are talking about.

Out of one hundred test cases Rexall "93" Hair Tonic gave entire satisfaction in ninety-three cases. It has been proved that it will grow hair even on bald heads, when, of course, the baldness had not existed for so long a time that the follicles, which are the roots of the hair, had not become absolutely lifeless.

Rexall "93" Hair Tonic is vastly different from other similar preparations. We believe that it will do more than any other human agency toward restoring hair growth and hair health. It is not greasy and will not gum the scalp or hair or cause permanent stain. It is as pleasant to use as pure cold water.

Our faith in Rexall "93" Hair Tonic is so strong that we ask you to try it. We will cheerfully refund without question or quibble if it does not do as we claim. Certainly we can offer no stronger argument. It comes in two sizes, price 50 cents and \$1.00. Sold only by The Owl Drug Co. stores in San Francisco, Oakland, Los Angeles, Sacramento, Seattle, Portland and Spokane.

SALT LAKE ROUTE Store Closed Today Today, Washington's Birthday, this store will be closed all day. It will be open, as usual, Friday morning at 8 o'clock with many special offerings in both men's and women's wearables. Thursday night's and Friday morning's papers will contain particulars of these special bargains, and our great expanse of show windows on both Market and Fourth streets will reveal much of this new and attractive merchandise. See the papers, see the windows, and be here Friday and Saturday to take advantage of these special bargains. On sale March 1st to April 15th from all points East of the Rocky Mountains to all points in California. Deposit money with your nearest ticket agent and send for your friends to come via Salt Lake City and Salt Lake Route. For information ask L. A. Coney, D. F. & P. A., 680 Market St., San Francisco.

20 MARKET DAY FRMS 20 will advertise in the classified columns of The Call, Friday, Feb. 23rd, their best Saturday specials: Meats, Poultry, Fruits, Groceries, Liquors, etc. Save money by reading the market day specials in the classified columns of the Call FRIDAY, FEB 23