

MARSHALL IN WARNING TO HEED PEOPLE

Present Conditions Must Change, Says Indiana Executive.

SOCIALISM IS GAINER

Cites Action of Supreme Court of His State in Preventing Constitution Vote.

Indianapolis, Ind., Jan. 9.—"Unless progressive legislation is enacted, the people, some day, will open up the cul-de-sac even though the opening may lead representative government over a precipice into pure socialism or paternalism," said Governor Marshall in his message to the Indiana legislature today.

"Representative government does not mean that present-day conditions cannot be remedied. Upon the contrary, progressive legislation may be enacted with no disturbance to the checks and balances of our system of government.

"The last general assembly, recognizing our unfortunate condition with reference to the amendment of the state constitution, ordered presented for adoption or rejection by the people at the election in 1912 a new constitution. An action was brought to enjoin and restrain the governor and the other members of the state board of election commissioners and the secretary of state from putting the question of adoption or rejection upon the ballot. The litigation resulted in a permanent injunction by the Indiana supreme court upon a divided opinion, three members of the court being in favor of the injunction and two against it.

"With utmost respect for the majority of the supreme court, I felt that it had usurped the functions of the legislative and executive branches of government; that the shelter of the court would have a rather interesting time in getting possession of my body and punishing me for contempt; and that such decisions gave greater impetus to the recall of judges and decisions than all the opinions of mere laymen touching the usurpations of the courts. Yet, I realized I might be wrong.

BURIES PERSONAL VIEWS.

"Though believing that it was making of the supreme court the only branch of government which we had, still I felt that while there was a possibility of a judicial review, I should not set myself up as a judge and resist by force of arms what to me was an encroachment of the judiciary upon my constitutional rights. I was wholly unwilling to permit my personal views to result in anarchy. I believed that an orderly procedure with respect for the court, however little respect I might hold for its opinion, was the one for me to pursue. I felt assured that the supreme court of the United States would not punish me for trying to be a law-abiding citizen by refusing to decide the great questions involved in this controversy upon the theory that they are not judicial but political in their character.

"The question has not passed beyond the mere domain of party politics. The majority opinion leaves the state in doubt as to whether it can even call a constitutional convention, and as to whether our fathers did not foreclose upon posterity its right to alter and reform its system of government. It also leaves involved a far greater determination—that of the right of the court to strip the legislature and executive of their constitutional rights and to set itself up, not as coordinate, but as a supreme branch of government.

"In accordance with these views, I have sued out a writ of error to the supreme court of the United States with confidence that that court will assume jurisdiction and decide the questions involved and with confidence that it will not dismiss the case and tell me that if I thought I was right, I should have totally disregarded the decision of the supreme court, defied its authority, thrown its sheriff out of my window, called out the militia to defend my position and submitted the question to the people regardless of the court."

WARNS AGAINST LOBBYIST.

Governor Marshall's message contained a warning "against the subtle influences of the lobbyist" and recommended that all bills be reported out of committees within four days. Continuing Governor Marshall said:

"You are today facing conditions and principles which if yielded to and accepted, may result in a peaceful revolution in the substance of your government. I do not contend that under the police power of the state, a representative democracy has no authority with reference to the life, health and safety of the individual. Upon the contrary, I insist that the use of this power is of as much value to each individual citizen as it is to

The Weather

Forecast Till 7 p. m. Tomorrow for Rock Island, Davenport, Moline, and Vicinity.

Unsettled weather tonight and Friday, warmer tonight with the lowest temperature about 20 degrees. Temperature at 7 a. m., 16. Highest yesterday 19, lowest last night 10. Velocity of wind at 7 a. m. 12 miles per hour.

Precipitation none. Relative humidity at 7 p. m. 92, at 7 a. m. 98. Stage of water 2.2 no change in last 24 hours.

J. M. SHERIER, Local Forecaster.

ASTRONOMICAL EVENTS.

(From noon today to noon tomorrow.) Sun sets 4:51, rises 7:24. Evening stars: Venus, Saturn. Morning stars: Mars, Mercury, Jupiter.

a majority of the citizens. What we should clearly understand and conscientiously preserve is the line of demarcation between private and public social service. In a representative democracy, that line of demarcation may be charted in this language: It is the right and duty of the state to provide for the care and treatment of all her unfortunate children who cannot provide for themselves. Unintentionally and unconsciously the generous impulses of mankind are lowering the self-respect of the individual. Abraham Lincoln would not have been a biblical and Shakespearean scholar had he lived in a town with a Carnegie library. The constitution of this state provides for a general and uniform system of common schools wherein tuition shall be without charge and equally open to all. The observations which I have heretofore made do not apply to this system because the people needed that right and placed that duty upon the general assembly.

GODFATHER OF GERM.

"But they did not provide that books should be furnished gratuitously to the pupils in our schools, regardless of their ability to buy or not to buy them. I have seen these school books in states where they are furnished gratuitously to the pupils and wish to add that if Dr. Hurty would permit such books to be used in Indiana, he would cease to be the enemy of the microbe and would become the godfather of the germ.

Governor Marshall suggests among other things that a Panama-Pacific exposition commission with women representation thereon be appointed. He recommends the enactment of an inheritance tax law.

Legislation to prohibit stock watering and to protect unwary investors investing their money in that which is not property but mere promise in those schemes which are ordinarily known to the business world as "blue sky."

Immediate enactment of a workingman's compulsory compensation act. Anti-loan shark legislation.

That trust companies be treated the same as banks and that the people be protected against panics.

Stringent housing laws. Establishment of a state penal farm for male prisoners.

Strengthening of laws against sale and use of opium and cocaine.

Revocation of liquor licenses upon third conviction of their holders.

ratification of proposed amendment for popular election of senators.

ERDMAN ACT FOR FIREMEN DISPUTE

New York, Jan. 9.—Firemen on 50 eastern railroads agreed with the railroad managers today to ask Judge Martin Knapp of the United States court of commerce and United States Commissioner of Labor Neill to mediate under the Erdman act their controversy over wages and working conditions. The agreement was suggested by the railroad companies.

WOMAN OPIUM FIEND IS SENT TO DEATH IN CHINA

Shanghai, China, Jan. 9.—Death as punishment for opium smoking was meted out today to a woman in this city who persisted in using the drug despite a stringent manifesto by the government. The woman was taken to a public place and shot in the presence of a large number of spectators.

\$240,000 BONDS FOR TWO CONSPIRATORS RAISED

San Francisco, Jan. 9.—Bail bonds in the sum of \$240,000 for the release of Trelmes and Clancy, convicted dynamite conspirators, was accepted today.

The bonds will be forwarded to Leavenworth, where they will be signed by Trelmes and Clancy before they are submitted to Judge Anderson, who tried the case.

COURT RESTRAINS LUMBER COMBINE

New York, Jan. 9.—The government's petition for a permanent injunction against the Eastern States Retail Lumber Dealers' association, an alleged combination in restraint of trade, was granted today.

LETTER MAN IN ARCHBOLD CASE CAUGHT

William Winkler, Negro Messenger, is Arrested in Chicago.

CALLED AS A WITNESS

Claims to Have Been Let in When He Discovers Plot of Oil Office Boy.

Chicago, Jan. 9.—William Winkler, a negro messenger, who is said to have taken the famous "Archbold letters" from the Standard Oil company filed in New York and sold them,

SAY ADRIANOPOLE WILL SOON FALL

London, Jan. 9.—Dr. Daneff, Bulgarian plenipotentiary, today received a cipher message from the Bulgarian capital representing conditions at Adrianople as appalling and the fall of the city as imminent.

The capitulation of the Adrianople fortress will, in the opinion of the Balkan plenipotentiaries, take place within a few days, either directly to the besieging forces or through European pressure.

Pending some fresh development, the Balkan delegates are keeping in closest touch with the ambassadors, because they are aware that some of the questions they have most at heart depend almost entirely on the will of the powers.

Meanwhile the ambassadorial conference is doing little, hoping that the Adrianople difficulty will solve itself in some manner, and thus make interference by the powers unnecessary. Moreover the action of the ambassadors is hampered by the previous agreement that they must be unanimous in any decision requiring intervention.

Should the fall of Adrianople still be delayed, now that the conference is suspended, it might become imperative for Europe to intervene; other-

CALL BANKER IN CONTEMPT FOR REFUSAL

Money Trust Committee Strikes Snag in a Gotham Witness.

CASE IS UP TO SPEAKER

Latter May Certify Record to the District Attorney for Prosecution.

Washington, Jan. 9.—Because he refused to give the house money trust committee the names of 24 national bank officers who profited in a syndicate formed to market the stock of

SUFFRAGETS GET 8 MONTHS' TERM

London, Jan. 9.—Long sentences were passed today on two of the militant suffragets who in recent months engaged in a campaign of destruction of mails by means of acids and sticky fluids. May Billinghurst and Louisa Gay were condemned to eight months each. May Billinghurst, who is a cripple and unable to get about except on a tricycle, already has been imprisoned on several occasions in connection with the suffrage campaign.

In some cases rags were soaked in lamp oil and inserted in the slit of mail boxes. Many valuable documents were destroyed in this way. These included money orders, contracts, checks and bank notes.

CONGRESS CLERK DEATH MYSTERY

New York, Jan. 9.—C. L. Swords, folding clerk in the house of representatives at Washington, missing since Dec. 31, was found dead at midnight in a squalid room of a lodging house. He was dressed in good clothes and was sitting upright in a chair when found by an employe. A physician reported death "probably due to heart failure," but the police will investigate. He was 40 and was born at Vicksburg, Miss. He leaves a widow.

HUMAN ASHES GO BY PARCEL POST

St. Louis, Jan. 9.—The ashes of the body of Frederick Naumann, who died in Edwardsville, Ill., Saturday, will be sent by parcel post today to Edwardsville to be buried in the grave. The body was brought here for cremation.

NUMBER REFORMS URGED BY WISCONSIN GOVERNOR

Madison, Wis., Jan. 9.—The message to the legislature today of Governor McGovern recommended simplification of the income tax, a more flexible woman's and children's labor law, taxation of mineral deposits underground, mothers' pensions, minimum wage for women, "blue sky" law, "rotting by mail" for citizens out of home precincts, and approval of a state budget, the first in Wisconsin's history.

ROYAL ARCANUM CASE IS TO GO TO SUPREME COURT

Washington, Jan. 9.—The so-called Green case, brought in the New York state court to contest the increased insurance rates imposed by the Royal Arcanum, will be brought to the supreme court of the United States upon a writ of error granted by Associate Justice Hughes.

DETROIT'S MERCANTILE DISTRICT HIT BY A FIRE

Detroit, Mich., Jan. 9.—The plant of the Houghton-Jacobson Printing company, in the heart of the mercantile district, was practically destroyed and adjoining buildings damaged by fire early today. The loss is \$200,000. The flames raged several hours. Zero weather caused many spectacular incidents, but there were no serious accidents.

Three Die of Cold.

Denver, Jan. 9.—Three deaths in Colorado are attributed directly or indirectly to the recent cold wave. Mrs. Mary Dingley, aged 75, was found frozen in her bed at Georgetown. Mrs. Clara A. Creed, aged 72, of Fort Collins, died from a stroke of apoplexy brought on by suffering from the intense cold. George Rule, a farmer, south of Pueblo, was frozen after being rendered helpless by having his legs broken in a fall from a bridge.

Ask \$69,000,000 for Rivers.

New Orleans, Jan. 9.—An annual congressional appropriation of \$69,000,000 for a period of 10 years, or a total of \$690,000,000, was argued by resolutions adopted here yesterday at the "national flood prevention and river regulation conference." Resolutions adopted before the close of the final session yesterday endorsed the Newlands-Bartholdi river regulation bill now pending in congress.

Wants Reed Smoot Ejected.

New York, Jan. 9.—The executive board of the National Congress of Mothers decided yesterday to ask the United States senate to reopen the investigation of the right of Senator Reed Smoot of Utah to his seat in that body. The congress of mothers, with the Women's Christian Temperance union, was largely instrumental in bringing about the Smoot inquiry started in 1906.

WOMEN OFFER TO FINANCE A CLUB

Keokuk, Iowa, Jan. 9.—The Young Women's Christian association women have agreed to finance the local club in the Central association, providing the baseball enthusiasts of the city will agree to dispense with Sunday games.

VOTING FOR A SPEAKER HAS NOT CHANGED

Seventeenth Ballot at Springfield Shows Tice Still Leading.

M'LAUGHLIN IS SECOND

Two Democratic Senators Bolt Conference and Declare War on Manny.

Springfield, Ill., Jan. 9.—Balloting on the speakership was resumed this morning. On the 17th ballot today the entire progressive strength was thrown to Hubbard, democrat, running his total to 40. This was the largest vote of any of the democratic candidates. The Hubbard vote was unchanged on the 14th ballot. Then the progressives swung back to Carter.

The Sullivan, Dunne and "dry" democratic factions had their fighting within themselves nearly all night in hotel conferences that threatened to break into the open almost any time. Veteran republican leaders asserted if 100 ballots were taken the situation would remain the same until Sullivan and Dunne arrived at some basis of compromise in their quarrel over house officers. A number of democrats are bitterly opposed to an adjournment until next week.

The 17th ballot was without a choice. Homer Tice, republican, continued in the lead with 50 republican votes; McLaughlin, democrat, second with 27; Carter, progressive, third with 25.

TWO DEMOCRATS BOLT.

Senators Madigan of Chicago and Cleary of Galena bolted the democratic conference, and Madigan declared he would demand the resignation of Manny as democratic leader. Manny is charged by Madigan with violating an agreement to appoint Cleary a member of the committee on committees. Manny declared Madigan was indignant because he himself was not named on the committee on committees.

Nothing was done by the senate today and that body adjourned at 10:30 until 9:30 Saturday morning, when adjournment will be taken until Tuesday.

Representative Ryan's motion to adjourn the house until Tuesday met with strenuous objection from the Sullivan members.

KIRBY AND WIFE ORDERED TO JAIL

Chicago, Jan. 9.—Dr. William Kirby, president of the defunct Kirby Savings bank, and his wife were ordered to jail today on contempt charges by Federal Judge Landis until they turn over \$30,000 missing funds. "Fraud and frame-up" was the term Landis applied to the participants.

Dixon Out of Race.

Des Moines, Jan. 9.—Representative Dixon today withdrew from the speakership contest in the lower house of the legislature, which convenes Monday, and announced he would support Gerrit Kluy of Sioux county.

Contest Two Seats in Congress.

Washington, Jan. 9.—The seats of Representatives John M. C. Smith and H. Olin Young of the 13th and 12th congressional districts of Michigan, respectively, were contested in petitions filed yesterday with the clerk of the house. Both are republicans.

Nonagenarian Dies at Morrison.

Sterling, Ill., Jan. 9.—Mrs. William Fraser, the oldest resident of Whiteside county, died yesterday at her home in Morrison, aged 96.

Drives Horse to Death.

Springfield, Ill., Jan. 9.—Judge Creighton fined Dan Mulvey \$750 after the latter had been found guilty of malicious mischief. Mulvey was sent to jail for 90 days. He was punished for driving a liveryman's horse to death.

Famous Composer Dead.

Los Angeles, Cal., Jan. 9.—Richard Watson Seeger, a musical composer of note, died here yesterday. He was 82 years of age. Among his compositions the cantata "Queen Esther" probably was the most popular.

Champaign Men Are Accused.

Champaign, Ill., Jan. 9.—Former city officials of Champaign owe the city \$2,198.75, according to a report made by an auditing company, which says they took fees illegally. Slipshod methods of bookkeeping, gross negligence and a general confusion in records are charged. The auditors allege the books were in such bad shape that they lost money on the job.

HOMELESS



was found in Chicago last night after a search of several months. He was served with a subpoena and will appear before the senate committee Jan. 11 and tell how the files disappeared.

BIG PRICE NOT PAID. Winkfield today told how he got in on the deal. He ridiculed the report that \$34,000 was paid for the letters and brought into the story a new name, that of Frank Morell, office boy and clerk for the big oil company.

Winkfield said his connection with the letters was partly accidental. He caught Morell and Charles Stump taking letter copy books from the files after office hours. This was in 1903 or 1904.

LET HIM IN.

Morell and Stump were so certain they promised to let him in on the deal. Winkfield did not say how much he received for the letters, but pronounced the report that \$34,000 was paid the three men a joke. He could not say whether the letters published were the ones stolen by Stump and Morell.

FEDERAL OFFICIALS FOR RESTORING OF CANTEN

Washington, Jan. 9.—Favoring restoration of the army canteen, Secretary Stimson, Surgeon General Toney, Brigadier General Witherspoon and Representative Bartholdi appeared today before the house military affairs committee to urge Bartholdi's bill for that purpose. Stimson said without the canteen conditions were worse than when the sale of beer and light wines was allowed at army posts.

Duchess Comfortable.

Montreal, Jan. 9.—The duchess of Connaught, wife of the governor-general of Canada, and, by marriage, aunt of King George, passed a comfortable night. She was brought here yesterday from Ottawa, suffering with peritonitis.

wise Europe would lose the prestige entitled to dictate her will in smaller matters, such as creating an autonomous Albania and partitioning the Aegean islands.

One suggestion is that falling a better solution, Adrianople might be ceded to the powers, who could transfer it to the allies after permitting the Turkish garrison to depart with the honors of war, and guaranteeing other conditions, as the reservation of religious and property rights to the Turks and the creation of certain courts for the trial of civil suits arising between the muslims.

London, Jan. 9.—The Russian Black sea fleet was mobilized today in preparation for a naval demonstration by the powers in the event it is found necessary to appear to coerce Turkey.

BANDIT INJURES CHICAGO OFFICER

Chicago, Jan. 9.—After shooting Policeman Griffin in the head, Harry Evans, 24, himself was shot and wounded in a revolver battle with a citizen he attempted to hold up on the North side early today. Evans suffered a flesh wound and escaped, but was arrested later in the rooming house of Peter Jansen, who, with Evans, when he shot the policeman, also was arrested. After wounding Griffin, Evans fled, and two blocks away attempted to hold up John Vanderoest. A revolver duel followed. Vanderoest escaped injury.

Twelve detectives armed with rifles and traveling in taxicabs toured the city today in search of the auto bandits who committed 100 holdups the past month.

The California Petroleum company, George G. Henry of Solomon & Co., New York bankers, was certified to the speaker of the house today for contempt. The full banking and currency committee voted unanimously for that action.

Speaker Clark will review the case and determine whether he will certify the record to the district attorney of the District of Columbia for criminal prosecution.

The case threatens to involve the ultimate question of the money trust committee's authority to inquire into the affairs of national banks, which probably will be taken to the supreme court. Opinions on the subject, among the government's legal experts and the department of justice, differ.

BANK GROWS RAPIDLY.

George F. Baker of the First National bank, New York, testified before the money trust committee today. He presented a calm and dignified appearance and a ruddy face and white side whiskers, a type of the old-fashioned business man. He testified in 1874 the capital of the First National was \$500,000, and was increased in 1901 to \$10,000,000 by a dividend of \$9,500,000. A surplus of \$11,500,000 was left after that dividend. He went over the yearly dividends since then, showing they ranged from 20 to 125 per cent. The last four years' dividends of 225 per cent had been paid. In 1908, beside the regular dividend of 22 per cent, an extra dividend of 100 per cent was declared for organizing the First Security company to do business not authorized by the national bank act. He said the company did little business in stocks.

Baker, who was referred to as the "biggest man in Wall street since Morgan retired from active business," told the committee that the First Securities company, which holds stocks in various banks in the country, was organized to do business which the federal bank act forbade.