

WILL GIVE SHIPPERS EQUAL RIGHTS

Hepburn Act Amended

Will Allow Shippers the Right to Ask Restraining Orders Against Unreasonable Rates—Court is Undecided.

Spokane, Wash., Oct. 12.—Sweeping changes of vital importance to all parts of the country will be made in the Hepburn Act if the amendments suggested to President Taft during his recent visit to Spokane by Henry M. Stephens, chief counsel for the petitioners in the Spokane freight rate case, are embodied in the interstate commerce regulations, now in operation.

The adoption of these recommendations will give the shippers equal rights in enjoining unreasonable rates and make the commission an effective and impregnable body by devising ways and means of ascertaining and determining the actual value of railroad properties, also providing for the appointment of district commissioners and the taxing of attorneys' fees against the carriers in favor of the shippers in all cases where the petitioners are successful in whole or in part in their litigation.

As this presentation, including a review of Spokane's fight against the transcontinental lines, for equitable rates on west bound shipments from St. Paul and common points, was made at the request of President Taft, there are reasons to believe that his forthcoming message to congress will recommend the adoption of these provisions in part or in full to successfully cope with the situation.

Mr. Stephens directs President Taft's attention to the fact that the law permits the railroad companies to go into the courts and ask for injunctions against the orders of the commission, whereas the law contains no similar provision with reference to the rights and property of the shipper.

It is suggested that the law be amended so that the shippers will have the right to ask for a restraining order against unreasonable rates and that the court shall determine what is an equitable rate and then refer the matter to the rate-making body to fix and enforce these rates.

Dealing with this phase of the law, Mr. Stephens says that it seems axiomatic that the shipper should have the same remedies and the same rights under the act as do the shippers, adding:

"In principle there can not be any possible difference between the shipper and the common carrier. If it is taking property without due process of law to require the common carrier to carry the property of the shipper at an unreasonably low rate, and for that reason it is a confiscation of the carrier's property, it follows, necessarily, that it is confiscation of the shipper's property to charge or collect from the shipper anything in excess of a reasonable rate or reasonable charge, and to the extent that the shipper is charged an unreasonable rate, the shipper's property is taken without due process of law and is confiscated by the railroad companies."

Another amendment provides for the appointment of commissioners for the various districts and territories throughout the United States. A commissioner on the Pacific coast would have jurisdiction in a territory 200 miles wide bordering on the ocean, while another would be stationed in the interior, in the district east of the Cascade mountains in the State of Washington, east of the range of mountains in Oregon and for Idaho, Montana, Utah, Nevada, Arizona and districts similarly situated.

Mr. Stephens suggests that the duty of these commissioners be to take care of matters now in the territory allotted to them, speedily and expeditiously; allow an appeal from the decisions of such commissioners to the interstate commerce commission, as now constituted; permit a trial de novo before the interstate commerce commission, as now organized; permit, if desirable, additional testimony on the de novo trial on the part of any person or corporation interested

in the matter; and further appeal from the commission to the Supreme Court of the United States upon the record made upon the

One of the chief reasons for the appointment of commissioners for assignment to certain territories is the tremendous expense which complainants have to incur in presenting their case to the commission as now organized and the numerous trips that shippers have to make across the continent and leave their homes

WILBUR WRIGHT AGAIN BREAKS THE RECORD

Sped 36 Miles an Hour

The Aviator Set a New Record at College Park, Md., When He Made a Complete Circle in Little Over 17 Seconds.

College Park, Md., Oct. 12.—Wilbur Wright set a new record here yesterday morning when he made a complete circle in 17 2-5 seconds. The next best record that Mr. Wright said he remembers is about one minute. He estimated that he traveled about 850 feet. He turned very sharp angles, and showed very great skill in maneuvering. The speed, he said, was about thirty-six miles an hour. He believes that he can turn sharper circles after a little more practice.

After he finished this morning's first flight he remarked:

"There is something for the rest of them to try to beat."

To show that it was not an accident he made a second circle in 19 1-4 seconds.

Late last night in moving and starting the derrick, one of the posts was broken and although Mr. Wright has shown that he can ascend without the use of a derrick, it is not likely that he will fly again until the post is repaired, which may not be until late this afternoon.

Unknown Vessel Goes to Bottom

Beaufort, N. C., Oct. 11.—An unknown schooner has mysteriously sunk in fourteen fathoms of water due west of the Diamond Shoals Lightship. Just when the vessel went down is not known, but it must have been some time during last night, as it was not until this morning that the lightship crew saw her topmasts standing well out of the water. Nowhere was there visible any signs of the crew of the foundered schooner, and not yet has there been any word to indicate their fate.

The mystery of the wreck is made the deeper by reason of the difficulty in explaining its occurrence. The weather has not been such within the last few days as to threaten the safety of the vessels, and the only theory that is advanced to account for the

wreck is that the schooner probably sprang a wide leak and went to the bottom before aid could reach her or even signals be seen. So swiftly in fact, may the disaster have fallen that it is possible the crew may have had no chance to escape.

The wreck lies in the track of coastwise steamships. Somebody will secure the one best bargain to be found in today's ads. Haven't you some ambition to be that person?

and business to attend hearings at Washington, D. C.

It is also urged that injunctive and judicial powers be granted to the commission as now organized to the extent that may be necessary or desirable and especially power to all commissioners to summons and compel the attendance of witnesses, the production of evidence and the power to enforce their orders and make the findings of facts and mixed questions of law and fact final in the same way that they are now determined by the department of the interior; provided, however, that the ultimate question of just and reasonable rates is a question of law.

The third amendment recommended is that the statutes provide specifically that attorneys' fees are taxable against the carriers in favor of shippers when the petitioners are successful in whole or part in the litigation, unless some plan can be devised whereby a division of the department of justice shall have charge of the prosecution at the expense of the United States.

Mr. Stephens also suggests that to place the commission beyond successful attack in its position and findings as to excessive earnings, the value of the railroad properties must be ascertained and determined, adding in closing his argument:

appropriate procedure for that specific purpose so as to insure the accuracy and reliability thereof. This

because of the great expense involved. When that is done, the proceedings before the commission will be greatly simplified and the fixing of rates expedited; many discriminations and injustices eliminated, more equitable rates secured and many unjust and arbitrary charges reduced.

TO PATRONS OF PUBLIC SCHOOLS

Patrons and Friends Are Cordially Invited to Visit the Different Departments.

All departments of the public schools are in operation this week. Patrons and friends who desire to see the manual training, domestic science, kindergarten and other departments, can see them to the best advantage tomorrow, Wednesday. It will, no doubt, be interesting for the people of Washington to see the school at work.

We extend a cordial invitation to all our friends to come tomorrow and see the work that is being done, and not tomorrow only, but any day that it may be convenient for them to do so. It will be alright to come in any time of day during the school session. We are particularly desirous that the parents of our pupils shall visit the schools. We believe such visits will be mutually helpful to parents and to us.

Make up your mind to visit the schools tomorrow, Wednesday, or some day this week.

N. C. NEWBOLD, Supt.

DIED IN RICHMOND.

Little Addie, daughter of Mr. Geo. Doughty, Jr., died in Richmond, on Saturday morning last. Mr. Doughty is the son of Capt. Geo. Doughty of this city.

Attacked by Three Negroes

Washington, D. C., Oct. 11.—Attacked by three negroes and forced, according to his declaration, to use a pocket knife to defend his life, Gen. J. Floyd King, 67 years of age, for eight years during the '80s representative in congress from Louisiana, and Confederate veteran, native of Georgia, was badly beaten Saturday night about the head and body, it was learned today.

One of the negroes is in a hospital so badly cut that his recovery is said to be doubtful.

Mr. King himself, who was arrested, has been released on bond.

Warrants have been issued by friends of Gen. King for the arrest of the negroes, although none of the warrants have yet been served.

The police say they know where the two negroes who were not taken to the hospital can be found.

Dream Reveals

Lost Daughter

Pensacola, Fla., Oct. 12.—Finding her daughter who had been lost since an infant, 13 years ago, through the medium of a dream, was the experience of Mrs. B. L. Ellis, of this city, who left today for Jonesboro, Tenn., to visit her long lost child.

According to Mrs. Ellis, her husband died in Jonesboro shortly after her child was born and the baby was turned over to a neighbor until the mother could come to Pensacola and establish herself in business. Three months later Mrs. Ellis went back to Jonesboro for her child, only to find that her neighbors had moved to parts unknown. For five years she searched continuously for the child, but finally gave up in despair.

About one week ago Mrs. Ellis had a dream in which she saw her daughter back in Jonesboro. She telegraphed friends in that city and received a reply that her daughter who with her husband to that city and did not even know that her mother was alive.

LIST OF LETTERS.

Remaining uncalled for in city postoffice for the week ending October 9th, 1909.

Gentlemen—Capt. J. R. Allsworth, Wm. Blango, Henry Benton, Thomas Farrow, William Forman, Charles Harris, E. H. Haiman, B. F. Harper, Peter Langie, Israel Leggett, Jerry Martin, Dr. Morgan, L. J. Norley, Willayo Steten, Ben Spruel, Edmond Tripp, Harry Thats, E. Ellis Williams, Mr. Wharton, T. H. White, C. L. Whitehead.

Ladies—Miss Miriam Bonner, Miss Tilmie Belmont, Miss Easter Hollen, Miss Bettie Holmes, Alice More, Palfis Macray.

These letters will be sent to the postoffice if not delivered before. In calling for the above, please say "advertised," giving date of list.

WITHDRAWN FROM REPAIRS

The steamer Hatteras will be withdrawn from the river route Wednesday, October 13th, to make necessary repairs in the engine department. Notice will appear in this paper when she will resume her regular route.

HEARST BREAKS FAITH, SAYS JUDGE GAYNOR

Editor Outrid Bosses

The Independence League Candidate is Attacked by Tammany. Millions He Suggests Will Be Drawn on in Coming Campaign.

New York, Oct. 12.—William J. Gaynor, the Democratic nominee for mayor of Greater New York, has fired his first big projectile of the municipal campaign in an attack on William Randolph Hearst.

Early last week Mr. Hearst issued a statement, saying positively that he would not run for mayor, but would support Justice Gaynor. Two days later he accepted an independent nomination for the office, declaring that Judge Gaynor should have denounced Tammany Hall.

Justice Gaynor issued a brief statement, charging Hearst with breach of faith, and last night he came out with a statement and a letter, purporting to show that Hearst had urged him to run for mayor nearly six months ago, "on any ticket," and pledging his support.

Justice Gaynor first made public a letter addressed to him by Rudolph Bloch, who occupied an editorial position on the Hearst papers. Under date of October 9, Bloch, while "regretting exceedingly to be drawn into the affair," reviews at some length what purports to be the details of meetings between Hearst and Gaynor early last summer. The letter says, in part:

"Shortly before Mr. Hearst left for Europe last summer he asked me to bring you to his home. I think this was the second or third time you had ever seen him. He asked you if you would run for mayor in the fall, and said, 'I don't care what ticket you run on, I'll support you.'"

Says Promise Was Rescued.

Commenting on these circumstances, Justice Gaynor's statement says: "To this statement of Mr. Bloch, I added after returning from Europe I saw Mr. Hearst in September, according to promise. He said that he had in no way changed his mind, and that he would support me whatever ticket I ran on, or whichever nominated me. He reiterated this repeatedly, and with apparent earnestness."

Justice Gaynor here reviews the indignities which led up to the repudiation of him, which he describes as "the most painful shock I had ever experienced," and a breach of trust such as he never encountered before.

"Meanwhile," continues the statement, "the primaries of the Independence League had been held, and it was found that a decisive majority of the delegates chosen were in my favor. Thereupon, Mr. Hearst would not permit the convention to be called. No other party boss ever went as far as this. It is said that this may be an indictable offense, and it is being looked into."

"Mr. Hearst now repudiates his league party, and is having himself nominated by petition against me. I am fully conscious that his great estate of from \$50,000,000 to \$65,000,000 gives him a huge advantage over me in one respect, but I am ready to meet him before the people of New York. I suppose we are about to witness again such a lavish use of money by a candidate for office as was never before witnessed in American politics, and which, if continued, must in the end debase and corrupt our politics and our system of government."

But it may be that with all his money and newspapers and power the people of New York may not let him run over me so easily as he thinks."

Mr. Hearst will appear before a mass meeting in Carnegie Hall tomorrow night, and accept the nomination of his new party, and to ousting the platform upon which he will make the race.

Hearst's Stolen Party.

The Hearst managers were quite sure today that they would not have to pick a new name and emblem for the party Mr. Hearst is to head as a candidate for mayor. It was undoubtedly true that Pat McCarran's brisk boys from over the river had pilfered the Civic Alliance with its name and emblem, but Chairman Gehring felt confident that the party would be restored to the McCarrans and restore it to him. The Hearst people have evidence to offer

stolen from a printer's shop by an Independence League and sold to a bunch of McCarran scouts for a reasonable amount of cash and red liquor. Furthermore, Mr. Gehring is certain that his action on Thursday last in giving a Civic Alliance nomination in the office of the Secretary of State will be sufficient to prove his case.

Many people witnessed the free performance prior to the main show. Election Commissioner John Dooling had told him, Mr. Gehring said, that he was disgusted with the dirty work that had been going on, and he intended to see that the Hearst people got a square deal.

OLD LANDMARK PASSES AWAY

Mrs. Mary Ann Rumley Died Last Night—Funeral at 11 A. M. Tomorrow.

Another one of Washington's landmarks fell on sleep last evening at her home on West Second street, in the person of Mrs. Mary Ann Rumley, wife of the late Gilbert Rumley. While her death was not unexpected, it came as a great blow to those nearest and dearest. Mrs. Rumley was permitted to view the beauties of nature for over three score years and ten, being in her 75th year when the end came. She was born April 6, at Woodstock, this county, being a daughter of William S. and Elizabeth Blount. On September 9th, 1857, she was married to the late Gilbert Rumley. To this union several children were born, those surviving being Messrs. Sylvester and Robert Rumley.

For several years the deceased has been afflicted with disease, and about six months ago she met with the misfortune to receive a fall, dislocating her hip. Since that time she has been confined to her bed. During all the days of her suffering no murmur escaped her lips. Resignation and submission was written in every feature. What God did she realized was for some good purpose. "His ways are always past our understanding."

Mrs. Rumley's life is a part of Washington's history. She saw the dark days of war; heard the roar of the cannon, and welcomed the white winged dove of peace. She gloried in the history of the Southland, and more particularly of Beaufort county and Washington. Here she played and romped as a girl; here it was she was mated to the man of her choice, and here her body will be committed to earth's bosom. She was a woman of keen intellect and much strength of character. She always stood for the right and condemned in unmeasured terms the wrong. "Behold her record is on high and her witness are in heaven."

She was a member of the Episcopal Church, and was always present in her pew until disease claimed her. The work of her life was done in season and out she could be found always on the picket line doing what she could for the uplift and betterment of her fellowman. Her life was an open book.

Although her hair was silvered, and the furrows of time had marked her face, her mind to the last was bright and vigorous. Mrs. Rumley leaves one sister, Mrs. Henrietta Rumley. Thus, one by one, the old citizens are passing into the Great Beyond; upon all those who witnessed the town's early struggles for the mastery will sleep near the sighing pines, and may those who are destined to take their places be as worthy.

The funeral will take place from the Episcopal Church tomorrow morning at 11 o'clock, conducted by the rector, Rev. Nathaniel Harding. The interment will be in Oakdale cemetery. Peace to her ashes.

The following have been selected as pallbearers: Jno. B. Sparrow, E. R. Mixon, C. E. Leens, H. H. May, Dr. A. S. Wells, Dr. D. T. Taylor.

HALCYON CLUB'S ANNUAL MEETING

New Officers Elected and Other Business Transacted Last Night.

The annual meeting of the Halcyon Club, one of the State's oldest social organizations, was held in the office of the president, Dr. John S. Blount, last night, with Mr. J. F. Taylor, presiding.

The program for the ensuing year was mapped out, new officers elected, and several men admitted to membership. The men are Dr. A. C. Hoyt, C. V. Hill, D. M. Carter, Jr., W. M. Knight, E. H. Harding, Lee Davenport and John McLean.

The following officers and committees were elected: President, F. H. Bryan; vice president, H. McMullan; secretary and treasurer, F. S. Worley; leader, F. H. Bryan; assistant leader, C. S. Blakeley.

Arrangement committee — L. C. Warren, N. H. Moore and James Ellison.

Finance — W. H. Ellison, E. H. Moore and W. H. Ellison.

Constitution — L. C. Warren.

The first dance will be in the next few days, and there will be one each month until next May.

Many people witnessed the free performance prior to the main show. Election Commissioner John Dooling had told him, Mr. Gehring said, that he was disgusted with the dirty work that had been going on, and he intended to see that the Hearst people got a square deal.

HOWE'S GREAT LONDON SHOWS PLEASES CROWD

Give a Varied Program

Two Performances on Fleming Park—The First Exhibition Witnessed by Thousands—All Were Highly Pleased.

Howe's Great London Shows arrived in the city early this morning from Plymouth over the Norfolk and Southern railroad, and the best part of the morning was used in pitching their mammoth tents at Fleming Park, West Third street, where the performances will be given, afternoon and night.

Howe's big show is one of the best traveling the Southern States, and wherever they have given exhibitions the press has been more than complimentary. The parade, measuring nearly a mile in length, was one of the features today. Crowds witnessed this elaborate presentation of what Howe carries with him to delight and amuse his patrons. The parade was spectacular, attractive and gorgeous. If the parade can be taken as an index of what the main performance contains, the show feels confident all who attend will come away feeling their money has been well spent.

The main performance began promptly at 2 o'clock, commencing with the grand entry, a gorgeous scenic spectacle, which with the superb blending of colors and flying banners, prancing horses, beautifully costumed performers and spirited music, presents a thrilling scene, and is indeed a fit introductory to the many high class acts which follow in rapid succession after the triumphant march around the arena. The first part of the exhibition consists of high-class aerial acts, spring jumps, and double somersaults in the air over elephants by Joe Bell, Lou Roberts, Hugh Poughery, Frank Reed and the Nichols Bros. This stunt, taken alone, is well worth the price of admission. The aerial work by Misses Dooly, Kellog and Earle on swinging ladders and flying perch is a feat few people are permitted to witness.

The Nichols Bros. and the Wakana troupe of Japanese boys gave a performance of tumbling and balancing. The little fellows from the land of Nippon were the subject of much commendation from the crowd.

Clever trapeze feats were then performed by Miss Emma LaTowe and Miss Mildred Kellog. These two ladies are artists. The Nichols family consisting of two men, one woman, and a boy, gave a very good exhibition of tight wire walking, jumping from a barrel onto a wire, one of the men carrying the two younger people; the men passing each other on the wire, one kneeling and lying on the wire when being passed, and walking on stilts on the wire. This act is one of the best in the show, and it was heartily applauded.

The TyBell Sisters, three in number, divided honors with the Wakana troupe in doing many startling contortions, spirals and serpentine dances while suspended by their feet from a steel triangle revolving at a rapid rate.

The little Japanese boys made a second appearance, giving an exhibition of back bending and contortion; one of the boys standing on a small block of wood and bending backward until he supported himself with his hands on the same block.

Miss LaTowe and M. Tossler gave a good exhibition of balancing while on trapezes.

Frank Reed and John Smith with Miss Earle, were the equestrians, the latter couple giving exhibitions of cackwalking, dancing and other fancy stunts with their horses. Mr. Reed rode bareback on one and then on four, doing a number of feats pleasing to the audience. All in all, the show is a good arctic exhibition and one reflecting credit on the management.

The evening performance takes place at 8 o'clock. Doors open at 7 o'clock.

With the show are 20 Elks, and at least 30 who are natives of the South. The show also carries with it regularly a minister of the gospel. This is a feature not often heard of with big shows.

The clever press agent is Mr. W. A. Rhodes. Mr. Rhodes has been connected with the Howe London Shows business from A to Z. He is acquainted with every detail of the circus and always takes pleasure in extending courtesies to the press.

One of the motives of the Howe Shows is the same performances both day and night—nothing out or left out at the night show.

One of the motives of the Howe Shows is the same performances both day and night—nothing out or left out at the night show.

FIERCE STORM SWEEPS THE FLORIDA COAST

Loss is \$2,000,000

Martial Law is Declared and Key West is Being Patrolled—The City is a Mass of Wreckage and Shipping is Damaged.

Key West, Fla., Oct. 11.—While the hurricane is the worst that Key West has ever experienced, the local weather observer announced tonight that the indications are that the entire east coast of Florida will suffer terribly tonight.

Of one hundred local vessels in the harbor this morning but five remain at anchor, the others having either gone to sea or been washed upon the beaches. The streets along the water front are a mass of wreckage. Brick as well as frame buildings throughout the city suffered alike from the fury of the heavy wind and many miraculous escapes from death or serious injury have been reported.

Besides the several score of residences either totally wrecked or blown from their pillars, nine factories were partially destroyed, including the Havana-American, Martiner, Nichols, Ruy Lopez, Manuel Lopez, Fleitas Torris, Cortez and Wolf cigar manufactories. No. 1 and No. 3 engine houses of the city fire department were destroyed, the firemen narrowly escaping. Several of the horses were killed. The top of the First National Bank was blown off, the postoffice damaged and two running gears of the government coaling station were wrecked.

Every telephone and electric light pole on Duval street, the principal thoroughfare of the city, were blown down.

It is known that many have received more or less serious injury and reports are current that several lives have been lost, but these have not been verified.

The storm reached its height at 1 o'clock this afternoon when the wind reached an estimated velocity of 100 miles an hour. There was a hard, steady blow from 8 a. m. to 3 p. m., when the wind began to die down and by 4 o'clock the center of the hurricane had passed this point.

As soon as the wind had subsided plundering began. The city police force was unable to cope with the situation and the mayor decided to take stringent measures to suppress the looting. His proclamation of martial law resulting. Almost every national city is represented among the city's population of more than 20,000, one-half of whom are employed in the cigar manufactories, sponge fisheries and salvage companies.

As a result of the hurricane which struck the southern coast of Florida this morning, Key West tonight is a mass of wreckage and the damage to property is estimated at \$2,000,000. Martial law was proclaimed by the mayor at six o'clock and the Key West Guards are patrolling the city.

The United States government has been asked to dispatch troops here without delay to assist in patrolling the storm-swept area.

Chaos reigns on every hand and hundreds remain in their homes, hundreds of which have either been totally wrecked or damaged. It is impossible at this hour to say whether there has been loss of life, but it is feared that many lives have been claimed along the coast.

STORM WARNINGS DOWN. Washington, D. C., Oct. 12.—Down warnings 10:30 a. m. Miami, Jupiter, Jacksonville, Savannah, Charleston, Wilmington, Morehead City, Washington, N. C., Columbia, Edenton, Elizabeth City, Norfolk, Newport News, Fort Monroe. The tropical storm after passing over the southern portion of the Florida peninsula, has moved northeast into the Atlantic, and is now within the limit of observation. Only moderate to brisk winds indicated. MOORE.

SCHOOL HOLIDAY. On account of the circus being in town today and wishing to give the pupils an opportunity of seeing the performance, the Washington Public Schools gave holiday today.

New Advertisements in Today's News.

Code Books. J. K. Hoyt—Corsets. Wm. Brown—Insurance. M-O-N-A. Wanted—Clark. Joe. B. Clark Co.—Spokane.