

PIERCE BATTLE AT WU-CHANG

Imperial Troops Attack 10,000 Rebels Under Shelter of Heavy Fire from Battleships.

BOMBARDMENT OF CITY IS BEGUN BY FLEET Effectiveness of Guns Hampered by Fear of Endangering Foreign Concessions in the Town.

Hankow, Oct. 18.—Fighting between 16,000 revolutionists and 2000 imperial troops began this morning.

Rebels Gain Towns. Shanghai, Oct. 18.—It is reported the rebels have captured Nanking and Wu-Chang, but official confirmation is lacking.

New Fear For Foreigners. Tokio, Oct. 18.—Despite assurances by the Chinese government and revolutionary leaders that foreigners' rights will be respected, officials here regard the situation in the central Chinese provinces as likely to develop phases alarming to outside nations.

May Not Risk Battle. Peking, Oct. 18.—The desertion of General Li Yuan Heng from the rebel leadership is reported, but this is believed to be a government story designed to encourage the imperialist troops.

The Japanese legation declares there is no foundation for the report that the Japanese flag will be raised over Han Yang iron works.

Slow Progress by Rebels. So far as can be learned the situation at Wu Chang for the last six days remains unchanged.

Tourists Delayed. Bad Roads Prevent Olden Party from Arriving at Winston-Salem Today.

Roanoke, Oct. 18.—The Olden tourists left this city at 11:45 o'clock this morning, having been delayed by bad roads south of this city.

Winston-Salem is the official stop for tonight, but the party may not proceed further than Martinsville, Va.

MARY MASON'S WITNESS CORNER-STONE LAYING

Washington, Oct. 18.—Prominent Masons from south and north today attended ceremonies incident to the laying of the cornerstone of the new mill and a half dollar temple of the Southern Grand Lodge of the Southern Jurisdiction.

DISCUSS PLANS FOR BIG CANAL

Atlantic Deeper Waterways Association Begins Session at Richmond with Many States Represented.

INTRACOASTAL ROUTE NEEDED, SAYS MOORE

President Dwells Upon Enormous Losses off the Stormy Atlantic Seaboard—Other Addresses.

Richmond, Oct. 18.—From every Atlantic seaboard state and from states along the Gulf of Mexico delegates assembled today at the opening of the fourth annual convention of the Atlantic Deeper Waterways association.

Governor Mann of Virginia, formally welcoming the delegates, announced that Virginia was still active for better facilities for shipping.

Col. Pleasant A. Stovall of Savannah, responding, pointed out that half a century ago the attention of civil engineers and of masters of transportation was directed toward the approaches to Richmond when a great army had been carried down the Potomac river and landed upon the peninsula intent upon following the course of the streams and reaching Richmond over the inland waterways of Virginia.

President Moore of Philadelphia delivered the annual address.

This afternoon's session was largely devoted to speaking by mayors of Atlantic seaboard cities.

Gaynor on Trust Problem. Removal of the artificial cause of the creation and growth of the trusts would cause them to disappear rapidly, declared Mayor William J. Gaynor, of New York city, in an address before the Atlantic deep waterways association's annual convention here today.

"Let the great genius of the people of the nation have a free and full play in business, with no freight rate favoritism on the public highways, nor any other legal or illegal favoritism to any one, and monopolies cannot and disappear."

"If we do not want trusts, namely, the combination together of the corporations engaged in a certain kind of business, why did we pass and why do we not repeal the statutes which enable such partnerships or combinations—holding companies, as we call them—to be formed to hold the stock of any number of corporations, and thus make them a business unit or monopoly?"

The moderate voice has little chance. The wisdom of giving the interstate commerce commission power to fix freight rates was questioned by Mayor Gaynor. "It was the notion of some of us all along—but in time of clamor the moderate voice is seldom heard and still more seldom heard—that what was needed was not that government should undertake the stupendous job of fixing freight rates, but to see that every one was charged and made to pay the very same freight rate for the same service. The great thing to be done was to stop all favoritism in freight rates to shippers and make every one pay the rate fixed by the company. The evil in the past has not been so much that rates were too high, but that some shippers were given favorite rates to the great wrong of their rivals."

"Our railroads are not private roads with which the railroad companies may do as they please. On the contrary they are created and enfranchised by government as public highways. They are created and exist on this fundamental principle. On this principle they acquire their roadbeds under the government power of eminent domain, that transcendent power to compulsorily take private property for public highways or any other public use but for no private use whatever."

"It was not excessive freight rates but favoritism in freight rates which caused individual failures and the creation of trusts. It is not the trusts that I say monopolies, all trusts that I say monopolies. It is favoritism in freight rates that I say monopolies. It is favoritism in freight rates that I say monopolies. It is favoritism in freight rates that I say monopolies."

Men on Trial in Dynamiting Case



J. J. McNamara

JAMES (BRICE) McNAMARA

GAME IS CALLED OFF; WET GROUNDS

Downpour at Philadelphia Causes Umpires to Decide Grounds Unfit for Play.

THOUSANDS ARRIVE TO WITNESS CONTEST

Postponed Battle Takes Place at Shibe Park Tomorrow, the Weather Permitting.

Philadelphia, Oct. 18.—Rain prevented the Philadelphia Athletics and the New York Giants from playing today's game in the series for the world's baseball championship.

That rain should interfere with one of the best series for world's baseball honors ever played was a great disappointment to baseball roots. Downtown hotels are filled with followers of the game and in the foreground were many baseball magnates and players.

SUIT TO COMPEL TIMBER LAND SALE

Litigation Over 25,000 Acres Tract Is Begun by J. A. Porter.

Through his attorneys, J. H. Merriam and Zebulon Weaver, J. A. Porter has instituted suit against the American Clearing Lumber company and has filed a complaint in which it is asked that the defendant be compelled and directed to carry out the terms of an agreement, by which, it is alleged, the plaintiffs was to purchase from the company 25,000 acres of timber lands in Haywood and Madison counties, known as the "Scottish" lands.

The complaint goes on to state that the defendant is the owner of the land situated on the waters of Spring creek in Madison county and on Hurricane, Ground Hog, Snowbird and Gold creeks in Haywood, bounded on the south and west by Pigeon river and on the east and north by the Tennessee state line.

It is contended that the plaintiff offered to carry out the provisions of the agreement and now stands ready to do so, but the defendant refuses to transfer the land and judgment is asked as above stated.

PRESIDENT PLANS FOR DISSOLUTION OF TOBACCO TRUST

Taft to Visit Hot Springs, Va., Before Returning to Washington.

INDEPENDENTS FILE PETITION WITH COURT

Ask Leave to Intervene—Attorneys General of Three States to Confer.

New York, Oct. 18.—The United States circuit court will be asked to exercise its alternative in the tobacco trust case and order a complete dissolution of the American Tobacco company and appoint a receiver therefor, according to an announcement today by Charles Carruth, counsel for R. P. Richardson, Jr., and company, one of the defendants in the original federal anti-trust suit.

MINISTER KILLED; KINSMAN IS HELD

Rev. A. J. Burns, President of Oneida Baptist College, Shot from Ambush.

Manchester, Ky., Oct. 18.—Rev. A. J. Burns, president of the Oneida Baptist college, at Oneida, was shot from ambush and died a few minutes later today.

Perry Burns, a kinsman of the minister, was arrested. Blood hounds put on the scent at the crime's scene led to Burns' home.

SIX TALESMAN PASSED BY McNAMARA DEFENSE

Los Angeles, Cal., Oct. 18.—The defense has passed six talesmen, one had been excused by the court and two excused because of challenge for cause, when court adjourned last night.

The six talesmen passed at least one seemed virtually sure of rejection before the jury is completed to try James B. McNamara for the death of Charles J. Haggerty, who was killed in the Los Angeles Times explosion and fire.

The passed talesmen were: J. W. Roberts, real estate dealer; Robert F. Bain, carpenter; H. Y. Quackenbush, expressman; A. R. McIntosh, baker; T. W. Adams, grocer; G. W. McKee, retired real estate dealer.

Z. T. Hyatt was excused by the court because of scruples against capital punishment.

WORLD SERIES RECEIPTS HAVE BROKEN RECORDS

Total Collections Thus Far \$195,914, Exceeding Those from Any Previous Seven Games.

SELL CANNED HORSEMEAT IS CHARGE

Washington, Oct. 18.—We shall co-operate with the authorities of the state of New Jersey in the prosecution of the Schwartz Brothers company, the Newark packers, on the charge of disposing of the meat of diseased horses for human consumption, said Dr. Wiley, chief of the bureau of chemistry.

BANQUET FOR THE GIANTS

New York, Oct. 18.—Invitations were issued today for a baseball banquet Saturday night to Hon. J. Morgan and members of the New York National baseball club.

GIRL POISONED POLICE THINK

Prussic Acid Not Taken by Boston Music Student with Suicidal Intent, Say Physicians.

CAMBRIDGE MINISTER FACES INVESTIGATION

Church Committee Probes Report That Rev. C. V. Tricheson Jilted Miss Tinnell for Another.

Boston, Oct. 18.—The death of Miss Avis Tinnell, a young music student who died Saturday at the Young Women's Christian association building from a dose of prussic acid, is being investigated by the police. Medical examiners have reported that the poison was not taken with suicidal intent.

Rev. Clarence V. Tricheson, pastor of the Immanuel Baptist church of Cambridge, after attending the girl's funeral has returned home to face a church investigating committee, regarding his relations with the girl.

Tricheson was reported engaged to the girl. A few days ago his engagement to one of his church members' daughters was announced.

BE HONEST, LAW'S DICTUM TO TRUST

Wickersham Says Tobacco Co. Must Show Sincere Desire to Reform.

Omaha, Oct. 18.—"If the new plans of dissolution of the Tobacco trust will be approved by the department. If they do not do this they will not be approved," said Attorney General Wickersham. The attorney general is here to attend the convention of the American Prison congress.

"The men at the head of the trust know whether competition will be restored by these plans," Mr. Wickersham added, "and if their lawyers know it may be depended on that our lawyers will also be able to figure out just what effect any one of the plans will have should it be adopted. And if that plan does not permit of unlimited competition the government will appeal."

"Of course there will be a protest from the independents, no matter how it is settled. Hiding in the shadow of the big trust to the extent of keeping up prices without having the stigma of 'trust' and 'combination' thrown at them, the independents have been reaping a certain harvest. They may find it somewhat different when they not only must fight for business but fight for prices as well. I think that reason I do not expect the plan of reorganization to meet the approval of the independents, no matter what plan is adopted."

"The tobacco case is entirely different from the Standard Oil matter. In the latter the different companies were poured out on the table, as it were, and then each company was handed over to its original owners. But with the Tobacco company the patent is simply laid out on the operating table and the dissecting knife is used to the limit. This is the first time that a big trust has been dissected in this way, and it is very interesting. It will give the public, as well as other concerns, an opportunity to see the inside affairs of a big industrial combination."

"How far is this 'trust' investigation to be carried?" was asked. "Until the big concerns come to know right from wrong and to recognize that they must be honest and fair," said Mr. Wickersham. "We cannot hope to get after every single one. We must bring home to concerns that are organized and carry on business contrary to law that 'honesty is the best policy.'"

"I am really surprised that the business men of this country have not taken more advantage of that section of the law which permits the collection of threefold damages when they are injured by a trust. That section is a powerful lever and could be used in many cases. The smaller business men of the country who cry that the big trust is ruining them can resort to this section of the law, and if they have been injured unjustly they can collect threefold damages."

CRIMINAL LAW REFORM URGED

Massachusetts Jurist Points to Prevalence of Homicide in U. S. as Compared to Europe.

WICKERSHAM FAVORS PAROLE EXTENSION

Tells of Successful Working of Plan—Emphasizes Need for Uniform Administration of Justice.

Omaha, Neb., Oct. 18.—Quoting President Taft as saying that "the administration of criminal law in this country is a disgrace to civilization," Judge C. A. De Courcy of Lawrence, Mass., justice of the Superior court of Massachusetts, before the American Prison association last night pointed out that the United States was conspicuous for the great number of unpunished murderers.

"The defense of insanity, the limitation of the power of judges and the character of testimony to be introduced in behalf of the defendant, were some of the evils which, he said, ought to be rectified."

"The number of homicides in this country for 1910 was 8976—an increase of nearly 900 over the number in 1909; yet but one in 86 was capitally punished in 1910 as against one in 74 during the year preceding," said Judge De Courcy.

"It is said that in 1886 for each million of the population there were 115 homicides in the United States; in Italy less than 15; in Canada less than 13; in Great Britain less than 9; in Germany less than 5. In the last year in London, with a population of seven millions, there were but 19 cases of murder. Of the 19 murderers five committed suicide. All of the others except four were arrested and either convicted and executed or committed to an insane asylum."

"In New York city, 119 cases of homicide were investigated by the grand jury during the last year, but only 45 convictions resulted. Chicago reports 202 homicides were committed in that city during the last year. Only one of the offenders was hanged; 15 were sent to the penitentiary and the other were set free. In Louisville, with a population of 224,000, during the last year there were 47 cases of homicide and not a single murderer was hanged. In Alabama for the two years ending September 20, 1910, 620 cases of homicide were disposed of and the death penalty was imposed in only 27 cases. In North Carolina in the last year there were 141 homicides, and in Ohio 191, and in each an absurdly small number capitally punished. The report of the attorney general of Texas states that there were 1043 indictments for murder in that state during the years 1909 and 1910 and undoubtedly a large number of homicides in addition for which no indictments were found."

"In Alabama a conviction for stealing hides was recently set aside because the indictment failed to state whether they were mule, cow, goat or sheep hides. And indictments were dismissed because a father was spelled farther (in South Carolina); because the letter 'i' was omitted in spelling malice (in Alabama)."

Judge De Courcy then suggested some criminal law reforms which included simplified forms of indictments, changes in the selections of juries and in the rules governing pleadings.

Wickersham's Address. In the battles of economic forces for supremacy, the law must be obeyed, even though it seems to favor one class as against another. This view was expressed by Attorney General Wickersham in a speech before the prison association last night.

Punishment in some form, declared the attorney general, is still necessary to prevent crime. "This is especially the case," he added, "in a community and at a time, when divers economic forces are struggling with each other for the mastery in the State, and where laws are enacted through the influence of one class or of a few classes; to control the action of another class unwilling to accept them as rules of action, because unconvinced of the wisdom or justice of the legislative policy which they embody. Yet a consideration of the nature of social organization will demonstrate the absolute necessity of all classes of society conforming to requirements prescribed by the duly constituted authorities—however wise or unwise those regulations may appear to those whose conduct is sought to be controlled by them. If within its constitutional scope, the acts of the legislature stand until repealed as the mandate of organized society, and the continued effectiveness of organized society requires that obedience to such laws be compelled."

Punishment for Crime. The attorney general lightly discussed the broad question of punishment for crime and the administration of the federal prison law.