

GOV. STUBBS TELLS SOME PLAIN FACTS ABOUT RAILROADS

Startles Railroad Attorneys by Getting Down to Economic Bed Rock

BRUSHES ALL THEIR FALSE LOGIC ASIDE

Advices Them to Take Honest Return on Actual Investment and Stop Their

CHICAGO, Oct. 28.—Presentation of evidence by the shippers who are opposing the proposed advance in freight rates was concluded today before the interstate commerce commission with the testimony of Governor W. R. Stubbs of Kansas who, in characteristic manner, declared his opposition to an increase in rates and his belief in a practical building of railroads that valuations have been placed at too high a point.

"I'll put up a million dollar bill," said the governor, "that I can instruct a main line railroad in Kansas, an up-to-date line, too, for 1,000 a mile and make a ten per cent profit."

The lowest estimate of rail building offered by the railroads was more than doubled the governor's estimate.

Governor Stubbs was the principal witness introduced by the shippers. Governor Stubbs time after time jumped from the role of witness to that of cross-questioner, at repeatedly turned on the railroad attorneys with "Now, I want to ask you a question."

Puts Attorney in Hole. At one point in the examination by Attorney T. J. Norton of the Santa Fe railroad, Governor Stubbs declared:

"Now let me tell you something. There is not a good territory as in starting a bank. I don't think the roads need preferential rates; they can make money as they are, and they should be run on the same business basis as a bank."

Mr. Norton asked the witness if he knew of the washout which put the Salt Lake road out of business for a hundred days.

"Yes, I heard of it," was the governor's reply.

"I just called attention to it in connection with your comparison of railroads with banks."

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JOHNSTONE GOES HIS LIMIT FOR NEW ALTITUDE RECORD

Daring Aviator Goes up, and up, Till His Gasoline Gives Out at an Altitude of Over Eight Thousand Feet Above Earth.

NEW YORK, Oct. 28.—The crowd at Belmont park today was all for Ralph Johnstone when from Middle Island village, Long Island, 55 miles off the coast, he brought back a new American record of 8,471 feet for altitude—the second he has achieved to his string in the international aviation meet. But the interest of the aviators was centered on the action of the Aero Club of America, which after a midnight session, chose Hamilton, Dixiel and Brookins, early this morning to defend the Gordon Bennett international speed trophy.

Autemars in a Demolition, suffered the first accident of the tournament today, but came off with no hurt to himself and only minor damages to his machine.

Just before the passenger-carrying cross-country race was started at 4 o'clock this afternoon, a note in the falling sky was seen far to the southeast. It was Johnstone re-appearing just where he had vanished in yesterday's race. He circled the field and settled in front of the judge's stand, while the crowd waved, cheered and stamped.

Gasoline Gave Out. From his toes to the tips of his ears Johnstone radiated pleasure. Major Samuel Reber, of the United States signal corps, ran out and grasped his hand. The officials in the judge's stand, including Cortlandt Field Bishop, president of the Aero Club of America, joined the group.

"Tell you what, boys," said the hero, "it was just the mercy of Providence that I saved my neck. When I thought I was within touching distance of the new world's record, I kind of forgot all about the wind and wanted to reach out for more height."

When I suddenly said to myself, 'young man, you had better see how much gas you've got.' It's the truth had just enough to turn over the propellers. When I kept her nose the juice ran down into the engine and she coughed. The minute I noted down, I lost my fuel and she ran to hell."

Then He Got Scared. It was just like shooting the chute. I'd take a header with the power off and when the wind began to come out of control I'd point up and get a little headway, run level for a hundred yds., then dip again. I'm much scared until I got down

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DIX' EMPLOYES REFUTE ROOSEVELT'S CHARGES OF LABOR OPPRESSION

Issue Statement Denying That They Are Underpaid or Overworked.

ALL ARE UNION MEN

NEW YORK, Oct. 28.—John Dix, the democratic nominee for governor, spent several hours this evening conferring with Chairman Hudson of the democratic state committee and other leaders of the state campaign.

"There is no controversy between labor and ourselves," said Mr. Dix. "Application of which contains a so-called 'gratifier clause' labor trouble in our mills. Any one who wants to, can soon find out whether the situation is. All that will be necessary is to go to the employees themselves. Labor is capable of speaking for itself, and has competent spokesmen."

As it to emphasize Mr. Dix's remarks about labor, Chairman Huppuch tonight gave out a statement signed by John J. O'Brien, president of local number 9, of the Wall Paper, Printers and Color Mixers union at Glens Falls, Hudson Falls and Schuylerville and by the vice president and secretary and 45 members.

The statement says: "We undersigned printers and color mixers, members of the National Association of Machine Printers and Color Mixers of the United States, employed by the Standard Wall Paper company at their Hudson Falls and Schuylerville mills, believing that a great injustice has been done Mr. John A. Dix and Mr. Winfield A. Huppuch by reports circulated in regard to the wages paid at the factories of the Standard Wall Paper company, do hereby declare that the management of the Standard Wall Paper company is held in high esteem by its employees and that we resent the insinuation that starvation wages are paid any of its employees."

After reciting the Standard Wall Paper company work, the statement declares that the wages paid these employees always compared favorably with the wages paid employees in other wall paper factories.

RESTRAINTS ARE HELD LILE IN DAMAGES FOR REFUSING TO REGISTER

Local Law With "Grand-father Clause" Does Not Shield Them

FEDERAL COURT SAYS

BALTIMORE, Oct. 28.—In the United States District court today Judge McJannet rendered a decision to the effect that the registrars of voters who refuse to register, are personally liable for damages, any for having refused to register, such as refusal to register, such as refusal to register, such as refusal to register.

The original bill was filed last spring by John J. Annapolis negroes who had refused registration necessary to go to the polls. The bill was filed in the name of the negro voters but the state of Maryland was named as the defendant. It places in the latter personal liability for damages should be awarded following the trial cause. It is understood the case will eventually find its way into the supreme court of the United States.

THOUSAND DROWNED. One thousand persons drowned at C Kiang, Chi, early this month during a rise in the Han river, according to reports received today. Large numbers of persons were drowned. The rain had fallen continuously for days and 1,000 houses were washed away. Embankments had gone under heavy loss were feared.

DUKE DE REBEL DEAD. St. Louis, Oct. 28.—Victor Massena, the Prince D'Essling and Duke Rivelli, died today. He was born 1838. He was a grandson of Napoleon Bonaparte who served distinction under Napoleon.

MOTORIST KILLED. DALLAS, Texas, Oct. 28.—Raymond Coch, aged 28 of Paris, France, was killed and Phil Wells seriously injured at the state fair automobile races this afternoon. Coch was the mechanic in the Renault car driven by Gascon Morris. When a burst tire caused the car to turn turtle while rounding a curve, Coch was caught beneath the car and crushed.

They Came in Together.



VICE-PRESIDENT SHERMAN ADMITS NO TAIN OF PROGRESSIVE IN HIM

Makes Old Time Republican Speech at Grand Opera House in Which he Asks For Continued Lease of Power For His Party on its Past Performances.

"I have no new tale to tell, no new topic to discuss, but just the old, old story of republicanism. It is like the old time Sunday school hymn, 'I love to tell the story, because I know it is true. From the experiences of the past we must draw the lessons of the future.'"

"We elected a republican president in 1908 on a platform promising certain things. Some of them we have already carried into effect, others we have not been able to reach yet. In order for these things to be accomplished, we must have a republican congress, one which is in sympathy with him."

"The tenth district of North Carolina has been in the habit of electing a republican congressman every presidential year and then sending a democrat to congress in the off years. Now, if you people like what the president has done, if you are satisfied with your conditions now, then help to keep them as they are and help the president by sending Grant back to congress. You don't want to be on the outside all the time."

So spoke the vice president of the United States last night to an audience which taxed the capacity of the Grand opera house. Mr. Sherman is not what would be called an orator, but he had a certain plausible way about him that kept the attention of the crowd from the beginning to the end of his speech which lasted for about an hour. It was just a plain talk as of man to man, a plain talk as of man to man, a plain talk as of man to man, a plain talk as of man to man.

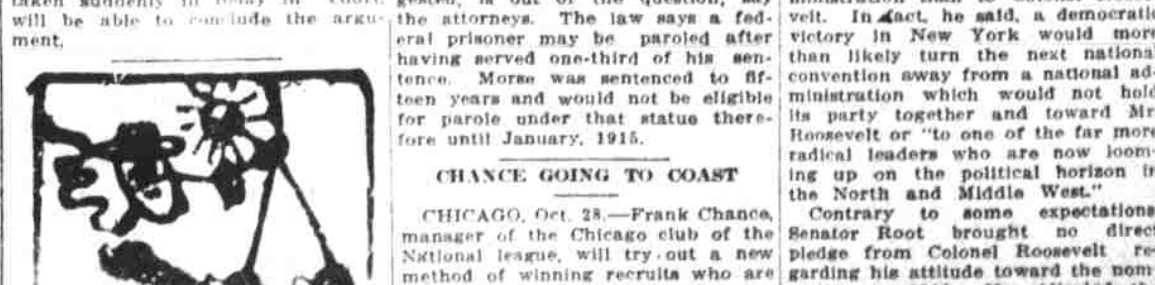
COLONIAL LAND GRANTS BEFORE SUPREME COURT

Millions of Dollars Involved in Trial of Titles Granted by Virginia.

WASHINGTON, Oct. 28.—The controversy which has raged in Kentucky for generations over the validity of so-called "blanket" grants of land by Virginia, the mother state, and even Kentucky itself during the early years of statehood came before the supreme court of the United States today for decision. The titles to lands now said to be worth at least \$10,000,000 depend upon the decision of the court. Originally some of the land was acquired at two cents an acre.

During the day arguments were made as to the constitutionality of the Kentucky statute under which it is claimed a forfeiture of the title to 40,000 acres of land held by the Kentucky Union company, would be worked in favor of occupants of the land. Louis Brandeis, who was on the court, argued that the Kentucky statute was unconstitutional. Mr. Stewart defended the validity of the law. The case will be closed probably Monday, when it is expected that William R. Dixon, who was taken suddenly ill today in court, will be able to conclude the argument.

CHANCE GOING TO COAST. CHICAGO, Oct. 28.—Frank Chance, manager of the Chicago club of the National league, will try out a new method of winning recruits who are candidates for next year's team, according to an announcement made by him today. He will take his minor league recruits to California, near his winter home, Glendower, where he will fit up a diamond and watch the work of the men. So far 12 men are scheduled to make the trip.



WASHINGTON, Oct. 28.—North Carolina: Fair and continued cool Saturday and Sunday, with rising temperatures with brisk northwest winds.

MEMPHIS MUST DO BEST IT CAN WITH ITS 114 SALOONS

Federal Judge Dissolves Injunction, Having no Jurisdiction in Case

SALOONS FLOURISH IN PROHIBITION STATE

State and City Authorities Not in Sympathy With Law Refuse to Act

MEMPHIS, Tenn., Oct. 28.—Declining to assume jurisdiction and uphold the principle of "state rights," Federal Judge John E. McCall, late today, ordered dissolved a temporary injunction restraining the continuance in business of 114 saloon keepers of Memphis. Notwithstanding the declaration of the Law Enforcement league of Memphis, which, through 15 of its members, appeared as complainants that their appeals to state and local authorities for redress had been unheeded, Judge McCall held that prosecution through grand jury indictment was the proper recourse and was still open. In answer to the allegation that the constituted authorities of the state were not in sympathy with the prohibition laws as enacted and had refused to act on information furnished, he cited impeachment proceedings as a method through which their removal from office might be accomplished.

No Constitutional Question. The opinion announced that the plaintiffs had not established the fact that their constitutional rights, within the meaning of the fourteenth amendment to the federal constitution on which the litigation had turned, had been violated, and noted that without this fact being fully proved, controversies between citizens of a state properly belonged in the state courts. If jurisdiction was taken in the present case, it is pointed out, the federal courts might be appealed to, to enforce any and all of the original laws of a state which would be in direct contravention to the United States constitution.

"Taking every allegation of the bill to be true," the opinion continues, "in substance this court is asked to enforce the laws of Tennessee between citizens of the state, notwithstanding that article four of section four of the constitution of the United States guarantees to every state a republican form of government."

"That Tennessee is amply provided with such a government is pointed out, and hence the issue was not properly before a Federal court. An appeal to the Federal Circuit court will be made."

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ENTIRE EAST IN GRIP OF UNSEASONABLE COLD

Snow Flurries Noted In Northern Parts of all The Gulf States

WASHINGTON, Oct. 28.—Snow, many days ahead of its average date of appearance, fell today as far south as the north sections of the Gulf states and throughout the entire country unseasonable cold weather prevailed. In the East and South the cold from the West arrived early in the day and the prediction is that the cold will continue in these sections to be followed by moderating temperatures Sunday. In all sections east of the Rocky Mountains, with the exception of the great lake region where snow flurries are predicted generally, fair weather is to prevail tomorrow, the rising temperature to move gradually eastward. Snow in the Lake Superior region today was heavy and killing frosts prevailed in the interior sections of the country. In the northwest the conditions moderated considerably during the day, a maximum of 61 degrees having been reported from points in Montana. In the Ohio Valley and the Appalachian mountain region snow flurries of today are to be followed by clear weather tomorrow.

ENGINEER CAUGHT UNDER HIS ENGINE

SPENCER, N. C., Oct. 28.—Engineer A. R. Harrison of Spencer was badly injured this afternoon at Linwood, ten miles north of Spencer, when a northbound freight train was wrecked. The locomotive in charge of Mr. Harrison turned turtle and he was caught before he could jump. He was taken on a special train to a hospital in Salisbury for treatment and it is thought will soon recover. The other members of the train crew escaped.

The cause of the accident has not been determined. It is thought that the engineer was not looking out for the engine in Tammany's power.