

BRYAN AGAIN INTO LIMELIGHT MAKING ATTACKS ON PARTY

Makes Stronuous Objections to the Course of Democrats in the House

MAIN OBJECTION IS STAND ON TARIFF

"Necessary to Consult Voters Before Coming Out for Protection Plank"

WASHINGTON, May 30.—William Jennings Bryan today took exception to the program of his party in the house and criticised sharply the majority of the democrats who have agreed to support the revised tariff schedule on wool and woolen goods.

"The democratic voters," said Mr. Bryan, "know that all needed revenue can be raised in less oppressive ways and they know the argument that the tariff on wool is proposed as a revenue tariff is merely a subterfuge employed because those who employ it are ashamed to say that they favor protection."

The Nebraska warned against the drift of democrats toward a protective policy which he said is most marked in those democrats who have "among their constituents influential beneficiaries of the system. The republicans want protection on wool because they believe in the principle of protection," he declared.

Mr. Bryan insisted, "if protection was to be accepted as a democratic doctrine it be accepted openly and applied to everything and to all sections." He said there is no reason for favoritism to a few sheep raisers

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LIFE SACRIFICED FOR FILTHY LUCRE IN SPEEDWAY RACE

Ray Harroun, in Mormon Car, Victor Over Thirty-Nine Competitors -- Besides Death of Mechanician, Several Are Injured in Mishaps

MOTOR SPEEDWAY, Indianapolis, Ind., May 30.—One life was sacrificed and several men were injured today in the first 500 mile motor race on a speedway. The great test of skill and endurance was won by Ray Harroun driving a Mormon car in 6:41.06.

Many thousands of spectators witnessed the race which started at 10 o'clock this morning with forty pilots in the contest. In the most serious accident of the day, S. P. Dickson, of Chicago, mechanism for Arthur Greiner, driving an Amplex, lost his life by an upset on the back stretch.

The Amplex was in its thirtieth mile when the rim of one of the front wheels flew off. The car twisted and hopped about on the track, hearing Greiner and Dickson from their seats. Dickson was thrown against a fence 20 feet from the car and terribly mangled. He was killed instantly.

Greiner was knocked unconscious, but after he had been revived at the field hospital, it was found that his only injury was a fractured arm. Then followed a series of accidents that thrilled the immense crowd. Men injured in the mishaps were:

Dave Lewis, mechanic for Teddy Teitzlaff (Lozier); right leg broken near hip.

Harry Knight, driver of Westcott, breast bruised and possibly internal injuries.

John T. Glover, Knight's mechanic, body bruised.

Bob Evans, mechanic, for Jack Tower (Jackson); body bruised when leaped from car.

John Wood, mechanic for Joe Jagerburger (Case) run over and bruised a leg leaping from car.

The crowd was too big to be controlled by the company of militia and the hundreds of special policemen posted about the grounds. The spectators gathered across the infield when Dickson was killed and pressed close about his body and that of the unconscious Greiner. Soldiers had to club their guns to clear a space for the surgeons when the ambulance arrived.

The throng was wild with excitement after the first accident and rushed back and forth over the field when other accidents were reported

from one point or another around the 1-1/2 mile track.

At the 160th mile mark Bruce Brown set a new record, regardless of classification. His time was 1:58.12 as against Dawson's old mark of 2:01.95.

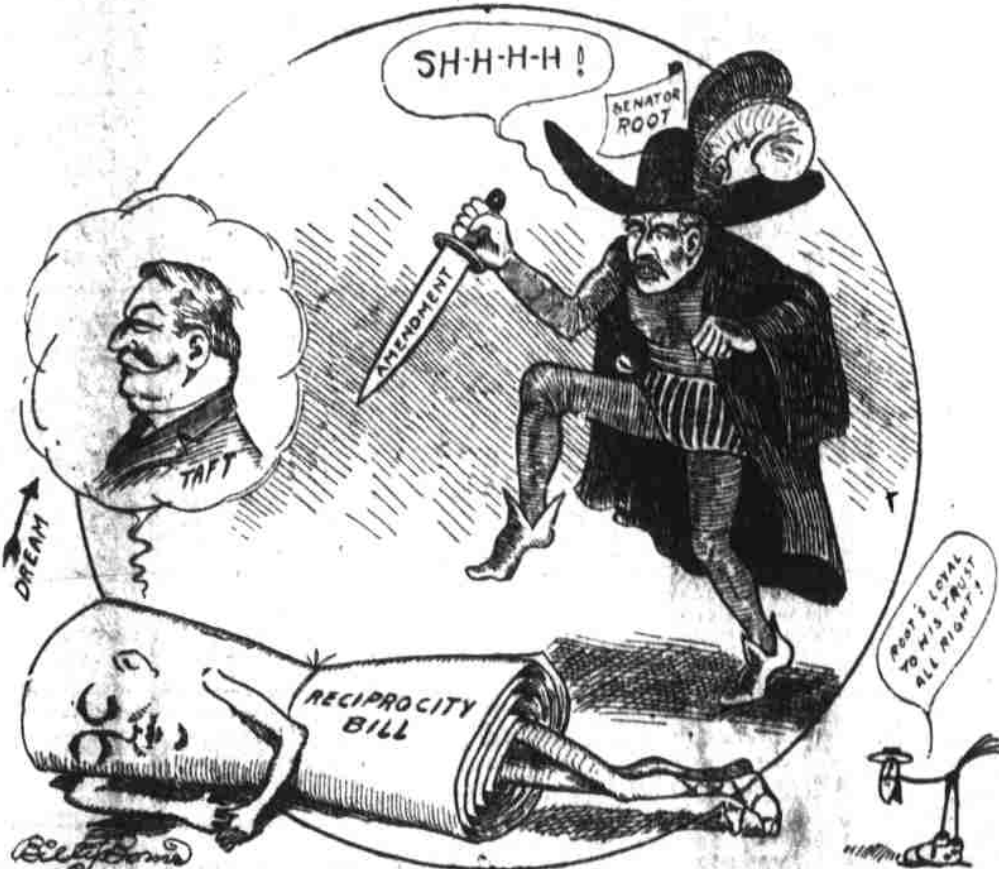
Harroun took the lead in the 190th mile, and the race took form from what had appeared to be a parade of machines. Then cars began to cast tires, burned out by the fierce grind over the brick pavement. Steering gears began to give way. In front of the grand stand Joe Jagerburger's car got away from him and switched back and forth across the track. Wood, the mechanic, leaped out and fell. The car passed over him. Other cars were rushing on him, but all swerved safely by as he rose and staggered from the track, except Harry Knight's Westcott. This car plunged to the inner fence, threw out Knight and Glover and careened against Herbert Lytle, Apperson turning it over. When the race was half over, Louis Disbrow's Pope-Hartford threw a tire at the entrance of the home stretch and swerved in front of Teitzlaff's Lozier. In the collision the rear wheels of Disbrow's car were torn off, and the Lozier turned turtle. Teitzlaff mechanic was caught under the car and his leg broken.

Hysterical screams of women started a small stampede in the grand stand when Burman's Benz cast a tire into the air and over the retaining wall.

Harroun kept in front, earning shouts of encouragement. When he swept into the home stretch on his last lap and starter Wagner gave him the finishing flag, the speed way inclosure rang with applause at the end of the first 100 miles. Bruce Brown led, Mulford second and Teitzlaff third. At 150 miles Harroun took second place. From 190 miles Harroun held the lead to the end. Bruce Brown and Mulford fluctuated in the second and third places from the 290 mile mark at the beginning between 400 and 450 miles met even the jockey were certain until the last lap, who would take second place. Bruce Brown and Mulford were at all stages of the race contenders for the lead, and a delay of more than tire changing time by Harroun would have meant certain loss of the lead. Toward the end of the race, the

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Killed by Its Friends



"RULE OF REASON" TO GUIDE SUPREME COURT IN SPITE OF VIGOROUS DISSENTS

Tobacco Decision Indicates That Sherman Anti-Trust Law Will Not be Amended, According to Friends of the Administration—Chief Justice White Gives Warning Against Procrastination

WASHINGTON, May 30.—That the government means to formulate its anti-trust policies in accord with the "rule of reason" as laid down by the Supreme court in the Standard Oil and Tobacco trust decisions notwithstanding the vigorous dissents of Associate Justice Harlan and the large number of bills introduced in the senate to amend the Sherman anti-trust law, was made evident today.

Administration officials after a day's consideration and study of the Tobacco decision and a thorough comparison with the Standard Oil decision, were agreed that "the rule of reason" is no new feature of the Supreme court's interpretation of law, and one member of the cabinet, whose views have always been regarded as reflecting those of the administration made a comprehensive statement to that effect.

A resolution calling upon the attorney general to inform the house whether he has undertaken criminal prosecution of the American Tobacco company and its officers was introduced today by Representatives Byrns, of Tennessee. If such prosecution has not been instituted, the attorney general is requested to explain his reasons.

In the opinion of friends of the administration the Tobacco decision indicates that there will be no attempt for the present to amend the Sherman anti-trust law or to press for the enactment of other trust legislation. The next movement for further anti-trust legislation probably will be made, if at all, at the regular session commencing in December. The statement above referred to was attributed to "an official close to the administration." It follows in part: "Justice Harlan in his dissenting

opinion in the Tobacco case objects vigorously to the application in the construction of the act of congress of the "rule of reason" to which attention was called by the chief justice in his opinion in the Standard Oil case and again in the Tobacco case.

"Justice Harlan declares that to insert by construction 'unreasonable' or 'undue' in the Sherman act is judicial legislation. Congress, he says, has in language so clear and simple that there is no room whatever for conviction signified its purpose to forbid every restraint of trade in whatever form, to whatever extent, whereas the court, under the chief justice's opinion, inserts in the law words which make congress say that it means only to prohibit undue restraint of trade. This he objects to as amounting to a reading into the act by judicial legislation of an exception not placed there by the law-making branch of the government, and this, he contends the court cannot and ought not to do.

"But Justice Harlan has not always regarded the judicial function as excluding the right to interpret statutes in the light of reason and to refuse a literal application to the words of the act where that would involve a manifest wrong. In the case of Church of the Holy Trinity against the United States, the court had under consideration the act of congress known as the alien immigration act, passed Feb. 24, 1855.

"The Church of the Holy Trinity in New York has made a contract with Rev. E. Walpole Warren, an alien residing in England, to remove to New York and enter into its services as its rector and pastor for a compensation to be paid to him; and because of that contract an action was brought against the church by the United

States to recover the penalty prescribed for a violation of this act. Justice Brewer wrote the opinion of the court; in which all the other justices, including Justice Harlan, concurred. He promised by conceding that the act of the corporation is within the letter of this section for the relation of rector to his church is one of service and implies labor on the one side, with compensation on the other. He further noted that certain specific exceptions made in the act in which clergymen were not excluded strengthened the idea that every other kind of labor and service was intended to be reached by the statute. Yet notwithstanding all of that it was said that the court could not think that congress intended to 'denounce' will penalize a transaction like the employment of a Christian minister.

"It is a familiar rule," said Justice Brewer, "that a thing he within the letter of the statute and yet not within the statute because not within its spirit, nor within the intention of its makers. This has been often asserted and the reports are full of cases illustrating its application. This is not the substitution of the will of the judge for that of the legislator, for frequently words of general meaning are used in a statute, words broad enough to include an act in question and yet a consideration of the whole legislation or of the circumstances surrounding its enactment, or of the absurd results which follow from giving such broad meaning to the words, makes it unreasonable to believe that the legislator intended to include the particular act."

"The whole of this opinion constitutes in effect an argument that a literal construction should not be given to the statute." (Continued on Page Six)

ROOSEVELT GIVES 'FALSE APOSTLES OF PEACE' HIS 'STRAIGHT OUT' OPINION

Stands for Peace Only as the "Handmaiden of Justice"

MEMORIAL ADDRESS EFFICACY SHOWN

NEW YORK, May 30.—Theodore Roosevelt stood beside General Daniel W. Sickles, the only surviving division commander of the civil war at Grant's tomb this afternoon and aroused a memorial day throng to long applause by denunciation of "false prophets of peace." He stirred the gathering to tumultuous cheers with the declaration that unrighteous peace was a greater evil than war.

"I believe in national and international peace," he said, "but I stand for it only as the hand maiden of justice. Do not be misled by the appeals of men who want peace. You may recall that in the days of '61 there were cries for peace, but there was no peace. There was a man who said that war was the greatest of all evils, but I believe that unrighteous peace is a greater evil. You are not to be led by the false apostles of peace, who who defile the lie told in '61 when that lie was told in the name of peace.

"I stand for social and industrial peace when it is right, but not when men riot and use dynamite. Those men who pursue riotous methods and use dynamite in their efforts to win their industrial struggles are not to be tolerated, and they should be made to obey the law.

"I want peace with every nation and do not see any reason of any sort why we should not have it for an indefinite period as long as other nations behave themselves and act in such a manner as not to rob us of our self-respect. I don't want to ask stronger nations to be good to us because I fear being hurt by them, but I do ask that big nations be good to us for fear we may hurt them.

"I want to have the navy kept up. A powerful navy is no provocation for war, but is a provocation for peace. All nations will keep peace with us if we keep a first class navy and men who know how to handle the ships."

VACCINATION MAY BE RECOMMENDED FOR BAD CASES OF TYPHOID FEVER

Maj. Russell Points Out Awful Toll in Army from Disease

EFFICACY SHOWN

Citizen Bureau, Congress Hall, By H. E. C. Bryant WASHINGTON, May 30.—Maj. F. Russell, of the United States army, has made some observations on the control of typhoid in the army by vaccination.

"To those familiar with military history, it will hardly be necessary to point out the necessity for some method of preventing typhoid in addition to what we have had up to a comparatively recent period.

"In the Spanish war we had no less than 20,738 cases, with 1,580 deaths, out of a total strength of 107,973 men; 19.26 per cent, or 86.24 per cent of the entire mortality of that war. At its conclusion, Walter Reed, Victor C. Vaughn and Edward C. Shakespear were constituted a board of officers to investigate the causes of the extensive prevalence of typhoid fever in the various military camps within the limits of the United States. In 1900 they submitted the most complete study of the epidemiology of typhoid that has ever been published.

"The board states its belief, 'that with typhoid fever as prevalent as it is in this country, the chances are that if a regiment of 1300 men should be assembled in any section, and kept in a camp, the sanitary conditions of which were perfect, one or more cases would develop.

"This disease prevailed generally as a series of company epidemics, each one of which had its individual character. One of the most important findings was that a regiment of troops did not lose its infection by changing stations; the disease was carried from place to place by the men, in their bodies, on their clothes bedding or tentage. In 1900 nothing was known of chronic bacillus carriers, although the board approached very near to their discovery in making this last observation. Another conclusion of great importance was to the effect that when a command is thoroughly saturated with typhoid it is probable that from one-fourth to

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AMERICAN TOBACCO CO. WILL OBSERVE MANDATE OF U. S. SUPREME COURT

Readjustment in Good Faith Says Its Chief Counsel

WORK OUT PLANS

NEW YORK, May 30.—The American Tobacco company will undertake in all good faith a readjustment of its affairs as directed by the United States Supreme court according to an official statement carefully prepared by officers of the company and given out this afternoon by W. W. Fuller, the corporation's chief counsel.

"The Supreme court in this case," reads the statement, "has said that the Sherman anti-trust law should be given an application more extensive than has been given in any other case. It has said that the American Tobacco company is embraced within its terms. My clients, of course, will obey the law as now interpreted and will, in good faith, undertake the readjustment of their affairs under the direction of the Circuit court of the southern district of New York, to which court the Supreme court has remitted the matter for direction."

Said DeLancy Nicoll, who assisted in presenting the case to the Supreme court for the company: "It is probable that a general plan will be agreed upon for the conducting of the business as directed by the court. We shall prepare a plan which we shall consider undeniably agreeable to the court.

"This will require long planning and attention to detail and will be long before the full proposition will have been worked out."

CHANGE OF MEXICAN GOVERNORS

JUAREZ, May 30.—Before another month passes it is probable that there will be changes in the personnel of the governors of nearly every one of the twenty-seven states of Mexico. This was the declaration of Francisco I. Madero, Jr. tonight. He said that the installation everywhere of provisional governors soon would be followed by state elections. Messengers to Senator Madero from his friends in the new cabinet report perfect accord with President De la Barra and optimism for a successful administration.

ROYAL RECEPTION FOR GOV. WOODROW WILSON

Raleigh People Plan Fine Entertainment for Distinguished Man.

RALEIGH, N. C., May 30.—Gov. Woodrow Wilson of New Jersey is to have splendid entertainment accorded him here tomorrow. He reaches here from the University of North Carolina at 1 o'clock in the afternoon and will be met at Union-station by a large committee of state officers and prominent citizens and escorted to the home of Democratic National Committeeman Josephus Daniels, where he will be tendered a luncheon with the state officers and others as invited guests.

In the afternoon at 5 o'clock there will be an open air meeting in Capitol square when Mr. Wilson will make an address.

Then at night from 9 to 10 o'clock there will be an elaborate reception complimentary to Mr. Wilson by the Capitol club, he leaves on the four a. m. train Thursday for Columbia, S. C., to deliver an address before the state press association.



WASHINGTON, May 30.—Forecast: North Carolina; generally fair Wednesday and Thursday; light variable winds.

GARROS, FRENCH AVIATOR LEADS IN FLYING RACE

Raleigh People Plan Fine Entertainment for Distinguished Man.

GENOA, May 30.—Garros, the French aviator, is now leading in the great Paris to Turin air race. He reached Pisa this evening and will remain until dawn when he starts for Rome. His keener rival in the first stage of the contest, Andre Beaumont, who beat him to Nice, met with a serious misfortune today and is stalled at Alasio about midway between Nice and Genoa. Frey, the German representative, got as far as Genoa, reaching there shortly after 6 p. m., from Nice to Genoa, Garros was saluted all along the coast by soldier bugles, cannon shots, and cheers from the crowds; when he arrived here the enthusiasm was almost indescribable.

Thousands surrounded Garros. The French and Italian flags and later flowers with which the spectators decorated the machine were torn off as mementos. Eventually troops were obliged to protect him.

MURDERS YOUNG WIFE.

STATESVILLE, N. C., May 30.—Confessing to the murder of his 16-year-old wife to whom he was married four months ago, Reuben Combs, a young farmer of Stoney Point, Iredell county, was committed to jail without bail today by a coroner's jury. Combs contended that his wife wandered from her room while asleep and that he found her dead body on a lot. Strychline was found in her stomach.

SOUTHERN RAILWAY HAS NEW STRIKE PROBLEM

Brotherhood of Locomotive Engineers Are Making Demands of Company

WASHINGTON, May 30.—A new wage demand is to be made upon the Southern railway. With that of the two thousand or more firemen yet before the systems officials and their action in doubt, a committee of twenty, representing the Brotherhood of Locomotive Engineers, arrived here tonight to push a claim of the engine drivers on the Southern for an increase of approximately 25 per cent over their present pay.

Some time ago a slight increase was allowed the engineers. They now believe that is inadequate.

Strike talk is heard from the engineers as well as from the firemen. The committee expects to discuss the wage question with President Finley of the Southern tomorrow. A member of the committee tonight asserted that the failure of the Southern to grant their demand would mean that the 1,400 engineers on the road would quit their jobs.

AMERICANS THE FAVORITES.

NEW YORK, May 30.—With the contest in the struggle between England and the United States for the international polo championship scheduled for tomorrow on the Meadowbrook Hunt club field, odds are heavy on the American side. Four and even five to one are being laid against the cup leaving America this year.

HOLIDAY IN RICHMOND.

RICHMOND, Va., May 30.—Memorial Day was celebrated here as a state and city holiday with a parade of Confederate veterans and auxiliary orders to Hollywood cemetery.

AS ENEMY OF WAR RATHER THAN AS A FRIEND OF PEACE

President Taft Addressed Thousands of Veterans at Arlington Cometary

PROGRESSED AWAY FROM FORMER IDEAS

That Only by Blood Could another be Wiped Out

WASHINGTON, May 30.—Under the shaded arches of the Arlington National cemetery, President Taft spoke today, not so much as the friend of peace but as the enemy of war. Thousands of veterans tramped the hot asphalt of the capital's streets, crossed the Potomac and trudged the dusty roads to Arlington to hear the president speak. Thousands of others came in automobiles and by street car, and when Mr. Taft with Secretary of War Stimson came whizzing up to the vine-covered amphitheater there were fully ten thousand people in the seats and crowded about the speaker's stand. It was probably the most impressive and most largely attended Memorial day celebration Washington has seen.

"Far be it from me," said the president, "to minimize in any way by these suggestions the debt we owe to the men buried here, who carried on the successful struggle that resulted in the abolition of the cancer of slavery, and which seemed ineradicable save by such an awful slaughter of the brightest, bravest and best of the nation's youth and manhood.

"I shall not stop to discuss whether it might have been possible to accomplish the same great reform by milder methods. Whether that be true or not, the supreme sacrifice of those men who lie about us in the cause of advancing humanity can never be lessened or obscured by such a suggestion. But the thought at which I would but hint this morning is that even in the hallowed presence of these dead, whose ideals of patriotism and love of their countrymen I would a war to make everlastingly evident, we should abate no effort and should strain every nerve and avail ourselves of every honorable possible device to avoid war in the future.

"I am not blind to the aid in creating sturdy manhood that the military discipline we see in the standing armies of Europe and in the regular army of this country furnishes, nor do I deny the incidental benefits that may grow out of the exigencies and sequels of war. But when the horrors of either internecine or international strife far outweigh the benefits that may be traced to it.

"Let us leave this beautiful city of the national dead, therefore, with the deepest gratitude to the men whose valorous deeds we celebrate and whose memories we cherish, with the tenderest appreciation of the value of the examples they set, but with a determination in every way possible consistent with honesty and manly and national self-restraint to avoid the necessity for the display of that supreme self-sacrifice that we commend." (Continued on Page Six)

"IT'S TOO FAR OFF TO TALK ABOUT" SAYS GOV. WILSON AS TO CANDIDACY

In Commencement Address Says He Is Two Kinds of Democrat.

AN IMMENSE CROWD

DURHAM, N. C., May 30.—Governor Woodrow Wilson, of New Jersey, at the commencement orator at Chapel Hill today when the University of North Carolina closed its one hundred and sixteenth year. An immense crowd was present. Governor Wilson discussed democracy. "The nation," he said, "will no longer make unconditional land grants and franchises and place in the hands of a few the resources of this great nation. I am two kinds of a democrat. I was born a democrat and when I grew up I became convinced that it was the only thing to be."

Governor Wilson declared that among republican standpatters the only variety republican that can be defined, the theory is that government must be administered for those who have the most at stake. To such a principle, he added, every intelligent man must be opposed. "The interest man can never originate impartial legislators."

Asked as to his presidential candidacy he said, "It's too far off to talk about." At the conclusion of the address of Gov. Wilson at the University of North Carolina tonight Dean Raper conferred the degree of LL. D. upon the chief executive of New Jersey. It was the only honorary degree given by the university at this commencement.