

President's Special Message to Congress Discusses 'Trusts'

Defends Sherman Anti Trust Law, But Suggests Certain Amendments — Commends Supreme Court Decisions in Big Cases.

Advocates Federal Incorporations And the Creation of a New Federal Commission—Message a Reiteration of His Speeches.

Washington, D. C., Dec. 5.—President Taft's annual message to congress devoted this year entirely to the trusts, was vigorously applauded on the republican side of the house of representatives today, where it was read at 12 o'clock.

Washington, Dec. 5.—President Taft's annual message to congress, devoted exclusively to the Sherman anti-trust act and the trust question in general was read in congress today.

The president defended the Sherman act as interpreted by the supreme court of the United States, indicated plainly his opposition to the repeal or amendment of this statute, but suggested that congress pass a federal incorporation law and supplemental legislation that "would describe and define methods of competition that are unfair."

To executive bureau exposed. The Sherman act as interpreted by the supreme court of the United States, indicated plainly his opposition to the repeal or amendment of this statute, but suggested that congress pass a federal incorporation law and supplemental legislation that "would describe and define methods of competition that are unfair."

Speaking of the much discussed dissolution of the Tobacco Trust, the president declared that in his opinion the voluntary formation of corporations to engage in trade and commerce among the states and with foreign nations. It is even more manifest now than it was then that the denunciation of conspiracies in restraint of trade should not, and does not, mean the denial of organizations, large enough to be entrusted with our interstate or foreign trade, if it has been made more clear now than it was then, that a purely negative statute like the anti-trust law may well be supplemented by specific provisions for the building up and regulation of legitimate national and foreign commerce.

Supplemental Legislation. The president's supplemental legislation, he explained in a paragraph, "The attempt to amend or to suppress a competitor by underselling him at a price so unprofitable as to drive him out of business, or the making of exclusive contracts with customers under which they are required to give up associations with other manufacturers and numerous other methods for stifling competition and effecting monopoly, should be described with sufficient accuracy in a criminal statute on the one hand to enable the government to shorten its task by prosecuting single misdemeanors instead of an entire conspiracy, and, on the other hand, to serve the purpose of pointing out more in detail to the business community what must be avoided."

For Federal Incorporation. Mr. Taft did not attempt to set forth the details of the federal incorporation act recommended but suggested that combinations of capital allowed to become federal corporations should be subject to rigid rules as to organization and procedure, including effective publicity, and to the closest supervision as to stock and bond issues by the proposed executive bureau or commission in the Commerce and Labor Department. Federal incorporation, the president declared, would not exempt any concern or its officers from prosecution under the Sherman act, for illegal acts. Such concern could be framed so as to prevent "unscrupulous and unnecessary interference by the states with respect to purely local business. The courts should be empowered, the president said, to invoke the aid of the Bureau of Corporations in determining the suitable reorganization of corporations dissolved by decree. "This work, he proposed, might be entrusted to the proposed supervisory commission which should be an executive tribunal of the dignity and power of the Commission of the Currency or the Interstate Commerce Commission."

List of Prosecutions. The fact that it dealt with only one subject, that it was comparatively brief and that it was accompanied by an appendix showing trust prosecutions instituted by all administrations since the enactment of the Sherman act in 1890, made the message unusual. According to this appendix seven suits were brought under this act in the administration of President Harrison; eight in Mr. Cleveland's second term; three under President McKinley; and four under Mr. Roosevelt in about

seven and one half years, and 37 so far, in the Taft administration. Defends Sherman Act. The president frequently expresses fervently his opinion of the Sherman law and what might be expected if it were to be repealed. He says: Continued on Page Seven.

Labor Leaders Will Confer To-morrow

New York, Dec. 5.—The possible feature of a conference of labor leaders here tomorrow is the settlement of working disputes all over the country, so that the unions may vote their undivided attention to the crisis growing out of the McNamara conspiracy.

Whether Samuel Gompers will attend this conference is not known. If he were there, he would leave the labor chiefs free to discuss the question of the retention of leadership by Gompers. However, thus far no labor chief of high rank has expressed opposition to Gompers. It is unlikely he will be called upon to quit, labor men say.

Tomorrow's meeting was originally called to discuss a dispute between the Carpenters and Joiners and the Sheet Metal Workers.

Darrow Well Paid For His Services

New York, Dec. 5.—Clarence S. Darrow, chief of the McNamara defense, got not less than \$50,000 for his services, according to declarations by Secretary Morrison of the American Federation of Labor today.

Money for the defense fund is still pouring in, representing subscriptions made before the McNamara pleas of guilty came.

More than \$200,000 was subscribed for the defense fund, Mr. Morrison said, and practically all of this has been sent to the attorneys and expended. Money received since Friday will be returned to the contributors, and the residue of the fund, if any, will be re-distributed, said Mr. Morrison.

Members of the ways and means committee of the federation will meet in Washington tomorrow to discuss the McNamara case, especially from a financial standpoint.

Chinese Women May Yet Vote

New Orleans, Dec. 5.—"The new party in China, if the revolutionary armies are victorious, will give votes to the women, they will enjoy equal rights with men and they will be permitted to vote for all officers of the government just the same as men," said Jung Oi Won, traveling member of the executive committee in the United States of the revolutionary party in an address here yesterday to the members of the Chinese Masonic order.

DESPERATE GANG OF HIGHWAYMEN UNDER ARREST

Waukegan, Ill., Dec. 5.—With three members of what he declares is a desperate gang of highwaymen under arrest here, States Attorney Joslyn today laid plans to take in other road agents who are accused of murder and safe-blowing.

As showing just how "bad" the gang members, one of the men in jail confessed to how one of the brotherhood was murdered because he failed to keep his word in the division of spoils from safe blowing ventures.

One of the crimes of which the men are accused is the murder of a chauffeur, Frederick Wennerstrom, at Cary, Ill., last September. One of the prisoners was confessed to this. He is Forest Knapp, of Battle Creek, Mich.

David Mawhood, a convict paroled from the state penitentiary at Jackson, Mich., and a brother in law of Knapp, has admitted that he helped weight the body and throw it into Fox river. Edward Allen, a cousin of Mawhood, who was drawn into the case by the confession, is locked up at Woodstock, Ill.

George Birch, John Lynch and Jas. Menzer, all of Coldwater, Mich., are the other three sought. Detectives have gone to Coldwater and expect to arrest the three today.

Frank Hunter is the member of the gang who was slain. According to States Attorney Joslyn his body was weighted and thrown into Lake Michigan after he had died in a shack near Hammond, Ind. He was taken there by two members of the gang who shot him two days after the murder of Wennerstrom.

He lived only three days and after disposing of the body the bandits returned to the other members of the gang and engaged in horse stealing in Michigan county.

SUPREME COURT MAY NOW REVIEW TOBACCO CASE

Washington, Dec. 5.—The supreme court of the United States has taken under consideration the application of the leaf tobacco board of trade of New York to have that tribunal review the reorganization plan of the American Tobacco Company. Decision is expected Monday. The government opposed the motion.

The application for the petition to have the case reviewed was made by Felix H. Levy, representing the Leaf Tobacco Board of Trade of New York, which is composed of about seventy-five concerns engaged in the business of selling leaf tobacco to manufacturers. Levy filed the petition in the supreme court of the United States last May.

The petition asked that the United States circuit court for southern New York be required to vacate its recent decree approving the reorganization of the American Tobacco company which had been directed by the supreme court, in its opinion last May, to disintegrate. Another prayer was that the circuit court be directed to send the case to the supreme court for review, and to allow the board to intervene as a party to the suit which resulted in the dissolution decree of the supreme court last May.

In support of the petition, a brief had been prepared for submission to the court. In this brief, Mr. Levy and his associate, Benjamin N. Cardozo, argued that the decree of the circuit court was not in conformity with the supreme court's mandate in the Tobacco case. The court was told in the brief that the attorney general of the United States had announced that he would not appeal from the circuit court decree.

"The repugnancy between the decree and the mandate must therefore remain uncorrected," the attorneys said, "the decision of this court, designed to remedy a great public wrong must be frustrated, and the benefit of the result that should have followed from it be forfeited, unless the individual defendants to whom the decree is applied, whose interests are vitally affected, this court shall see to it that its commands are made effective."

The foremost objection urged to the reorganization plan was that it resulted in the division of the stock of the several corporations, into which the combination was divided, among the common stock holders of the American Tobacco Company, "with the result that the very men who have been adjudged by this court to be illegal conspirators are maintained and confirmed in their ownership and control." It was contended that the common stock holders should be prohibited from obtaining or retaining control over the business.

"We do not ask that the defendants be deprived of anything which they now own," the brief continued; "We do not ask that a single share now belonging to them be surrendered. We merely ask that when the tobacco company parts with the share which it owns, it be required to do so in such a way as to prevent the conspiracy from being perpetuated. If the court may compel the chief corporate defendant to break up the combination by ridding itself of its shares, it may compel the individual defendants to break up the combination by refraining from buying these shares."

The Attorneys-General of Virginia, North Carolina and South Carolina are quoted as saying that the reorganization proposed, in substance, would effect a change in the method of book-keeping, adding nothing more.

NIGHT RIDER CASE ENDS IN ACQUITTAL

Nashville, Tenn., Dec. 5.—John Gardner and Walter Hunt, charged with the murder of young Vaughn Bennett, of Montgomery county, during the night rider troubles in the tobacco district, were given a verdict of not guilty here today, the case having been ordered here by the supreme court after a trial in Montgomery county. The plea of the defendants was that young Bennett was night riding when killed. The boy's father, W. M. Bennett, joined in the recommendation that the case be dropped. The case has been a notable one.

TODAY IN CONGRESS.

By Associated Press. Washington, Dec. 5.—President's message on trusts read in both houses.

HOUSE.

Sugar trust inquiry resumed. Agricultural department investigation centering upon Mr. Wiley discussed by special committee. Report expected within a fortnight.

Representative Hamlin urged bill requesting expenditures for the secret fund of the state department be reported to congress. Steel trust investigation committee decided to confer Thursday on its procedure in view of government suit.

Speaker Clark refused to accept memorial asking representative Littleton's expulsion. The president, in resolution, was asked what countries had applied for free admission of print paper and pulp wood.

Speaker Clark received unofficial appeal for American intervention in Persia. Adjourned at 2 p. m. until noon Wednesday.

SENATE.

Lorimer investigation resumed. Stephenson senatorial election investigating sub-committee probably will report before Christmas. Enforced publicity of trust affairs advocated before interstate commerce committee by witnesses.

WEATHER FORECAST.

Forecast for North Carolina: Fair tonight and Wednesday; slightly warmer. Moderate northeasterly winds.

James McNamara Was Sentenced To Life Imprisonment

Los Angeles, Dec. 5.—James B. McNamara, confessed murderer of the dynamiting of the Los Angeles Times building, was sentenced to life imprisonment here today.

His brother, John J. McNamara, secretary of the International Association of Bridge and Structural Iron Workers, who confessed to the dynamite case, was sentenced to fifteen years in the penitentiary.

Twenty-one persons lost their lives in the Times disaster. No one was killed in the Llewellyn Iron Works affair.

Imprisonment will be in San Quentin penitentiary. "Hear ye, hear ye, hear ye," cried the bailiff at the opening of court at 10:23 and as he spoke Judge Bordwell mounted the bench. A moment later Attorney Darrow, counsel for the defense, followed by Lecompte Davis and Joseph Scott entered. Behind them trailed the McNamaras.

"Are you ready to proceed?" asked Judge Bordwell. "The state is," said Fredericks, and read James B. McNamara's confession amid absolute silence. "Is that statement correct?" "It is," said McNamara. "Then the court finds," said the judge, "that the degree of guilt of the defendant is murder in the first degree."

James B. McNamara, you may stand up," he said. "What is your full name?"

WOMEN AT THE POLLS TO-DAY IN LOS ANGELES

Los Angeles, Cal., Dec. 5.—Voters got to the polls early this bright, clear morning to participate in the election that will determine whether Los Angeles, scene of a tremendous labor struggle, shall have a Socialist mayor. While the element of uncertainty injected into this election by the McNamara trial is paramount, the spectacle of women at the polls cannot be overlooked as a feature.

The contending forces are the socialists and the good government party. Job Harriman, late associate counsel in the McNamara case, leads the socialists. George Alexander, now mayor, heads the other side. Both were claiming victory with the opening of the polls. Voting was heaviest in the "labor districts" during the early morning.

China Is Rapidly Drifting Into State of Political Chaos

Cause of Revolutionists Suffering for Lack of Cohesion, Funds And a Leader—Outsiders are Apprehensive of Outcome.

Revolutionary Juntas Marking Time While Waiting for Dr. Sun Yatsen Who May Prove to be The Much Needed Moses.

Shanghai, Dec. 5.—Each day brings keener apprehension that China is drifting into a political chaos. Although the fundamental aims of the present revolutionary movement are worthy, they are brought to naught by lack of cohesion, lack of funds and lack of a real leader.

The situation inspires the most pessimistic forebodings from impartial observers. The revolutionary juntas are now marking time awaiting the arrival of Dr. Sun Yatsen.

It is hoped he may prove to be the leader sought. If he can line up the various revolutionary chiefs and unify the movement, a solution of China's troubles may be hoped for. The task is a difficult one, however. There are dissensions everywhere among the rebels, especially at Wu Chang and Nanking headquarters.

The fall of Han Yang last week proves to have been due entirely to wholesale desertions of rebel troops enrolled in Hunan province. Some say that the soldiers were brought by Yuan Shi Kai but most persons attribute the desertions to the old time jealousies between people of Hunan and Nan Pei.

The defections would probably have been prevented had a strong leader been in command of the situation. The rebel general Huang Sing, who was at Wu Chang as second in command to General Liuan Heng, left Han Yang a short time before the imperialists regained that city. He arrived in Shanghai this week and immediately proclaimed himself generalissimo of the revolutionary forces, assigning to Li a subsidiary place. Huang asserts he has been given the right to name a temporary premier or educator to act pending the election of a president. He is now making plans, he says, for an advance on Peking through Shan Tung province.

The complete collapse of the imperial government is regarded here as imminent. If the crash should come there would be no stable administration to replace it.

The cost of the struggle thus far has been far greater than is easily realized. Apart from the losses of campaign and battlefield, it has plunged a majority of the provinces into poverty and famine. It has crippled agriculture and industry. It has diverted practically every penny of tax revenue from the purpose of peace.

The moral effect upon the people at large is another matter. Reports from the interior indicate that evil conditions are growing. Brigandage is almost the only profitable profession left to a people hitherto peaceable and orderly. Millions are starving within a radius of a few hundred miles of Shanghai. In increasing number there are brought to this city accounts of robberies and violence and even the killing of Europeans has ceased to be exceptional in the absence of law and order. Close observers are more uneasy regarding the respect for foreigners in the immediate future.

Both sides are close to bankruptcy. They realize their first need is to establish credit. In the hope of securing assistance abroad they are unsparing in the use of legitimate and illegitimate means to influence opinion.

News is censored and colored to suit the purpose of those in control. Some of the accounts of barbarities and atrocities have been exaggerated but it must be remembered that many things which make the westerner shudder cause no disturbance to the nerves of the Oriental.

ITALIANS AND TURKS IN FIERCE ENGAGEMENT

Tripoli, Dec. 5.—A force of 20,000 Italians yesterday attacked and occupied the Turkish military camp on the Oasis of Ain-Zara, in the vicinity of the town of Tripoli after a severe battle. Both sides are reported to have lost heavily.

The regular Turkish troops assisted by Arabs defended the settlement bravely but were forced to retreat to the interior, abandoning 8 cannon, many tents and a quantity of provisions.

The battle opened in the morning with a heavy bombardment by the feet under cover of which the Italians advanced to the attack.

The headquarters staff of the Italian army asserts that the settlement was the property of the country and is almost entirely cleared the oasis around the town of Tripoli and forces the "Turks from the coast and away from their bases of supplies.

JAS. B. McNAMARA GETS LIFE IMPRISONMENT.

Los Angeles, Cal., Dec. 5.—James B. McNamara gets life imprisonment. He is to be imprisoned at San Quentin. John J. McNamara was sentenced to 15 years. Court adjourned at 10:47.

gner. They told him they expected to be his guests until the federal grand jury finished gleaming from them information which it is believed the United States authorities are seeking regarding the "inner dynamite ring."

Oscar Lawler, formerly assistant United States attorney general, today received word of his appointment as special prosecutor in the inquiry into the alleged dynamiting conspiracy.

"I am convinced," said Lawler today, "that the investigation will reveal one of the most dastardly conspiracies in the history of this country."

At half past nine the lock on the court room doors was reinforced a great bar of oak. This was taken down from time to time to admit persons who could show special permission to enter the room.

District Attorney Fredericks appeared in court before ten o'clock. At that time Investigator Brown was searching everybody who appeared. He was aided by 17 policemen.

At five minutes before ten o'clock the balliffs cleared the court room. The big doors were swung open and the oak bars held the crowd back. The throng began to fret and additional balliffs were summoned to clear the hall.

McNamara's Confession. James B. McNamara's brief confession, penned by his own hand last yesterday and bearing many evidences of a man little skilled in letters, was made public today. It is as follows:

"I, James B. McNamara, defendant in the case of the people, having heretofore pleaded guilty to the crime of murder, desire to make this statement of facts:

"And this is the truth: On the night of Sept. 20, 1910, at 5:45 p. m. I placed in Ink Alley, a portion of the Times building, a suit case containing 16 sticks of 80 per cent dynamite, set to explode at 1 o'clock the next morning. It was my intention to injure the building and scare the owners. I did not intend to take the life of any one. I sincerely regret that these unfortunate men lost their lives. If the giving of my life would bring them back I would gladly give it. In fact, in pleading guilty to murder in the first degree, I have placed my life in the hands of the state.

(Signed) "JAMES B. McNAMARA." The confession covers one side of an ordinary sheet of paper and was written with a fountain pen supplied by one of the attorneys. It is probably the only written statement of the case that will ever be made by the writer.

John J. McNamara, who pleaded guilty to dynamiting the Llewellyn Iron Works. Continued on Page Eight.

Supreme Court Of United State Refuses To Grant Stay In Trial Of Packers

Washington, Dec. 5.—The supreme court of the United States today refused to grant a stay in the best packers trial in Chicago until the court would be able to pass on the constitutional question raised by the packers in habeas corpus proceedings.

Government Ready to Proceed. Chicago, Dec. 5.—United States District Attorney Wilkerson said the government is ready to proceed with the packers' trial tomorrow. The jury has charge of murder.

MRS. SAMUEL CHARGED WITH MURDER. Nashville, Tenn., Dec. 5.—Mrs. Earl Samuel, who some time ago fatally shot Miss Macie West in a local theatre, the young woman being there in company with Mrs. Samuel, came into criminal court this morning and had her bond fixed at \$5,000. She was indicted yesterday afternoon on the charge of murder.

By Associated Press. Both men joked with Jailer Gall...