

MAC AND GIL ARE OUT FOR THE COIN.



THE SHERMAN ANTI-TRUST LAW IS STOUTLY DEFENDED BY PRESIDENT TAFT IN HIS SPEECH TODAY

He Declares That It is an Excellent Act and Does Not Need Changing, As Advocated By Democrats and Insurgents; Challenge is Hurlled at Ancient Political Enemy, William Jennings Bryan to Point Out a Specific Point Where Law is Ineffective

TWENTY YEARS OF LITIGATION PROVE THAT MEASURE IS GOOD

(By Evening Herald A. P. Leased Wire) Detroit, Mich., Sept. 18.—President Taft, at luncheon with the board of commerce here today, made the first of what may be termed the political speeches of his six weeks' tour of the country. He took up the "Trusts" and clearly outlined his views concerning them. He defended with vigor the decisions of the United States supreme court in the Standard Oil and Tobacco Trust cases, and there was a distinct campaign note in Mr. Taft's challenge to the ancient political enemy, William J. Bryan, to point out what particular contract or restraint of trade he would condemn within the definition of the statute as laid down by Mr. Chief Justice White.

The president's recent campaign address of President Taft at Detroit, Mich., on Trusts. My Fellow Citizens: I proposed to take up the question which has occupied the attention of the American people for now 20 years, that of industrial combinations known as "trusts." During the last year we have had two great decisions by the supreme court of the United States. They are epoch making, and the public has not yet realized the effect that these decisions are certain to have.

Persons who do not understand the law have a great deal to say, which is intended to lead the public to the belief that in some way or other the supreme court has emasculated the statute and prevented its operation against objectionable and injurious trade combinations and conspiracies. Nothing is further from the truth. When the statute was passed in 1890, the expressions used in it to define its object and what it was proposed therein to denounce as unlawful were not new, but they were sufficiently broad and indefinite to require judicial construction to settle their meaning. Congress was dealing with a subject matter in respect to which it may be assumed that the legislature themselves were not clear as to the exact limitations of the meaning of the words in the statute they were passing. They knew there was an evil which they hoped to restrain by enactment of this law, and they relied upon courts in their construction of the law to hedge about its operation such restriction as would prevent the statute from being applied to its application as to involve liberty and the impracticable. The early decisions under the law cannot be said to have been fortunate. The decision in what is known as the sugar trust case—the Knight case—was really a retrograde step and one which seemed to limit much the operation of the statute. It encouraged the organization of combinations which the same court has since found to violate the statute.

The case could not be effectively presented to the court because the record had not been properly made up and the questions arising were treated in the opinion in such a way as to give the impression that operation of the law would be most restricted because of limits of federal jurisdiction. Indeed, some law officers of the government did not hesitate to say that under this decision there was little hope of reaching the evil aimed at through action of the well aimed at through action.

Now I would like to ask Mr. Bryan or any of the other politicians and jurists who have been denouncing this opinion as the surrender of the rights of the people and an usurpation of judicial power to tell the public what particular contract or restraint of interstate trade he would condemn which would not be condemned within this definition of the court. The difficulty with the literal construction of the statute is that it would denounce a great many minor or incidental restraints of trade which made the statute ridiculous and weakened its effect and lent support to criticisms and contemptuous treatment of the statute by those who were open to its passage and enforcement.

For instance, take the instance cited by a federal circuit judge, in which he said that under the literal construction of the statute which must be enforced, if there were two persons doing a wagon-express business across a state line, and they united in a partnership, the union in the partnership would be a restraint of interstate trade in violation of the statute. Such

a result is a restraint of interstate trade and no one who is in favor of making the statute effective for the purpose for which it was passed and had an intelligent appreciation of what the statute was intended to accomplish and which it meant, would contend for such a construction. It is true that in one of the decisions of the supreme court there was a statement made that the term "restraint of trade" would not be introduced into the statute because congress had not put it there, but the very same court, and the very same judge, when a case arose presenting a restraint of trade that must be condemned as unjust, and which it meant, would contend for such a construction. It is true that in one of the decisions of the supreme court there was a statement made that the term "restraint of trade" would not be introduced into the statute because congress had not put it there, but the very same court, and the very same judge, when a case arose presenting a restraint of trade that must be condemned as unjust, and which it meant, would contend for such a construction.

Armed Guards Have Been Placed About Corrals in Lower Rio Grande Valley Where Raids Took Place.

MAGON FOLLOWERS BELIEVED RESPONSIBLE

(By Evening Herald A. P. Leased Wire) Mission, Texas, Sept. 18.—Bands of armed Mexicans attacked American ranches in the lower Rio Grande valley today, taking all horses in sight. A band of 20 visited Tobacco ranch near San Pedro last night and took 15 horses. The boys were wired to Mission and all farmers and ranchmen quickly gathered their stock while armed men kept watch over the herds all night. A group of 20 men camped last night on the ranch of Houston Vela, a few miles above Mission.

BURIED MINERS BRAVELY AWAIT RESCUERS

Another Cave-in at Leadville Renders Work More Difficult; Wife Sends Note to Cheer Her Husband.

(By Evening Herald A. P. Leased Wire) Leadville, Colo., Sept. 18.—Hope of recovering the three miners entombed in the Morning Star shaft was dashed today when another cave-in occurred. This will delay the rescue work another 24 hours.

The prospectors are still in communication with the surface through 200 feet of three-inch pipe, and want for nothing except blankets. They are in good shape so far, except for the cold in which they have been since the crumbling of the old timbers that entombed them.

TRUST COMPANIES CLOSE THEIR DOORS

(Philadelphia, Pa., Sept. 18.—The Trust Companies Trust company, with a capital of \$500,000 and deposits when the last report was made of \$1,325,000, closed its doors this morning.

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DIVORCED WIFE GETS A WARRANT FOR MAN WHO WAS HUSBAND

Andrew F. McFarland Who Remarried at Once is Captured in Colorado Charged With Embezzling \$10,000.

HE HAD HIS BRIDE WITH HIM AT HOTEL

(By Evening Herald A. P. Leased Wire) Colorado Springs, Colo., Sept. 18.—Andrew F. McFarland, wanted in San Francisco on charges of embezzlement, involving, it is said, more than \$10,000, is under arrest here. California authorities have been looking for him for seven months and he has been followed through almost every state in the union.

WANTS MONEY BACK

(By Evening Herald A. P. Leased Wire) San Francisco, Cal., Sept. 18.—The warrant charging embezzlement, upon which Andrew F. McFarland was arrested yesterday in Colorado Springs, was sworn to in San Francisco March 21 by Ethel C. Croson, McFarland's former wife. She charges McFarland with having taken \$10,000 belonging to her from a safety deposit box here.

CAMPAIGN IN CANADA IS GETTING HOTTER

(By Evening Herald A. P. Leased Wire) Ottawa, Ont., Sept. 18.—With amplified schedules taken up today by Leaders Laurier and Borden, as well as by practically every other political speaker in the dominion, it was evident that neither side intended to slacken the pace in the strenuous campaign which is to settle the fate of the temporary government.

THESE ARE FACTS. The attempts to make it appear that Mr. Gillenwater was unfairly unseated as chairman of the Republican county committee have failed so completely that the Journal-Democrat is now resorting to misstatements in an effort to deceive the voters. Here are the facts: At the meeting of the committee when Gillenwater was unseated, there were present the original committee of 23 named by the last county convention in 1908. Twenty-one members voted to unseat Gillenwater as chairman, Gillenwater and five walked out.

Of the twenty-one who then voted for Gillenwater as chairman, two died since, and two resigned to Judge Mann, acknowledging him as chairman. Judge Mann, as the legally elected chairman of that committee, is not the man who caused the death of the two who resigned to him. These are the plain, cold hard facts and the Journal-Democrat's attempt to distort the truth will not change the record.

MADISON DIES AT BREAKFAST OF HEART FAILURE ATTACK

Former Member of Congress Stricken Suddenly and Expires in Arms of Faithful Wife Who Rushed to Him.

HE VOTED TO REMOVE BALLINGER FROM OFFICE

(By Evening Herald A. P. Leased Wire) Dodge City, Kansas, Sept. 18.—Edmond H. Madison, representative from the seventh Kansas district in congress died at the breakfast table at his home here today.

Mr. Madison was attacked by illness while eating breakfast with his wife. His wife hastened to aid him, but he died almost instantly, her arms clasped about him. He did not utter a word after the first attack. A physician reached the house in a few minutes but death had preceded him. The cause was given as heart disease.

PREMIER STOLYPIN DIED TODAY

(By Evening Herald A. P. Leased Wire) Kiev, Russia, Sept. 18.—The condition of Premier Stolypin this evening became hopeless. In a short time the premier died. The heart was unable to withstand the strain of the unusual hemorrhages. Some six or eight hours before his death he was still in condition and had been great until yesterday when he was stricken by the stroke which was the cause of his death.

BLOODPOISONING RESULTED FROM ASSASSIN'S BULLET AND PROMINENT POLITICAL FIGURE PASSES TO GREAT BEYOND.

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YOUNG BRAKEMAN KILLED

(By Evening Herald A. P. Leased Wire) Lawrence, Mo., Sept. 18.—Arthur Thompson, 31 years old, whose wife is believed to reside in Denver, was killed in a freight train west of here this morning. His body being badly mangled. He was formerly a brakeman at Denver and left here in the night for the west. The coroner has taken charge of the body.

AVIATOR RODGERS COMES TO GRIEF WHEN AEROPLANE HITS TREE

He is Given Tumble of Thirty-Five Feet, Cut and Bruised, But Not Seriously Injured; Plane is Wrecked.

HE WILL GO TO NEW YORK TO RE-START

(By Evening Herald A. P. Leased Wire) Middleton, N. Y., Sept. 18.—In attempting to resume his flight to the Pacific coast this morning, C. P. Rodgers, crashed into a tree and fell with his aeroplane 35 feet to the ground. The air man received scalp wounds, not serious, but his machine was wrecked so badly that he probably will be unable to fly until tomorrow.

Ward expects to be in Canada tonight. He is in New York tonight and makes arrangements to start a new aeroplane. Later Rodgers received a telegram which told him that he had been able to resume his journey here on Wednesday with practically a new machine.

WARD EXPECTS TO BE IN CANADA TONIGHT

(By Evening Herald A. P. Leased Wire) Ottawa, Ont., Sept. 18.—With his new machine, seeking a splendidly clear day, the young aviator, C. P. Rodgers, made a successful getaway from here at 10:42 a. m. today.

WARD TAKEN LUNCH AT CORNING, N. Y.

(By Evening Herald A. P. Leased Wire) Corning, N. Y., Sept. 18.—Ward arrived here at 11:51 this morning landing in a field north of the city. First he circled over the business section of the town, flying high. It remained for lunch. Ward will not resume his flight until tomorrow.

LESTER TO FIGHT McVEA

(By Evening Herald A. P. Leased Wire) Sydney, Australia, Sept. 18.—The heavyweight championship of Australia, last wrestled from Ed Lang in Jack Lester, the American boxer, may change hands again before September is over. Articles were signed today for a match on the 30th between Lester and Sam McVea, the Californian. McVea hopes for a knockout.