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RAILROAD RATE HEARING COMES TO END; LAWYERS TO HAVE INNING

Clifford Thorne Insists All Interests of Country Are Equally Depressed Along With Transportation.

FARMERS SHOULD BE RELIEVED FROM LOSSES

President Rea, of the Pennsylvania, Is Last Witness on Application for Advance in Freight Rates.

[BY MORNING JOURNAL SPECIAL LEASED WIRE]

Washington, Oct. 23.—"If it is right for the government to shield the railroads from the effects of the war; if it is right for the government to make good the losses of people in different industries, I am going to propose a measure that will require every hen in Iowa to lay every day, if she fails to do so, that the government shall make up to the owner of the owner of that hen the value of the eggs she did not lay."

This statement was made by Clifford Thorne, counsel for several western state railroad commissions and shippers' associations in presenting the shippers' side of the case at the hearing before the Interstate Commerce commission on the application of eastern railroads for a general increase in freight rates.

Hearing Is Ended.

The hearings came to an end today and arguments will be heard next week, with every indication of an early decision by the commission. The presentation of the case of the opposing shippers took less than two hours as against five days occupied by witnesses for the carriers. Mr. Thorne took the position that no business depression had been shown by the carriers that did not equally affect shippers and that the increase would be unjust. Counsel for all other shippers represented joined in the statement.

Arguments will begin next Thursday morning and probably will be concluded Friday.

President Rea's Statement.

The carriers closed their case with the testimony of Samuel Rhea, president of the Pennsylvania railroad system. His statement followed closely the lines of previous evidence offered and his cross-examination was brief.

Louis Brandeis, special counsel for the commission, drew Mr. Rhea's attention to the decision of the commission in the original five per cent case which pointed out its inability to see the justice of raising rates on freight shipments to conduct the passenger traffic shown to be operated at a deficit.

"Has anything occurred since that ruling which, in your opinion, justifies its modification now?" Mr. Brandeis asked.

"Nothing that I know of?" admitted Mr. Rea.

No Increased Expenses.

"Has there been an increase in your labor charges in this period?"

"Not that I recall."

"Have the prices of railway supplies advanced to your knowledge?"

"No."

Mr. Thorne asked if it were not true that the net revenue of the carriers in 1913 had not equalled 7.61 per cent on all outstanding stock. Mr. Rea admitted the figures were correct. Mr. Lyon, representing coal shippers of Pennsylvania, asked if the Pennsylvania system has contemplated any reduction of salaries to officers and employes to meet the emergency. Mr. Rea said he did not believe he should discuss that question and the question was not pressed.

Counsel then announced that the carriers' case was closed and Mr. Thorne took the stand to make his statement.

In part it was as follows:

Mr. Thorne's Statement.

"The carriers are proposing a five per cent advance in the freight rates, not only in official classification territory but in the rates between all points in this eastern territory and those states west of the Mississippi river which I represent. We will pay the advances on the raw products moving to the east and on the manufactured products moving from eastern factories to the west. We catch it both ways, coming and going; and we are subject to the long hauls.

"The market prices of many of our staple products are controlled by the prices at the Atlantic coast, less freight rates. An advance in our freight rates is equivalent to moving our farms and industries that much farther from market; it reduces our price that much. In the aggregate, that will amount to a very large sum of money.

Wants General Fair Play.

"My purpose is simply to help see that the public side of these issues are fully presented to the commission. If the carriers are entitled to an increase, we hope the commission will grant it; if not, we trust and believe that the commission will deny the petition of the carriers. We favor advances on such traffic as does not yield adequate compensation today; likewise we favor reductions where conditions are the reverse. As to interstate traffic, it is the function of our state commissions to represent the shippers before this tribunal. This is established and required by statute.

"There is not the slightest spirit of hostility in our attitude toward the railroads. We fully appreciate their vast importance in the commercial life of the nation. So is the prosperity of the farmer basic and fundamental to the welfare of the nation. Likewise the welfare of the laboring man is of tremendous importance to the prosperity of the country. A general advance of ten per cent in wages during this period of depression, according to the pleasing logic we have been listening to during the last few days would put that much more money into circulation. No man spends his money more freely than does the laboring man.

Both Sides Have Rights.

"Those whom I am authorized to represent placed no restrictions whatever on what I shall say or do. However, I desire at this time to relieve them entirely from such responsibility. Their object has simply been a precautionary step to help see that both sides may be fully developed. I assume personal responsibility for my statements.

"This is the third time American railroads have sought to force a general advance in freight rates. In 1910 they claimed a crisis existed. Instead of a crisis the commission found that to be the most prosperous year in the whole history of American railroads. In the original five per cent case, basing their claim on the year 1913, the claim of a crisis was again made; and you concluded that there is no crisis in the condition of the railroads in official classification territory, taken as a whole. Now, for the third time, the railroads claim there is a crisis. Today they have some foundation for their claims. But this emergency, upon which the carriers are relying today, affects practically all of us in the same manner. It is following a period of marked depression in business for about a year, subsequent to the Balkan wars, disturbances in Europe and the short crops of last year.

Hard on All Classes.

"It is just as hard for the manufacturer, the farmer, the laborer, the

(Continued on Page Two.)

RECORD-BREAKING FOREIGN DEMAND FOR U. S. WHEAT

German and English Governments Are Said to Be Bidding Against Each Other for American Visible Supply.

[BY MORNING JOURNAL SPECIAL LEASED WIRE]

Chicago, Oct. 23.—All twenty-four-hour records for export business in wheat since European hostilities began were surpassed by the totals reached today, 3,000,000 bushels. The broadening out of trade was accompanied by rumors that agents of the German and English governments had been in active competition.

One result of the huge trans-Atlantic sales of wheat was to stimulate transactions in other staples, notably corn and provisions so that the interest shown in the speculative pits as well as at the sample tables was the greatest displayed for a long time.

The excitement, however, such as characterized the early days of the war, did not develop, and the widest variation in price was a rise of 2½c in December wheat, a gain that was narrowed to 1¾c at the close, latest sales of the December option being at $1.17⅛, as compared with $1.15⅝ last night.

Italy was credited with paying today the top figures so far reached this season for cash wheat in the United States. The reason appeared to be the necessity of supplying Switzerland, which now has been cut off completely from grain shipments except through the one neighboring country to the south.

General need of wheat from Uncle Sam was specially emphasized today by advices that despite recent rain there was no likelihood of any exportable surplus on Australia and by reports that the yields in Canada were worse than had heretofore been made known. To a slight extent other cereals were bullishly affected.

Chase German Air Men.

Paris, Oct. 23 (6:16 p. m.)—Two German aeroplanes were seen coming toward Paris today from Compeigne, but a squadron of French machines pursued the Germans who disappeared to the northward.

WEATHER FORECAST.

Washington, Oct. 23.—New Mexico: Local rains Saturday; Sunday probably fair.

The Day in Congress

SENATE.

Met at noon and after futile attempts to end the session, adjourned at 1:34 p. m. to noon tomorrow.

HOUSE.

Lack of a quorum and parliamentary tactics by supporters of legislation for relief of southern cotton planters blocked the adjournment program again.

Adjourned at 1:45 p. m. until noon tomorrow.

CARRANZA AND VILLA CERTAIN TO BRING WAR UPON MEXICANS

Adherents of Each Chieftain Declare Other Must Retire Before Orderly Government Can Be Restored.

SONORA STRUGGLE IS GROWING IN VIOLENCE

Both Maytorena and Hill Ignore Armistice Agreement Entered Into at Aguas Calientes.

[BY MORNING JOURNAL SPECIAL LEASED WIRE]

El Paso, Tex., Oct. 23.—Further bloodshed in Mexico, stricken by revolutionary warfare for four years, only may be averted by a complete backing down of both the Carranza and Villa factions, according to printed and spoken expressions made here today. Jorge U. Orozco, acting Carranza agent, in an interview in a local newspaper, scored the Villa faction, declaring that the plan of Guadalupe could not permit the retirement of Carranza.

From the Villa side came the expressed belief that the trouble would be adjusted, but only by the immediate elimination of Carranza. This the Carranza representatives declared was impossible. It was learned that newspaper correspondents at Aguas Calientes, the scene of the second Carranza-Villa conciliation conference, had been barred from the sessions.

In the meantime both sides charged that their opponents had been making warlike preparations in violation of the armistice which already had been broken by exponents of Carranza and Villa on the Sonora-Arizona border at Naco. Reports indicated that Governor Maytorena, the Villa adherent, who heads an Indian uprising in the western state, was preparing to renew his attack on Naco, with its incidental danger to residents on the American side. It also was reported that General Hill, the Carranza leader, was preparing a statement in which he would ignore the armistice fixed by the Aguas Calientes convention.

CARRANZA WILLING TO QUIT IF VILLA GETS OUT

Washington, Oct. 23.—General Carranza is willing to retire from the post of chief executive in Mexico City, provided General Villa is not instrumental in procuring his resignation. He also wishes to be assured that his retirement will not mean the ascendancy of General Villa.

This explanation of General Carranza's position, made informally at Mexico City, was received by the American government here today. General Carranza indicated his willingness to have the convention request that both he and General Villa give way to a neutral for the provisional presidency.

In the meantime, however, official reports to the state department told of the advance northward of several thousand Carranza troops. This was explained by Carranza representatives as intended not for purposes of attack but precautionary defense, in case the convention came to no agreement and Villa moved his forces southward.

Carranza's attitude toward the convention has kept the delegates in suspense. Generals Obregon and Blanco went to the capital two days ago to persuade Carranza of the futility of opposing the wishes of the convention. General Felipe Angeles has gone to Cuernavaca to invite General Zapata to send delegates. He is reported to have secured the promise of the southern chief to send twenty-four representatives. The convention is waiting the return of these missions before transacting important business.

Official reports show that the Mexico City newspapers are publishing editorials attacking the purposes and acts of the Aguas Calientes gathering.

TRUCE BETWEEN HILL AND MAYTORENA AT NACO

Naco, Ariz., Oct. 23.—A truce was declared late today between the Carranza garrison at Naco, Sonora, and the Villa attackers.

Pending the final solution of the peace problem by the convention at Aguas Calientes, Gen. Benjamin Hill and Governor Maytorena will suspend hostilities. The Maytorena troops are now retiring toward a point thirty-five kilometers southward.

Peace Commissioner Ramon Sosa, from the convention, obtained a cessation of hostilities after three days' parleying with the two factions.

Maytorena had previously agreed to retire, but failed to effect any backward movement until today. Last night the firing was unusually heavy.

Serious admonitions from the United States government through officers of the border patrol here, are reported to have been the convincing arguments that moved the Mexican leaders.

Since October 2, there has been a bombardment of Naco, Sonora, which has been but little less effective against this American town.

The Hill partisans, however, fear that the uncontrollable Yaqui Indians will disregard the peace terms.

MRS. CARMAN MAY KNOW VERDICT OF JURY BEFORE END OF TODAY

All Testimony Expected to Be Presented Before Noon and Arguments Are Likely to Conclude in Three Hours.

DEFENDANT WITNESS IN HER OWN BEHALF

Husband, Little Daughter, Mother and Sister Among Those Who Tell Stories of Fateful Night.

[BY MORNING JOURNAL SPECIAL LEASED WIRE]

Mineola, N. Y., Oct. 23.—Mrs. Florence Conklin Carman, on trial in the supreme court here for the murder of Mrs. Louise Bailey, may know her fate by tomorrow night. Her counsel and District Attorney Lewis J. Smith informed Justice Charles H. Kelby at the close of the proceedings today that they would complete their cases before the noon recess tomorrow.

The entire afternoon thus will be left for the summing up, which probably will occupy three hours, and the delivering of the charge to the jury. The charge is expected to be a brief one. The case, therefor, should be in the hands of the jury before nightfall.

Severe Cross-Examination.

Witnesses for the defense took up a great part of today's session of court. The defendant submitted to a searching cross-examination. Explaining her installation of a mechanical "eavesdropping" device in the office of her husband, Dr. Edwin Carman, she told how men friends of her husband had asked him in her presence how "all of his girls" were. Other men, she said, had told her that the doctor was "a devil with the girls."

She admitted that she became suspicious of Dr. Carman and had a "mechanical eavesdropper" installed in his office to determine whether there was any truth in the reports that had come to her ears.

Frequently Is Confused.

Mrs. Carman frequently became confused and at times she hesitated and fenced with the prosecutor. Once she appeared to be on the verge of a breakdown, but rallied after recourse to a silver-filagree bottle of smelling salts. When the questioning ended she hurried to her seat at the counsel table and listened intently while her little daughter, Elizabeth, testified in her mother's defense. When the aged mother of the defendant took the stand and began her testimony Mrs. Carman burst into tears.

Members of Family Testify.

All the members of Mrs. Carman's family testified in her behalf today. Their stories were corroborative and each witness denied there was even the smallest particle of truth in the story told by Celia Coleman, the servant who gave testimony on Thursday intended to connect Mrs. Carman directly with the murder of Mrs. Bailey.

Another witness was Ferdinand Q. Morton, a negro lawyer who was employed to get a statement from Celia Coleman for the district attorney, which statement was afterward turned over to the defense. In this statement Celia denied she knew anything more about the murder than she told at the inquest, when her story was favorable to Mrs. Carman.

The maid has declared she lied at this hearing because Mrs. Carman had asked her to and because she felt sorry for her mistress.

Defendant Testifies.

"Mrs. Carman," began the district attorney, "you said you were suspicious of your husband. When did you get suspicious?"

"About a year ago."

What caused her suspicion she could not say. A woman did not cause it—"just rumors."

"Were the rumors about a woman?"

"No. Just some one asking him about his girls. Somebody told me he was a devil with the girls."

Some women, Mrs. Carman said, were more attractive to her husband than she was, she had thought.

Mr. Smith asked if she thought Mrs. Varance, the middle-aged nurse whose face she slapped was more attractive than she.

Mrs. Carman smiled and answered "no."

Describes Scene.

She was made to describe the entire scene with Mrs. Varance. She said she saw Dr. Carman give the nurse $15 and saw her kiss him afterwards. It was the passing of the money and not the kiss that disturbed her, she said.

"You didn't object to another woman kissing your husband in gratitude?"

"Oh, no," Mrs. Carman replied.

"Now, as to the night of the shooting," said Mr. Smith, "did you hear a shot?"

"No, I heard some commotion."

"What!" shouted the district attorney.

"Well, I don't know whether I heard a shot or not. I heard a noise."

"And your curiosity was aroused?"

"Surely. It was an unusual sound." She thought it had come from the rear of the house and it took her about a minute to get down stairs, she said. As she reached the head of the stairs she saw two women going down the hall, but she made no effort to find out who they were. After she went downstairs she walked into the waiting room and leaned against a mantlepiece for a moment. She did not see any one downstairs and went directly upstairs again after having stood at the mantle for two minutes, perhaps.

Mrs. Carman's cross examination ended and her redirect examination was then begun.

Daughter on Stand.

Mrs. Carman's 10-year-old daughter, Elizabeth, was the next witness.

In a childish treble she gave her version of what had happened in the Carman household the night of the murder. After dinner, she said, she had gone out and played on the lawn.

"Mother went upstairs," she continued; "my aunt and my grandmother were on the porch. Later I went into the parlor and started to practice on the piano. My mother told me to stop. Then I went into the dining room, walked through the hall and sat in a chair in the dining room. Presently I heard glass break and a shot. I met my aunt on the stairs. I went to my mother's room.

"My mother was there.

Was With Mother.

"When I ran back into the hall I saw my mother put on her slippers and kimono and I followed her downstairs. Then I went up again. She came up in a minute. I went into her room with her."

On cross-examination, District Attorney Smith asked only one question.

"Elizabeth, you are very fond of your mother, aren't you?"

"Yes," she replied.

"That's all," said the prosecutor.

Just as Mrs. Sarah M. Conklin, Mrs. Carman's mother, 72 years old, took the stand, the defendant burst into tears. She buried her face in her handkerchief, shaking with sobs.

Mrs. Conklin's testimony corroborated that given by Mrs. Carman and Elizabeth.

Similar corroborative testimony was given by Mrs. Carman's sister, Mrs. Ida Powell.

Defendant's Sister.

Mrs. Powell said she let two women who had been in the doctor's waiting room, out of the front door. The night latch snapped, shutting her out, and she went around the side of the house and entered the waiting room door. She did not see Farrell, she said, although she was on the front steps less than a minute after she heard the report of a revolver.

Mrs. Powell said it was she who told Mrs. Carman what had happened, thereby corroborating the defendant.

When Mrs. Powell was excused, George Golder, who had testified for the state, was called by the defense.

His testimony was unchanged.

On cross examination, Golder admitted he had told the grand jury that a colored girl followed a woman into the office directly after the shooting. He also testified that he had said the woman and the colored girl left the room together through the waiting room door.

(Continued on Page Two.)

FINANCIERS IN CONFERENCE AT NATION'S CAPITAL

Most of Problems Growing Out of War Are Believed Near Settlement, as Between England and United States.

[BY MORNING JOURNAL SPECIAL LEASED WIRE]

Washington, Oct. 23.—Financial forces of the government, the wisdom of some of the most prominent men in the American banking world, and the friendly counsel of representatives of Great Britain were turned today toward a solution of the problem of readjustment of the foreign exchange market to meet conditions which have arisen as a consequence of the European war. For more than three hours, the federal reserve board, Sir George Paish and Basil E. Blackett, representing the English treasury, and some of the best known bankers in New York, discussed the situation in all its aspects. According to those present there was not a note of pessimism heard to mar the harmony of the conference and there was every reason to believe tonight that all the problems which loomed so large in the financial horizon a few months ago will be solved without great difficulty.

Here are the salient points discussed and the results anticipated:

American bankers stand ready to pay their obligations to England in cash. The $100,000,000 gold pool already formed and $80,000,000 raised by a New York subscription to meet New York City's obligations probably will suffice to satisfy England. Payment of this total may not be necessary.

The New York and London stock exchanges will not be opened possibly before the beginning of 1915. A conference between committees of the two exchanges will consider reopening beforehand.

The federal reserve board, to hasten consideration of the proposed cotton loan fund plan, designed in part to give bottom to the cotton market.

The cotton exchanges in New York, New Orleans and Liverpool to be opened as soon as possible.

The New York exchange probably will confer through a committee with the Liverpool exchange before such action is taken.

A committee consisting of Benjamin Strong, Jr., A. C. Wiggin, James Brown of New York, Governor Hamlin and Paul M. Warburg, of the reserve board, will hold further conferences with Sir George Paish and Mr. Blackett about details of the readjustment plan. Any such plan would have to be submitted to the British government.

According to some of those present at the conference the optimism of all present was surprising.

Although there was no expression as to how much gold must be actually paid to England—or transferred to the Bank of England branch in Ottawa—it was the opinion of many of those present that little more than already has been arranged for will be necessary.

President at Pittsburgh.

Washington, Oct. 23.—President Wilson left at midnight for Pittsburgh to speak there tomorrow at a Y. M. C. A. celebration. He will arrive at Pittsburgh at 8:35 tomorrow morning, will speak at 11:20 o'clock and expects to leave for Washington at 1:15 in the afternoon.

GERMANS BEGIN GENERAL OFFENSIVE MOVEMENT IN NORTHERN THEATRE OF WAR, SECURING SOME SUCCESSES

ALLIES GIVE GROUND AT CERTAIN POINTS, BUT MAKE ADVANCES AT OTHERS, ACCORDING TO REPORTS

Little Change in Situation When Considered as a Whole; No Decisive Battles Have Been Fought, Though Invaders Have Been Almost to Paris and Back; Neither Side Has Destroyed or Partly Destroyed an Army in Western Operations; Russians Have Beaten Germans in Great Battle, but Victory Is Not Regarded as Deciding Struggle in Eastern Fields; Austrians Are Said to Be Putting Up Formidable Fight in Galicia.

[BY MORNING JOURNAL SPECIAL LEASED WIRE]

London, Oct. 23.—The Germans have undertaken a general offensive movement along the line extending from the mouth of the river Yser on the North sea, to the river Meuse, and while they have compelled the allies to give ground in some places, they themselves have lost positions in others. This, in a few words, is what is gathered from official reports coming this evening from the French and the German headquarters.

The German attack today was particularly severe in the west where the right wing, strongly reinforced by fresh troops, attempted an advance against the Belgians, who are holding the allies' extreme left. This left rests on the coast and is supported by English and French warships and by Anglo-French troops which form a front extending from a point somewhere in the vicinity of Duxmede, southward to La Bassee canal. Each side claims successes, but the French alone admit that in places they have been compelled to fall back.

Little Change Noted.

Generally, however, there is little or no change in the situation, the lines swinging and swaying as they have done for weeks.

Although it is now just two months since the allies concentrated on the Franco-Belgian frontier to oppose the German advance, and the invaders have been almost to Paris and back in the interval, no decisive battle has been fought. Neither side has destroyed, or even partly destroyed, an army. Even the Belgian army escaped almost intact after that country was overrun by the Germans. The same can be said of operations in the east, where the armies of Russia, Germany and Austria are fighting, except in the case of Lieut. Gen. Samsonoff, the Russian commander, whose army was partially destroyed by the Germans in the battle of Tanneberg, East Prussia.

Important Victory.

In the present battle on the river Vistula, from Warsaw south to the river Pilicia, the Russians have scored an important victory in driving the Germans back and have captured many prisoners besides guns and ammunition. But the defeated army, when it gets back to its selected position, can entrench and start another siege battle, such as that which occurred on the river Aisne in France. Southward of the Pilicia the Germans still hold the river Vistula, except in front of the fortress at Ivangorod, where they were driven back by attacks from that stronghold.

The Austrian army, which was so often described as routed and destroyed in the battles of Galicia, has sprung into life again and is attacking the Russian left wing. The Austrians, however, apparently have found an impenetrable barrier at the river San, north of Jaroslau.

German Strategic Move.

The German claim of victory over the Russians west of Augustowo, Suwalki, following fighting reported by them yesterday in the direction of Ossowetz, south of Augustowo, shows that the Germans are attempting another advance from east Prussia into the government of Grodno, to the east of Suwalki, with the object of compelling the Russians to reinforce their army in that region.

All these movements, however, have brought the belligerents no nearer to their goals, which cannot be attained until an army is destroyed, or one or the other of the contending forces becomes too exhausted to fight further.

The admiralty tonight issued a report in which it was stated that the German cruiser Karlsruhe had captured thirteen British steamers in the Atlantic.

DESPERATE FIGHTING ALONG BATTLE FRONT

Paris, Oct. 23 (11:48 p. m.)—Watching each other's every move in order to take advantage of the slightest weakness at any point, the two great armies continued violent attacks and counter-attacks throughout last night and today, according to statements made by officers and officials arriving here from various sections of the battle line. These assaults did not effect any noticeable change in the positions, although the allies were compelled to give way a little at La Bassee, thirteen miles southwest of Lille.

At Armentieres also the fighting

Summary of War News of Yesterday

After days of incessant fighting, dents have at last been made in that part of the battle line which had been run virtually straight north and south from Ypres, in Belgium, to the bend in the elbow in the vicinity of the forest of Aigne in France.

Just a short distance above its center this line now curves like an inverted letter "S," the allies having pushed back the Germans at the east of Armentieres in an endeavor to press on to Lille, and the Germans having forced the allies to give ground around La Bassee, probably hoping to obtain control of Bethune, an important railroad center about seven miles due west from La Bassee.

That ground has been won and lost in this district is admitted in the latest French official report. It seems improbable, however, that either engagement was decisive, as the report declares the actions near La Bassee and Armentieres, near Arras, on the same line, a short distance south of La Bassee, continue with great violence. In fact, the report says that, generally speaking, the situation on this part of the war front remains the same.

Of the fighting near the coast where the British and French naval vessels are endeavoring to aid the allied troops in holding back the German advance, nothing was vouchsafed in the report.

"Altkirche, in upper Alsace, a short distance from the Swiss frontier, has been taken by the French at the point of the bayonet. Since the outbreak of the war this town has been the scene of much fighting, and several times has changed hands.

Petrograd claims the Germans continue to retreat and that the forces of Emperor Nicholas have crossed the Vistula without resistance. The Austrians are given credit in the Russian report for continuing to fight stubbornly on the Vistula, on the San and south of Przemysl. No reports were received from Germany or Austria and Servia likewise was silent regarding the operations in the south.

The British admiralty has issued a statement saying that the necessity to use its warships for convoy duty having passed, British cruisers, aided by vessels of the Austrian, French and Japanese navies, will now search the seas in an endeavor to run down the eight of nine German cruisers, including the Emden and Karlsruhe, which have been playing havoc with the shipping of the allied countries.

Great Britain has prohibited the importation of sugar in order to keep the German and Austrian product from being shipped in from neutral countries.

President Wilson has approved the demands of the state department on Great Britain for the release of the steamers Pistoria and Brindilla. The president took the position that every right of American shipping must be protected.