

ESTABLISHED JUNE 19, 1871.

OMAHA, TUESDAY MORNING, MARCH 15, 1904—TEN PAGES.

SINGLE COPY THREE CENTS.

MERGER IS UNLAWFUL

United States Supreme Court Render Decision in Northern Securities Case.

OPINION IS READ BY JUDGE HARLAN

Holds that Government Has Proved All of Its Material Allegations.

COURT IS DIVIDED ALMOST EQUALLY

Four Judges Think Action of Bill and Morgan Legal.

CONGRESS HAS POWER TO REGULATE

By Majority of One Court Defeats Plan to Bring Great Northern, Northern Pacific and Burlington Together.

WASHINGTON, March 14.—The opinion of the supreme court of the United States in the case of the Northern Securities company against the United States, involving the merger of the Northern Pacific Railroad company, was handed down today and was in favor of the government. The opinion was read by Justice Harlan.

Justice Brewer concurred in affirming the merger decision, but for different reasons than that of the majority. The decision was concurred in by Justices Brown, Brewer, McKenna and Day, while Chief Justice Fuller and Justices White, Peckham and Holmes dissented.

The opinion of the United States circuit court for the district of Minnesota was affirmed. The effect is to sustain the contention that the Sherman anti-trust law applies to railroad combinations of the character in question.

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GERMANS TO FIGHT NATIVES

Colonial Governor Reports Necessity of Cavalry and Two Mounted Batteries.

LONDON, March 14.—In the Reichstag morning session the colonial secretary, Mr. von Helldorf, reported on the necessity of two mounted batteries and 800 cavalry, with two mounted companies, for the Southwest African colonies.

The Lokal Anzeiger says Emperor William has ordered reinforcements to the number of 1,000 men, with 1,300 horses, to be sent to Southwest Africa. The troops will sail as soon as possible.

KING HOLDS SECOND LEVEL

Americans Are Presented to Ruler of Great Britain at Formal Function.

LONDON, March 14.—King Edward held the second levee of the season in the Throne room of St. James' palace at noon today. Large crowds lined the route along the King's drive in St. James' park.

The Americans presented by Mr. Choate were Walter Neef of Chicago and Herman Kincaid and Louis Hay of New York.

TALKING OF FROZEN MEAT

Question of Effect Upon Consumers Is Raised in House of Commons.

LONDON, March 14.—The question was raised in the House of Commons today whether chilled or frozen meat has any injurious effects on consumers, and especially whether such meat contributes to increasing the number of cases of cancer in the United Kingdom.

President Long of the local government board said that while he had no information to the above effect, he thought the matter might properly be referred to the royal commission of inquiry into the causes of cancer, which is now sitting.

CHAMBERLAIN TO BECOME LEADER

Friends Predict Balfour's Overthrow if the Unionists Are Defeated.

LONDON, March 14.—In the lobby of the House of Commons tonight there was much comment upon the unexpectedly early departure from Egypt of his return to London of Joseph Chamberlain.

The Chamberlain section of Parliament, glorying in their triumph on March 9, predict that if the unionists are defeated in the general election Mr. Chamberlain and not Mr. Balfour will be the leader of the opposition in the next Parliament.

USE DYNAMITE ON THE ICE

Gorge Holds in Spite of Effort to Break it at Wilkes-Barre.

WILKESBARRE, Pa., March 14.—Efforts to start the big ice gorge in the Susquehanna river above this city were made today by dynamiting. Great blocks of ice have been dislodged, but the gorge remains intact.

An effort will also be made to remove the gorge below this city by the use of dynamite. The railroad companies have hundreds of men at work clearing the railroad tracks and cutting roadways through the heavy ice which, in many places, is fifteen feet thick.

MOROS ARE AGAIN HOSTILE

General Wood Reports Attack on Reconnoitering Force Which Is Repulsed.

WASHINGTON, March 14.—Adjutant General Hall has received the following cablegram from Major General Wade, dated Manila, March 13:

Major General Leonard Wood reports an attack on reconnoitering force of 200 men by a strong party of Moros on the 11th inst. The Moros were repulsed by the passage of the anti-saboteur law. The Moros were shot and killed. The reconnoitering force was not concerned with the other points.

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COLLECTOR KILLS DEBTOR

Colored Woman Would Not Pay Grocery Bill and Clerk Shoots Her and Commits Suicide.

LEAVENWORTH, Kan., March 14.—William Gussner, a white man, today shot and killed Mrs. Anna Palmer, colored, the wife of a mill hand, and then shot himself. Three young children of the woman were the only witnesses to the tragedy.

THREE KILLED IN WRECK

Kansas City Southern Train Is Derailed Near Joplin with Fatal Results.

JOPLIN, Mo., March 14.—A Kansas City Southern freight train was derailed six miles south of Joplin while running at a rapid rate down the Saginaw hill. Three men were killed, three injured and seventeen cars of merchandise demolished.

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DIETRICH TAKES THE STAND

Denies Having Asked or Received Any Sum for Appointments.

EXPLAINS RENTING OF THE BUILDING

Adam Breede Denies Offering Money for Appointment or Even Being an Applicant for Position of Postmaster.

(From a Staff Correspondent.) WASHINGTON, March 14.—(Special Telegram.)—The feature of the inquiry into the charges against Senator Dietrich, now being conducted by a special committee of the senate, was the testimony which Senator Dietrich gave today. Two days have already been devoted to hearing testimony on the part of the government's witnesses.

Today Senator Dietrich decided to take the stand. Waiting his right not to be sworn, which Senator Hoar, chairman of the committee, said was his right, as it was the practice of the senate never to swear a colleague on the ground that all senators hold equal rights.

Senator Dietrich stated that he desired to be treated as good or bad as the law. He had not asked for the position of postmaster, and he had not received any sum for appointments.

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WRANGLE WITHOUT RESULTS

City Electrician and Electric Company Officials Debate Overhead Wire Matter.

Spirited arguments between City Electrician and President Nash and General Manager of the Omaha Electric Light and Power company as to the practicability of using ornamental corner iron posts down town instead of suspended arc lamps over intersections by means of wooden poles, occupied the afternoon of the council for an hour yesterday afternoon.

The electrician charged that the electric light company had violated the conduit ordinance by failing to use the corner posts, because it has been shown that such a method of swinging the lamps would be used in the business district.

President Nash and General Manager Holdrege declared against the change because, they said, the lighting would not be as good or as uniform. Mr. Nash said he had bought iron poles and sold them again after it was found they were not needed.

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PORT ARTHUR IS UNTENABLE

Such is the Opinion of British Experts Who Discuss the Situation.

JAPANESE NAVY WILL NOT BE DENIED

Military Men Do Not See How Place Can Long Be Held If Russian Army Retires Into Manchuria and Leaves It Unoccupied.

(Copyright, by New York Herald Co., 1904.) LONDON, March 15.—(New York Herald Cablegram—Special Telegram to The Bee.)—Premature, so far as the latest report received here this morning tells us, is the story that Port Arthur has been either evacuated or captured by the Japanese.

At the same time, judging from dispatches received from all sources, there seems an impression that the Russians are prepared for what is the inevitable outcome of Japan's complete control of the sea. Commenting on the situation, Rear Admiral Ingles, writing in the Daily Telegraph, this morning, says:

"It is perfectly certain to my mind that the Japanese navy has decided that the capitulation of Port Arthur has become an immediate necessity. Nothing will now stop Admiral Togo unless it is an immediate negative from the emperor himself.

The retrocession of Port Arthur is, I believe, only an affair of a day, and then the whole coast of China is in the hands of the Japanese to do what they like with."

"Vladivostok does not count further. Details of the naval battle off Port Arthur have only confirmed me in this idea. Even now there are probably mines laid down across the entrance to the harbor which will prevent the Novik and Bayan ever coming out again, and as the power of the forts and their supply of ammunition becomes less and less, so the cordon of ships will be drawn tighter and tighter.

The navy has got its teeth into Port Arthur, and even after having seen Admiral Makaroff's first attempt, it is evident that they will not be denied."

The Daily Chronicle's military correspondent, in the comment on the situation, this morning, says: "The difficulties of the Russians at Port Arthur and New Chwang are very serious. It is stated that it is Russia's intention to fall back indefinitely till it has 300,000 troops concentrated for an advance to say nothing of 20,000 more to watch the Chinese frontier."

"That is all very magnificent. But how about their position, when Russia's army has fallen back indefinitely? Then if Port Arthur has not already given way, it must mean surrender of that place as well as New Chwang and Vladivostok, with or without a struggle."

"It will probably involve the surrender of Mukden as well, not to speak of Harbin. But the Japanese will hardly need to follow the Russian retreat as far as that. With those points in their hands, with Corea occupied and command of the sea assured, they could calmly await developments."

SEE ONE DAMAGED JAPANESE BOAT

Russian Refugee from Saesbo Tell of Vessel Badly Battered.

PORT ARTHUR, March 14.—Two Russian passengers of the steamer Argon, captured by the Japanese off the coast of Corea February 7 and taken to Saesbo, which is at Saesbo on February 17, on board the Tokai-Maru, to which they had been transferred, they say the Japanese cruiser Asama brought in tow into that port. The Asama was without smokestacks, masts or bridge and its decks had been ploughed up by projectiles.

The other Japanese prizes, the Mikuden, Rusuzaki and Ekatoriosloff, besides the captured Russian whalers Michael, Nicolai and Alexander, were also at Saesbo when the passengers left there. They say that the Japanese are refusing to subscribe to the war fund. The president of the Japanese bank, M. Laiden, sacrificed a gold chain and other presents from the mikado to contribute to the fund.

The Japanese navy includes three cruisers—Asama, Asama and Summa—either one of which might be the "Asama" referred to in the foregoing dispatch.

RUSSIAN FIRE COSTS MANY LIVES

Shots from Battery Prevent Japanese from Rescuing Russian Sailors.

TOKIO, March 14.—A supplementary report from Vice Admiral Togo, concerning the efforts made by the crews of the Japanese torpedo boat destroyers in action off Port Arthur on the 10th instant to rescue the crews of the disabled Russian torpedo boat destroyers, reached here today. Captain Shojiro Asai, commanding the Mikuden, reports that the crews of the torpedo boat destroyers have been able to rescue many more of the enemy but for the deadly fire of the shore batteries and the close approach of the Russian cruiser Novik. The report also explains that four men rescued were not part of the crew of the Stereguschicht, as originally reported. When the Japanese rescuers reached the boat, only the dead remained on board, and it is believed the living members jumped overboard and perished in the sea. Three of the rescued Russians are engineers and two are torpedo workers. Two were slightly wounded. All were placed on board a Japanese battleship and were given food and medicine.

KILLS HERSELF TO HELP COUNTRY

Japanese Woman Dies to Permit Son to Enter Army.

NEW YORK, March 14.—A Japanese woman at Takasaki, on learning that her only son had been exempted from active service on the ground that she was dependent upon his earnings, has committed suicide, says a World dispatch from Tokio.

In a letter she stated that she was about to kill herself in order that her son might be free to fight for his fatherland. Then she plunged a dagger into her heart. Withdrawing the weapon, she handed it to her son, who immediately volunteered for active service.

Condemned Steamer Manchuria. NAGASAKI, March 14.—The East Asiatic steamer Manchuria has been condemned by the naval prize court at Saesbo, including its general cargo, which is partially neutral property.

NEBRASKA WEATHER FORECAST

Fair and Warmer Tuesday; Wednesday Breezy and Colder in West Portion.

Table with 4 columns: Hour, Temp., Wind, Clouds. Rows for 6 a.m., 7 a.m., 8 a.m., 9 a.m., 10 a.m., 11 a.m., 12 m.

FUNERAL OF EMPRESS DOWAGER

Wet and Strange Ceremonies at Interment of Woman Who Died in January.

SEOUL, March 14.—The funeral of the queen dowager, who died in January, was held here today. The bier was placed on a catafalque at the west gate of the city, where Minister Allen and other diplomats gathered at 5:30 o'clock this morning. It was then escorted to the city hall, where the bier, adorned with flowers and garlands, was placed on a catafalque. The emperor, attired in gray-velvet robes and head dress, arrived at 6 o'clock and performed his duties over the body with a canopy over him. The procession then started to the tomb, eight miles outside of the city, the bands playing the national dirge.

The procession was a couple of miles long and full of interest. It was headed by native police, followed by lantern bearers and spearmen in fantastic attire, carrying banners and huge paper horses. Then came two tiers, gorgeously colored and surrounded by dragon heads. They were borne on the shoulders of 40 men, there being 100 poles between them. The bier was surrounded by eunuchs and court functionaries. The first bier was empty, being intended to cheat the devil.

The populace crammed the streets and covered the roofs to witness the pageant. After the start of the procession the emperor received the foreign diplomats and the Japanese minister, being the senior member, presented the condolence of the corps.

RUSSIAN OFFICERS ARE INCENSED Do Not Like Questions of Foreigners Regarding Blockade Plans.

TIN KOW, March 14.—The local Russian authorities are apparently incensed and resentfully much annoyed at the solicited inquiries of the commanders of foreign gunboats regarding the projected blocking of the Liao river before the arrival of the Japanese, which latter event is regarded as a foregone conclusion. Although the blocking of the Liao river and the defense of the settlement and native town are regarded as untenable, it is certain that an important disposition of guns and the arrangement of a defense plan have already been made. The arrival of General Kondratyev a few days ago has arrested the arrangement of the blockade and the abandonment of the original intention.

The best Russian information obtainable at Port Arthur and New Chwang admits the government's intention to fall back indefinitely until the mobilization of 300,000 troops for the purpose of assaulting and occupying the Japanese coast. Probably 300,000 more will oppose the Chinese.

The same opinion asserts that Vice Admiral Makaroff will fight hard. He is determined to weaken the enemy at any cost and make the operation of the Baltic sea fleet in the far east feasible, though it may be necessary to fight without the Dalnaya, Carevitch and Retvitsch, which, it is admitted, cannot be fully repaired within six months. On account of the uncertainty of the success of the scheme of constructing a modern dock in which to repair the Carevitch and Retvitsch naval experts allow a year for the work.

MUST SAVE BIG GUN AMMUNITION. Indications that It Is Running Short at Port Arthur.

(Copyright, by New York Herald Co., 1904.) TIN KOW, March 14.—(New York Herald Cablegram—Special Telegram to The Bee.)—The Russian gunboats at Port Arthur during the engagement at Port Arthur on Thursday. He has issued orders to the effect that the saving of coal is unnecessary, but that his men must be cautious about wasting the big gun ammunition in the forts. Evidently this is running short.

With regard to my telegram of March 9, reporting the presence of Japanese troops at Feng Wang Cheng, my runner has evidently been detained. Details are unobtainable, but constant Chinese reports confirm the previous one of Japanese occupation.

Russians are buying up all the available foodstuffs here. There is great scarcity of everything. Cosacks are scouting fifty miles west of the Liao river.

JAPANESE PATROL IS DEFEATED

Falls In an Ambuscade Prepared by Russian Troops.

ST. PETERSBURG, March 14.—General Zilinski telegraphs as follows under yesterday's date: "On March 7 our patrols discovered four of the enemy's posts on the Chong Cheng Ang river and a troop of cavalry acting as scouts near Pateuchon, northwest of the Liao river. A Japanese cavalry patrol fell into an ambuscade prepared by our patrol and were dispersed, losing one killed. The Japanese left behind them a quantity of gun cotton and some swords and blankets.

"The population in Manchuria is quiet. On the night of March 11 the ships explored Helms bay and the shore opposite Senouchen with searchlights.

"According to information which has been verified the Japanese have not made any attack north of Goman. The population along the Tumen river is favorable to us."

SHIPS JAPANESE OUT OF HARBOR

Makaroff Will Keep War Fleet Outside with Steam Up.

LONDON, March 15.—A correspondent of the Daily Mail from New Chwang says that after the removal of the battleship Retvitsch four Russian steamers, the Harbin, the Hallar, the Ninurats and the Sungrai, were anchored at the mouth of the Liao river and sunk, leaving only a small channel available. Vice Admiral Makaroff having previously ordered the whole fleet to remain outside with steam up.

Chicago Car Burn Burns. CHICAGO, March 14.—The car barn of the Chicago Union Traction company at Blue Island avenue and Leavitt street was destroyed by fire today. About 600 summer cars, stored in the building, were burned. The loss was estimated at \$150,000. Crossed electric wires caused the blaze.

JAPS CLAIM THE CITY

Declare Positively that Port Arthur Has Fallen Into Their Hands.

RUSSIANS SAY SITUATION IS UNCHANGED

Deny the Story that the Town Has Been Abandoned.

COMMENT ON RECENT PROCLAMATION

Russians Accept it as Representing Change of Sentiment.

GIVE CREDIT TO PRESIDENT ROOSEVELT

Feeling in St. Petersburg Toward United States Is Vastly Better Since Receipt of Latest Order.

(Copyright, by New York Herald Co., 1904.) SEOUL, March 14.—(New York Herald Cablegram—Special Telegram to The Bee.)—Persistent reports are current to the effect that the Russians have burned and evacuated Port Arthur and Dalny and are retiring up the peninsula.

First Denial by Russians. (Copyright, by New York Herald Co., 1904.) SHANGHAI, March 14.—(New York Herald Cablegram—Special Telegram to The Bee.)—Telegrams from Russian sources at Tientsin and from Admiral Makaroff at Port Arthur absolutely deny the report that the Russians have evacuated the place.

WEL HAI WEL, March 14.—The Japanese report that Port Arthur has been captured. TIEN TSIN, March 14.—The reported occupation of Port Arthur by the Japanese is untrue, according to a telegram received here at 11 o'clock, which left Port Arthur at 7 o'clock Saturday evening. Upon inquiry the report at Hsin Si turns out to have been unimportant.