

## COMBINE BROKEN

GOVERNMENT SCORES A VICTORY AGAINST PAPER TRUST

## FEDERAL COURT DECREE

AN UNCONDITIONAL SURRENDER BY THE DEFENDANT

Witnesses of Different Companies Appear at St. Paul and Offer to Testify, But Presence Unnecessary.

ST. PAUL, Minn.—The United States government secured an unconditional surrender of the United States circuit court before Judge Sanborn in the suit which the attorney general began on December 27, 1904, to dissolve a combination between the General Paper company and twenty-three other defendants on the ground that an agreement had been entered into by the defendants in restraint of interstate commerce.

Attorney Kellogg for the government and Attorney Flanders for the defendants appeared before Judge Sanborn, sitting as a circuit judge, and Mr. Kellogg moved that the mandate from the United States supreme court affirming the order that the witnesses must testify be filed. Judge Sanborn ordered the mandate filed. The witnesses then appeared before the United States examiner and offered to testify. The defendants then withdrew their answers.

Mr. Kellogg announced that the government did not care to examine the witnesses, and moved for a decree in favor of the government. Judge Sanborn ordered that the decree be entered for the government of the relief prayer for, and that the decree should be settled on June 16, and the proceedings were adjourned.

The three witnesses who refused to testify, namely C. I. McNair, of the Northwestern Paper company, A. C. Bossard, of the Itasca Paper company, and B. F. Nelson, of the Hennepin Paper company, paid into the court the \$100 fine assessed against each for contempt of court for refusing to answer the questions put to them at a former hearing.

Suit was brought by Frank Kellogg and James M. Beck, special assistant attorneys general of the United States, on behalf of the United States against the General Paper company, and twenty-three paper manufacturing corporations in Wisconsin, Minnesota and Michigan a little more than a year ago. The complaint alleged that the defendants in violation of the provisions of the Sherman act, entered into an agreement, combination and conspiracy with each other to restrain trade and commerce among the several states and to control regulate and monopolize said commerce and that this was accomplished by organizing the General Paper company of Chicago with a capital stock of \$100,000, divided into 1,000 shares of \$100 each which stock was divided among the paper-manufacturing corporations in the proportion of their average daily output of paper; that each of the corporations thereupon entered into a contract making the General Paper company its exclusive selling agent.

The defendants filed answers and testimony was taken for several months, most of the facts showing a combination were elicited from the officers of the various defendant companies. Finally the defendants refused to furnish any further testimony or to answer any questions on the grounds that the testimony would tend to criminate the witnesses and the corporations and on the ground that the testimony was irrelevant and immaterial. The case went to the supreme court of the United States and was there argued on the second of January, in connection with the tobacco cases.

In both the paper case and the tobacco case the question argued and decided was that witnesses were not exempt from answering on the ground that the testimony would tend to criminate the corporations. The supreme court held that the evidence was clearly material, that the bill of complaint charged an unlawful combination and conspiracy and that the testimony tended to show it.

The decision in this case really left nothing for the defendants to do but to submit to judgment, and they appeared in court, withdrew their answers.

## ARE BACK AT OLD SCALE

HARD COAL MINERS AND OPERATORS COME TO TERMS

Award of Strike Commission to Be Continued for Another Three Years—Resumption Expected Monday

NEW YORK.—After carrying on negotiations for nearly three months, the sub-committee representing the anthracite mine workers and operators of eastern Pennsylvania agreed to continue the award of the strike commission for another three years, or until March 31, 1909. The men will return to work as soon as practicable. All miners who have not committed violence against persons or property will be re-employed, and no one will be discriminated against because of any activity he may have taken in the strike movement. The agreement is subject to the ratification of the tri-district convention of mine workers at Scranton, but there is not the slightest doubt that the delegates will approve the action of their representatives. This outcome of a dispute which threatened to develop into a long, bitter struggle and paralyze a great industry, was looked upon with considerable satisfaction by the coal presidents, as the agreement entered into is their first proposition made early in March in reply to the mine workers' original demands.

The miners had little to say regarding the agreement, except that it was the best they could get. They pointed out, however, that the agreement entered into is the first general agreement that has ever been signed between operators and miners, and they look upon it as a step forward in their endeavor to have regular agreements with their employers.

While the compact entered into was predicted some time ago, the agreement was reached without a final struggle on the part of the miners to get something more. President Mitchell, in stating to the operators the action of the Scranton convention asked that the proposed agreement be made for two years. In arguing for the two-year term he said the cost of living might increase considerably in three years, and that other changes in the mining industry might come that would make the present wage scale unfair to the men. The operators in their reply said they felt that any contingency that might arise was covered by the award of the strike commission, and they concluded by asking that the award be continued for three years. This was then agreed to.

In taking up the question of discrimination against some of the men, it was the intention of the mine owners to take back only such men as they choose to re-employ, but President Mitchell contested this point so strongly that the operators withdrew it.

No date has been officially set for the resumption of work, but as some of the mines are not in good condition for an immediate resumption the beginning operations may be delayed for a short time. This is the sixth week of the suspension, and represents a loss in production about 5,000,000 tons.

SCRANTON, Pa.—The adjourned session of the anthracite tri-district mine-workers' convention promises to be quite formal and uninteresting. There is no question but that the agreement which was signed in New York by the operators and the members of the sub-scale committee, providing for a three years' continuance of the strike commissions and no discrimination will be proved by the delegates unanimously. There was a noticeable let-up in operation on the part of the companies which have been the most aggressive since the suspension began, in the importing of men and the operation of collieries and washeries with them.

Arrangements already being made by the Delaware & Hudson and the Erie companies for the shipping back of the imported men, and it is expected they will be all out of the field soon, when resumption of work will probably be ordered.

Among the English-speaking miners no signs of dissatisfaction are shown, and no criticism of John Mitchell is heard, the men apparently being convinced that their leaders have shown them the best way out of a bad dilemma.

Many foreign members, however, are plainly dissatisfied.

## BEGIN NEW ORDER

PEOPLE OF RUSSIA GIVEN VOICE IN GOVERNMENT.

## Rank and File at Capital

CZAR FACE TO FACE WITH MILLIONS HE RELES

Mutual Distrust of Two Forces Apparent, But Hopefulness Shown—St. Petersburg Like Siege City

ST. PETERSBURG.—An ideal May day like a happy augury greeted the uprising of the curtain for the new act of the great historical drama. Russia's struggle for liberty. Never did the show northern capital of Peter the Great present a more brilliant picture than for the inauguration of the Russian parliament.

Just a suspicion of haze hung over the gulf, softening the outlines and giving the scene a touch of fairyland. The city, spreading out over the numerous green islands in the river, seemed swimming in a flood of light. The broad, swift-flowing Neva, with arms outstretched to the sea and the interlacing canals, were turned to azure by the reflecting blue of the heavens, while the golden domes of the churches, the spires of the admiralty and the St. Peter and St. Paul fortress and the shining minarets of the palaces seemed to float above the mass of yellow buildings. Besides, the metropolis was dressed bride-like, awaiting the coming of her lord. The yellow imperial standard with the double-headed eagle flew from the winter palace; flags, by order of the police, were displayed from every house and steamers of multi-colored pennants fluttered from the yachts and shipping in the harbor. Even the tiny passenger boats which thread the rivers and canals, the street cars and many cabs carried the Russian colors. The banks, stores, schools and some of the factories were closed in honor of the occasion, but there was no general holiday, the government specifically discouraging a suspension of work in the industrial districts owing to the fear that crowding the workmen into the center of the city might provoke collisions, disorders, and perhaps bloodshed.

There was something distinctly awe-inspiring about the day with the visions of chains falling from another branch of the human race and the Russian people taking up the march of modern civilization. The representatives of the Russian millions and the emperor were at last face to face and the result was to determine the fate of the nation and country stretching from Germany to the Pacific to the polar seas and to the burning sands of Central Asia.

Notwithstanding the mutual distrust of the government and people there was not lacking the hope that the foundation of a sincere understanding between the emperor and his subjects would be laid strong and deep today. It was the attitude of mutual suspicion which consisted the great jarring note on this occasion. It could not be concealed. It was apparent everywhere.

The city might have been in a state of siege, so heavy was the array of troops. Not only were detachments of infantry, cavalry and gendarmes, stationed at strategic points but large reserves were massed in the court yards of the public buildings. Early in the morning the palace square resembled a field camp, two regiments of guards having bivouacked there all night. At daylight battalions of police took possession of all the approaches to the palace for the distance of a third of a mile and all day no one was allowed to pass the lines without tickets.

The draw of the Nicholas bridge from Vasilii island was opened and the palace bridge which rests on pontoons was allowed to swing down the current so as to permit the imperial yachts bearing their majesties and the court from Peterhof to pass up the river to the landing stage in front of the winter palace. A flotilla of police patrol boats, several low-lying torpedo boats and a number of oared galleys cleared the river as far as the palace of all moving craft. Like all great state functions in holy Russia the ceremonies begin with religious services. At 10 o'clock in the morning the whole city reverberated with bells and chimes from St. Petersburg's myriad of cathedrals churches and temples, summoning the people to thanksgiving.

## FORMER AGENT WITNESS

BRIBERY, SHORT MEASURE AND DECEPTION CHARGED

Three Grades of Oil Taken From one Tank, and Company Oil Declared to Expand While in the Wagons

CHICAGO.—Corruption of railroad employes and agents of independent oil companies, dishonest methods of procuring land leases, the giving of short measure and the selling of three different kinds of oil out of the same tank, and misrepresentations as to the quality of the oil sold were charged against the Standard Oil company at a hearing before the interstate commerce commission.

Incidentally it was charged that the Frisco road gives a rate of 2 cents a hundred to the Standard Oil company, while it charges competitors of that corporation ten times as much for the same haul.

The inquiry was held under an order of congress and this session held here was along the same lines as that held some time ago in Kansas City.

The principal witness of the day was E. M. Wilhoit of Springfield, Mo., formerly for ten years agent of the Standard Oil company at Topeka. It was he who made the charges of bribery and dishonesty against the company and said that the Frisco road discriminated in favor of the Standard Oil company. Other witnesses for the day were P. C. Derau of Fremont, O., E. P. Ripley, president of the Atchison, Topeka & Santa Fe railway and M. Maxon, a former agent of the Standard Oil company in Illinois. The last witness gave testimony which in many instances was the same as that given by Mr. Wilhoit.

Two of the points upon which it is said the investigation will endeavor to throw light are the matter of the pipe lines of the Standard Oil company, which are laid along the railroads' right of way and the purchase of gelaena oil by the railroads for headlight and signal purposes.

The first witness was E. M. Wilhoit, now an independent oil operator, but ten years ago an agent of the Standard Oil company. He testified that while in the employ of the Standard Oil company he had, in following out the instructions of his superior officers, bribed clerks in the offices of railroads and employes of independent concerns in order to obtain information of the rivals of the Standard Oil company. He declared that agents of the Standard Oil company are held personally responsible for all oil sold in their territory by independent companies and that drivers of any wagons are expected to keep their stock by selling 205 to 208 gallons from a wagon load of 200 gallons. He said that the actual tests of the products of the Standard Oil company to determine the quality are carefully guarded and that when it was found necessary to cut the price to meet the figures of a competitor a cheaper quality of oil was substituted and guaranteed to be of a higher grade than it really was.

Mr. Wilhoit said that frequently three grades of oil were sold from the same tank by agents of the Standard Oil company.

Several letters were read by the witness in which he was instructed to watch shipments in this territory and report the name of every customer of the independent concerns and the amount and quality received by him. He said that he had bribed clerks in the offices of the Rock Island, Santa Fe and Missouri Pacific to give him lists of shipments to the customers of independent companies. He told also of bribing teamsters in order to obtain information.

"Cylinder oil is the most profitable sold" said the witness, "and the Standard Oil company dislikes to have any independent sell any of this grade. Our instructions were that if we found a competitor selling this oil in our territory to cut the prices so as to get the orders and then substitute an inferior grade of oil and guarantee it to be of superior quality."

"Did you ever give short measure to your customers?" asked Commissioner Prouty.

"Well, we did not call it that," replied the witness. "I was frequently advised by agents of the company that my stock was not showing up as it should, and told that it was a simple matter to sell 205 to 208 gallons from a 200-gallon load of oil."

## NEBRASKA NOTES

While at work in the ice cream factory at Geneva W. M. Dinneen was overcome with gas from the engine and suffered from the effects a half day.

At the meeting of the village board of Table Rock it was decided that the billiard hall, bowling alley and box ball room must go out of business along with the saloon.

Ora Elder, who has been city marshal at North Platte for two years past and has just retired from that position, opened up a real estate office in that city this week.

Prof. Fesenbeck, the assistant principal of the West Point high school, will resign his position at the close of this term and enter a law school.

A deal has been closed where by Pittinger Brothers sold their beautiful stock farm just outside the city limits of Albion, for \$125 per acre. The purchaser of this land was Homer B. Robinson of Columbus.

Will Sherra, who resides near Rock Bluffs, found a gray wolf's den and captured the six baby wolves. He has decided to keep them as pets. He took several shots at the mother wolf, but failed to get her.

The hemp mill in Fremont was damaged by fire to the extent of \$250 by a blaze started by sparks from a passing engine. Trunks stored in the warehouse of the Fremont Saddlery company near by, were also scorched.

Mrs. Wilkins, wife of A. F. Wilkins, an engineer on the Union Pacific road with a run between Manhattan, Kan., and Lincoln, fell at her home in Beatrice and broke her right hip. As she is eighty years of age, the injury is a serious one.

H. A. Rodehorst of Columbus will start soon for Germany. He goes in the interest of the Deering Harvester company and will not only represent that company throughout Germany, but will also represent it in the Argentine republic.

Fire supposed to have been caused by sparks from an engine slightly damaged the roof of the Rock Island depot at Beatrice. Floyd's feed store in West Beatrice was damaged by fire also.

Ed Gugenums, a wealthy and respected retired farmer, an old pioneer of Howard county, living now at St. Paul, Nebr., has been killed by a horse striking him with its head, causing a blood vessel to burst.

It is reliably reported that about \$40,000 will be expended in erection of churches in Albion the present year. The Catholics will build a \$25,000 edifice and the Methodists will put in about \$15,000 in a house of worship.

The 18-months old son of Mr. and Mrs. H. K. Prickett of Scotts Bluff, drank some horse liniment and died two hours later. Some of the liniment had been used by the parents and the child managed to get on a bottle.

Columbus is to have a gas plant and gas will be furnished there as cheap as it can be furnished anywhere. A local company has been formed, consisting of Messrs. Garlow, Roen and George A. Scott, and the business will be started right away so as to furnish gas for fuel and for lighting purposes next winter.

A new lodging house has been opened in North Platte by C. A. Howe, proprietor of the furniture store there bearing his name. This news will be welcome to parties desiring accommodations in that city over night for the reason that heretofore very often parties have been compelled to stay up all night because of their inability to secure lodging.

For the first time in many years slot machines are out of business in Nebraska City. In accordance with the orders of Mayor Steinhart recently issued practically all the slot machines were removed. Those which were not removed were dismantled by the owners. Machines that paid in chips went out of business with the money machines, that have been paying a monthly fine for the privilege of running.

Mr. Harry Crooks and Miss Potet, of Falls City, have just announced the fact that they are married and have been so since the first of January, the ceremony, which was performed in Leavenworth, Kan., being kept secret until now. They will make their home in Hiawatha, Kan., Mr. Crooks being a traveling man with headquarters there.