

# DENY OIL REHEARING WITH SHARP REBUKE

Rejects Appellate Court Government's Petition in Case of the Big Landis Fine.

## RESENT CRITICISM IN PLEA.

Next Move Will Be an Application for Review by United States Supreme Court.

The petition by the United States government for a rehearing of the appeal of the Standard Oil Company of Indiana from the \$20,240,000 fine of Judge Landis was overruled by Judges Grosscup, Baker and Seaman in the United States Circuit Court of Appeals at Chicago. In a brief opinion, delivered by Judge Grosscup, the original opinion of the court, reversing Judge Landis' decision, was upheld. The case now lies in the hands of Attorney General Bonaparte, and it is expected that he will apply for a writ of certiorari in the United States Supreme Court in order to obtain a review of the big case by the country's highest tribunal.

The contents of the petition for rehearing, which had the signatures of Attorney General Bonaparte and District Attorney Edwin W. Sims attached to it, are almost wholly ignored by the reviewing court, reference being made to but two points of contention. Then the opinion concludes with what is

## GUNNESS MURDER CASE.

Trial of Alleged Slayer of the Family Opens at Laporte.

The opening at Laporte, Ind., of the trial of Ray Lamphere for the murder of Mrs. Belle Gunness and her three children by burning them to death in the Gunness "house of a hundred chimneys" last April brought crowds of farmers and their families to attend the sessions of the famous case.

While interest in the country at large is centered in such further developments as the trial may bring out concerning the amazing career of the woman who is believed to have slain eleven human beings, inhabitants of the territory immediately adjacent to that abode of horrors, "the Brookside Farm," are intent on the establishment of guilt or innocence for Ray Lamphere, the obscure farm hand around whose personality has been built an extraordinary structure of bitterness that involves the whole of Laporte County. As a result of the local feeling and of the widespread publicity given the case, 500 people had gathered near the courthouse before the doors were open for the first session.

After the first week of excitement attending the discoveries of the fifteen bodies on Mrs. Gunness' farm, where it is believed twenty-five were murdered, attention turned to the mistress of the place and the various theories concerning her death or escape became the sole topic of discussion.

Nine persons out of ten decided that she is alive, and to this day the majority of residents think she escaped after setting fire to her home and killing her children. So it remained for the State's Attorney to pick only jurors who believe her dead, or it would be impossible to convict anyone for her murder.

The most natural conclusion is that Mrs. Gunness is dead. The body found in the ruins of the farmhouse apparent-

## CORN YIELD IS HEAVY.

Production of 2,642,678,000 Bushels Reported for 1908.

An average yield of 26.2 bushels of corn per acre and an indicated total production of 2,642,678,000 bushels of corn are preliminary estimates announced in the report of the Department of Agriculture, summarizing corn and five other crops. The yield of corn per acre in 1907 was 25.9 as finally estimated, and averaged 25.6 for ten years, while the production is compared with 2,592,329,000 bushels finally estimated in 1907. Quality of corn is 86.9 per cent, compared with 82.8 in 1907 and 84.3 ten years average. About 2.7 per cent, or 71,124,000 bushels, is estimated to have been in farmers' hands on Nov. 1, against 4.5 per cent, or 130,965,000 bushels, a year ago, and a ten-year average of 4.5 per cent.

The preliminary figures for important corn States, giving in bushels, the yield per acre and total production respectively are as follows:

Illinois, 31.6 and 294,860,000; Iowa, 21.7 and 287,456,000; Missouri, 27 and 203,634,000; Nebraska, 27 and 205,767,000; Indiana, 30.3 and 137,835,000; Texas, 25.71 and 201,482,000; Kansas, 22 and 152,900,000; Ohio, 38.5 and 130,900,000; Oklahoma, 24.8 and 122,239,000; Kentucky, 25.2 and 84,823,000; Tennessee, 24.8 and 74,747,000; Georgia, 12.5 and 56,438,000; Michigan, 31.8 and 60,420,000; South Dakota, 20.7 and 57,677,000; Wisconsin, 33.7 and 49,674,000; Virginia, 26 and 48,828,000; Pennsylvania, 30.5 and 55,814,000; Alabama, 14.7 and 44,835,000; North Carolina, 18 and 50,166,000; Minnesota, 23 and 46,835,000; Arkansas, 20.2 and 52,540,000. All others 21.8 and 222,451,000.

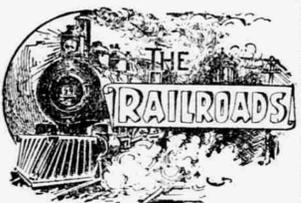
## BIG BATTLE SHIP IS LAUNCHED.

Floating of North Dakota Marks an Epoch for the Navy.

More than 10,000 persons, including representatives of two States and of the national government, gathered at the yards of the Fore River Shipbuilding Company at Quincy, Mass., to witness the launching of America's most powerful sea fighter, the North Dakota. While the North Dakota follows nearly a dozen great vessels launched at the Fore River yards, her advent into the sea was regarded as establishing a new epoch in the history of the United States navy, because of her tremendous strength, both on the attack and on the defense, by the additional thickness of her armor and by the fact that she is the first of all-big-gun ships of the navy.

The christening party came on specially from North Dakota, including Gov. John Burke and Miss Mary Benton, together with a number of officials and many women.

The North Dakota is the first American fighting ship of the so-called Dreadnaught class. When placed in commission, the ship will be 510 feet long on the load-water line, with a breadth of 85 feet, 2 1/2 inches at the same point. The length over all will be about 518 feet, 9 inches. The battleship will have a displacement of 20,000 tons, 2,000 in excess of the original British Dreadnaught. It is estimated that a speed of more than twenty-one knots will be attained on her trial, and that the battleship's horse power will exceed 25,000.



The annual meeting of the Wisconsin Central Railway Company was held in Milwaukee. The yearly report shows the gross earnings of the company to have been \$7,307,311.35. The operating expenses were \$5,130,643.00, leaving the net earnings of the company at \$2,176,668.26. The company has a surplus of \$2,258,940.16 to be carried over to next year.

The Kansas State board of railroad commissioners has made a demand directly on George Gould, president, and E. H. Harriman, reported to be associated with the Missouri Pacific Railway Company, that the management of the road immediately take steps to improve the condition of the track in Kansas. The letter also stated the determination of the board to put an inspector on the tracks and to publish weekly bulletins showing their condition and to regulate the speed of the trains accordingly.

While Spirit Lake, Hartley, Paullina, Pringhar, Germantown and Le Mars have subscribed liberally towards the financing of the Sioux City & Spirit Lake inter-urban line, reports indicate that Sioux City, which is the terminus of the proposed line, has been slow in subscribing for stock, and an ultimatum has been issued that Sioux City must put up its money, since it is to be the principal beneficiary if the road is built. About \$125,000 has been subscribed outside of Sioux City.

A union station representing an expenditure of \$31,000,000 is nearing completion in Leipzig, Germany, which will be among the largest in the world. There are now five railroad stations in that city, made up of 13 lines, and with the opening of the new station these will all be abandoned. The new structure will have 26 parallel tracks, all on the same level, to accommodate the trains of 13 different lines. The main facade of the building will be 1,115 feet wide, over 350 feet greater than that of the new Union Terminal at Washington, D. C., at present the largest in this country.

## IN THE OLD HOUSE.

The fruits are stored, the fields are bare. The ground is hard, the sales are gray. November's chill is in the air. Tomorrow is Thanksgiving day.

The farmhouse stands in sheltered nook. Its walls are filled with warmth and cheer. Its fires shine out with friendly look. To welcome all who enter here.

Full forty years have come and gone. Since first this hearthstone's ruddy glow. Fresh kindled, flung its light upon Thanksgiving guests of long ago.

Long was the list of squires and dames; From year to year how short it grew! Read out the old, familiar names They heard here when this house was new.

Grandmother?—aye, she went the first; Grandfather?—by her side he sat; The shade and sunlight, interspersed, Have fallen long above their breasts.

Our aunts and uncles?—sundered wide, Their graves lie east, their graves lie west; As veteran soldiers scarred and tried, They fought their fight, they earned their rest.

Our father?—dear and gentle heart! A nature sweet, beloved by all; How early turned his steps apart, To pass from human ken and call!

Our mother?—brisk and kindly soul! How brave she bore fate's every frown, Nor rested till she reached the goal, Where all must lay their burdens down!

Our brother?—toward the setting sun, From us remote, his home is made, And many a year its course has run, Since here his boyish sports were played.

Put by the book! My heart is sore. The night winds up the chimney flee, The fires within gleam as before, But none are here save you and me!

But, sister, you and I again, Will heap the hearth and spread the board, And serve our kindred, now as then, With all that home and hearts afford.

The scattered remnants of our line, We'll summon 'neath this roof once more, And pledge, in rare affection's wine, The memory of those days of yore.

God bless them all,—the fond and true! God keep them all,—both here and there, Until the Old becomes the New, Forever, in His Mansion Fair:— Youth's Companion.

## John Warren's Thanksgiving.

John Warren dropped his newspaper on the floor of the car and stared out of the window. Strongly built and handsome, he was just now wearing on his face a look of utter weariness, resulting from a long trip in the West, where he had been looking after some interests of the firm of which he was a junior partner. Nine years before, in a fit of anger, he had left his home in the country and, too proud to return, had, by dint of dogged persistence, secured a humble place in the packing rooms of Bruce & Brown's wholesale dry goods store. Fortune favored him, and this same quality of resolution, together with application, had raised him to the position he now occupied. A group of traveling men were making ready to leave the train. It was a jocular set and they had enlivened their trip with stories, politics and trade gossip, and now the jolly-faced hardware drummer said: "Boys, where are you going to be Thanksgiving day?"

"I'm going back to the fleshpots of Egypt and eat my turkey in the country," said one.

"Yes," said another, "I'm going to be in my old place at the old table with my white-haired little mother smiling at me from behind the coffee pot and my dear old dad piling enough on my plate to feed a regiment."

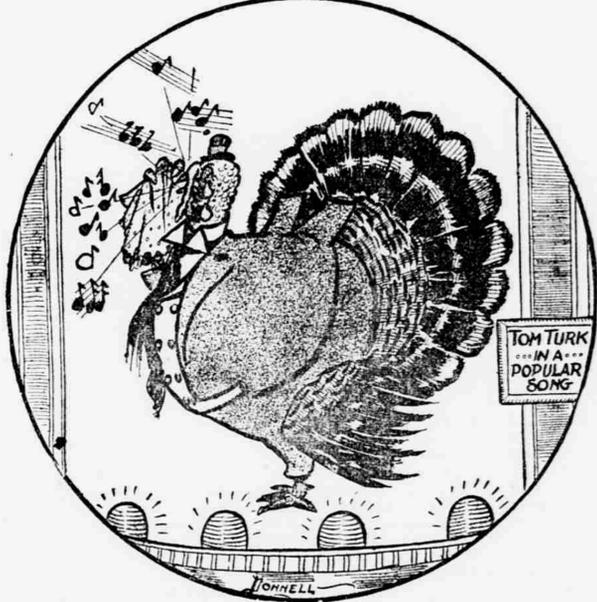
"Think of those home-made pies!" said another, "those fat moons of apple, pumpkin, mince and cranberry. Say, no restaurant-tin-bottom-crust about them."

"And," said the boot and shoe man, "to sit around the old fireplace and watch a row of juicy apples roasting in front of that roaring, great-heated log fire. Boys, you couldn't fence me away from home that day."

And so each one, with a home picture in his heart, hurried out of the car and up the long flight of station stairs away to his destination, while slowly behind them came John Warren with a surging tumult of feelings in his breast, and as he slowly mounted the last step a teardrop on his brown beard and a sudden resolution filled his heart. He almost shouted: "I'm going home, too."

John hurried to his hotel, and taking a very shabby suit from his wardrobe packed it with some other things in a large satchel, and then hastening to the station climbed into the sleeper just as the long train pulled out for the east. Arriving at a point twenty miles west of his old home, he went to an obscure hotel and changed his clothing for the old suit in his satchel.

## "THURSDAY ALWAYS WAS MY JONAH DAY!"



## THE THANKSGIVING DAY HERO.



—Chicago Tribune.

When the "leven forty" pulled into the town of M— two days before Thanksgiving the usual crowd of loungers observed a tall, brown-bearded man, whose clothes seemed the worse for wear, step off the rear platform, and without looking at anyone strike off toward the farm of Richard Warren. Much curiosity was centered on this event until the seediest looking loafer present said:

"That was John Warren, or I'll eat my hat! He's come home to live on the old folks. It wouldn't be for long, though, 'cause Squire Cobb has given notice that he's goin' to foreclose the mortgage he has on the old man's place."

If he had followed the stranger for half a mile they might have seen the strong young man shed heartfelt tears as he leaned against the old oak tree by the little gate and gazed earnestly on the brown house at the edge of the woods. Crushing the snow with hasty steps, he was soon at the woodpile at the side of the house. Flinging down his satchel and catching up the ax, he split an armful of wood and opening the kitchen door said in a voice tremulous with emotion, "Mother, is this enough wood to get dinner with?"

A cry of wonderful joy and the mother wept on her son's shoulder while his father paced the floor shouting, "Praise God! Praise God!" stopping often to clasp his son's hand and murmur, "My boy, my boy." Then they drew up to the fire and John said: "Father, mother, will you forgive me for my anger nine years ago and my cruel silence over since?" And his mother said: "My boy, not a day has passed by that we haven't prayed for your return, and now that you are with us, we can take a new lease on life, and"—she glanced at his shabby clothing—"we will share our little possessions with you, my dear, long-lost son."

As the afternoon wore away John helped his father about the chores and by skillfully planned questions learned all about his financial troubles. He had taken his satchel up to his old room and was washing his hands before supper when he heard a light step on the porch and a bright-faced young woman walked into the kitchen and seeing him stood embarrassed until he, coming forward, said:

"This is Anna Scott, isn't it?"

"Why, John Warren, where have you kept yourself all these years? Oh, how happy your mother must be!"

And dropping his hand, which she had been shaking with greatest enthusiasm, she flew down into the cellar and threw both arms around his mother's neck, and that good lady embraced her, weeping and patting her shoulder with the empty cream pitcher which she had taken there to fill.

Mrs. Warren insisted that Anna should stay for supper. It seemed very much like old times when John tucked her hand under his arm and they walked over the road they had traveled so often years before. Just as they entered her father's gateway John said:

"Anna, my parents think just as you do, that I have made a failure of life. Well, I haven't. I am junior member of a very prosperous firm in the West, but I want to keep the secret a little while longer and I want you to help me give them a kind surprise."

Then he unfolded his plan to her and her voice rang with delight as she said: "Oh, John, how lovely that will be!"

The next morning, after the old family Bible was read and a heartfelt prayer offered, John asked the loan of his father's horse and drove straight to Squire Cobb's office and that worthy being in, John said:

"Squire, I came to see you about that mortgage you have on my father's farm."

With that he drew from his pocket a large roll of bank notes and counted down the \$500 which would release his father from worry and misery. John drove at once to the farm of Mr. Scott and called "Whoa!" just as Anna, her father, mother and brother came to the gate.

There were hearty greetings, and then Anna, all ready for a long drive, sprang in beside him. How bright the morning was! How happy were they as the bells jingled and the sleigh moved over the wilderness of snow and through the deep woods. What mysterious bundles they brought out of the stores in town until, when at last they arrived at Anna's home, the sleigh was loaded with "enough to stock a store," as Harry Scott remarked.

Thanksgiving day dawned bright and glorious with sun and snow, and early in the morning Anna appeared and she "wanted to help get dinner." Soon John brought the horse and cutter around and asked his mother to take a ride with him, and finally, after much urging from Anna, Mrs. Warren put on her shabby cloak and hood and with a warm sash around her feet was tucked into the sleigh beside John. He noticed the cloak and gave a little look of entreaty to Anna, who only smiled and said: "I wish you would call at mother's before you come back." Away they drove toward the mill and down by the river, then stopped at Farmer Scott's. Soon Mrs. Warren was showing Mrs. Warren her "new quilt, just taken out of the frames," and the picture of "Cousin William, who is on the board of trade," and these two good old women talked over a hundred harmless things which constituted their everyday life. John finally suggested that it was time they were going if he could believe the clock of appetite. Anna met them at the door, her eyes dancing as she said: "Uncle Warren is almost ready. You lay off your things and sit down at the table."

When Mr. Warren had finished the tenderly thankful grace, John's eyes as well as Anna's were filled with tears. Mr. Warren turned over his plate and there lay the canceled mortgage. Slowly he lifted it. "What does this mean, John?" The kind voice of the old man trembled with emotion as he glanced first at the mortgage, then at the son. And John's mother, who had been peering through her glasses at something which wouldn't pour out of the cream pitcher, turned the article upside down and a bunch of bank notes dropped upon the table.

Then the old couple saw it all and soon the three were clasping hands and no one could say a word until John managed to murmur: "Father, mother, it's a part of my repentance."

The dishes cleaned and put away, Anna took the mystified Mrs. Warren into the little "spare room" and John asked his father to walk up to his room, and there, spread out on the bed, was a splendid new, warm suit of clothing and shoes and a fur cap and a handsome great coat.

The old man knelt down by the bed and murmured, "I thank Thee, Lord, for my son." Then arising, clothed himself in the first well-fitting suit he had ever worn. John, too, arrayed himself in his best, and soon they walked down into the parlor, where John saw a sweet, matronly woman and a pretty young woman, both smiling and both having evidences of recent tears.

During the week that followed John engaged a hired man to ease his father's work and a trusty girl to relieve his mother. He also hired a carpenter to do some needed repairing and set in motion many plans for the future comfort of his parents.

One day he and Harry Scott hunted through the woods, and when, tired and loaded with trophies of the day's hunt, they came to Mr. Warren's they found Jennie Nellis and Anna seated before the "great-hearted fire." What a merry supper that was, and how the old people laughed at the bright sallies of the young folk!

Then they roasted apples and told stories, and John felt that he had faithfully carried out the program of the traveling men.

When he left for the West he carried in his memory not only the dear faces of his parents, but the gentle voice of Anna as she said:

"Yes, but not until June, John."—Chicago Post.



taken to be a criticism of the government attorneys for the manner in which they petitioned for another hearing of the appeal. The Federal lawyers were not sparing in their caustic law picking on the Appellate judges' decision on the appeal.

**Fine Could Not Exceed \$720,000.**  
According to the judgment, the punishment of the oil company could have been properly based only on the settlements made to the Chicago and Alton Railway, from which it was accused of accepting concessions. There were thirty-six of these settlements, and a maximum fine for all these could have been but \$720,000 and the minimum \$36,000.

In answer to the government's objection that under the decision of the higher court a corporation may use a subsidiary concern to commit crime, while escaping punishment, the court adds to the opinion as follows:

"True it is that if one corporation uses another corporation to violate law, just as if one individual uses another to violate the law, such offender ought not, though masked, to go unpunished. And there are ways, as old as the law itself, to reach and punish him."

**October Business Failures.**  
Dun's Review gives the number of commercial failures for October as 1,187, involving \$15,898,068, a slight increase over the number and amount for the same month last year. The Review says that there is much in the statistics of insolvency to indicate substantial progress toward recovery from the panic which had its beginning in October of last year.

**Steel Trust Doing Better.**  
The report of the United States Steel Corporation for the quarter ending Sept. 20 is regarded in financial circles as a favorable omen of better times ahead. It shows net earnings of over \$27,000,000 as compared with \$20,266,000 for the preceding quarter. Still disappointment was expressed over a falling off in the volume of unfilled orders.

Strikers in the Philippine public schools will hereafter be expelled for participation in such disturbances, the director of the educational board has announced.

ly was the same length as that of Mrs. Gunness, and later a gold plate, made for Mrs. Gunness by a Laporte dentist and found in the debris, was positively identified. Contrary to these facts, which will form the basis of the prosecution's contention that Mrs. Gunness is dead, the defense will introduce the statement of one of the coroner's board of physicians, which stated positively that the body found was not that of Mrs. Gunness and the remarkable coincidences that the main identifying features of the woman's body were missing when the corpse was taken from the ruins.

The body supposed to be that of Mrs. Gunness was without head or right arm when found. The woman's right arm alone would have formed a positive identification mark, as it was deformed.

The State opened the case with apparent confidence that the network of evidence would prove so strong as to leave no doubt in the minds of the twelve men as to the complicity of Lamphere in the "mysteries of the house of horror," and to show that it was the woman's former hired man who, the morning of April 28, set fire to the house in which Mrs. Gunness and her children met death.

## FACTS FOR FARMERS.

A mass meeting of cotton growers and allied interests of the South generally will be held in Memphis.

Rains in the winter wheat belt west of the Missouri have improved the crop prospects in that district.

New corn is being marketed freely in the Southwest and heavy shipments to Europe are being made from the gulf ports.

Plowing has been seriously delayed this fall in the heavy soils of southern Minnesota by the drought. In some localities wells were going dry before the recent rains.

Under the law passed by the last Minnesota Legislature, allowing co-operative creameries to combine for the purpose of marketing their product, six creameries have united in a corporation, having a capital stock of \$12,500.