

OIL COMBINE OUSTED

State of Missouri vs. Against Rockefeller Co. DEGREE OF COURT IS MOUS

Standard of Indiana, Wa and Republic Companies GREAT VICTORY FOR HADLEY

Attorney General Who Prosecuted Cases Will Enforce Order.

MONOPOLY ALMOST COMPLETE

Three Companies Do Eighty-Five Per Cent of Oil Business in State and Fix Prices for the Independents.

JEFFERSON CITY, Mo., Dec. 23.—Declaring that the Standard Oil company of Indiana, the Republic Oil company of Ohio and the Waters-Pierce Oil company of Missouri had conspired and combined to monopolize the oil business in this state, the supreme court of Missouri today issued a decree ousting all three from the commonwealth and fining them \$50,000 each.

The decree against the Waters-Pierce company is tempered by the proviso that it may continue in business if by January 15, 1909, it can show to the court that it has taken steps to operate as an independent concern and has satisfied the judgment against it.

The decision, which was unanimous on the part of the seven judges, is so sweeping that Attorney General Hadley and Governor Folk hail it as the end of the illegal commercial combinations in Missouri and the former asserts that, in conjunction with the decision of the supreme court of the United States in the Tobacco trust case, it will affect similar suits in other states.

Hadley Will Enforce Decree. Attorney General Hadley, who has prosecuted the Missouri case since its inception in March, 1906, will become governor in less than a month and then will be charged with the enforcement of the decree issued today.

The attorney general followed up the promulgation of the court with a statement in which he asserted that attempts had been made to compromise the suit.

"At least three persons, and not more than three, were charged with the attempt to compromise the case," he said. "I invariably told them that the ultimate decision must be made by the courts and refused their offers. It was intimated to me that the oil companies were willing to accept a good, large settlement and to withdraw from the state. The propositions were not ever reduced to details, but they were entirely legitimate and such as might be made in any other form of litigation."

Findings of the Court. In coming to its decision the court says: "If such abuses as those complained of are permitted to continue untrammelled, it would be only a question of time until they would sap the strength and patriotism from the very foundations of our government, overturn the republic, destroy our free institutions and substitute, in lieu thereof, some other form of government."

The principal indictments against the companies are: "That they have created and become members of a pool, trust, agreement, confederation, combination, arrangement and understanding among themselves for the following purposes: "First, to regulate, fix and control the prices to be paid by retail dealers and general consumers of petroleum for the refined products of petroleum sold and offered for sale in this state.

Second, to control and limit the trade in refined products of petroleum in this state. "Third, to control, limit and prevent competition in the business of buying and selling refined products of petroleum in this state between themselves and others engaged in like business, and. "Fourth, to withhold the public into the belief that they were separate and distinct corporations and pursuing an independent business as legitimate competitors in the purchase and sale of the products of petroleum."

Monopoly Almost Complete. In explaining how these were consummated the decision says: "Prices for the products of petroleum, especially refined oils, illuminating and gasoline, are fixed by the Waters-Pierce company. It sends out to the trade card quotations giving tank, wagon and barrel prices. As a rule, those prices are followed by all other oil companies, including the independent companies who, in business in this state. As long as the independent companies do not reduce prices or increase the aggregate amount of their sales above 25 to 35 per cent of the entire amount of the sales made in the state, there is no made upon them regarding prices, no whenever any independent company reduces prices below those fixed by Waters-Pierce or whenever their aggregate sales exceeds 25 per cent of all sales made in the state, a vigorous warfare is waged against them, chiefly through the Republic company by means of an elaborate system of espionage of their business and cutting prices or giving rebates until the independents are obliged to throw up their hands and say 'enough' and be contented to sell oil at the prices and quantities prescribed by the Waters-Pierce company and acquiesced in by the Indiana and Republic company.

And as a result of this method, the Waters-Pierce company fixes the prices for which all such oils are sold in the state by all dealers, including the independent companies, and at the same time and by the same means it controls and monopolizes for itself and the Indiana and Republic Oil companies from 85 to 95 per cent of the entire oil business of the state.

Division of Territory. "The common interest running through all of the companies is responsible for their formation and business as schemes and policies and lead up to and induce the Standard interest, including the respondents to divide the state in twain; to furnish oil and transportation for each other; to decline to sell to or to transport oils for the independents, and to fight them through the Republic company by a system of espionage and rebates.

"The direct effect of those facts which are not seriously disputed, was to create by sedition, a pool, trust and combination in restraint of trade, and to fix and control the prices of petroleum in this state."

Attorney General Hadley, who has prosecuted the Missouri case since its inception in March, 1906, will become governor in less than a month and then will be charged with the enforcement of the decree issued today.

SUMMARY OF THE BEE

Thursday, December 24, 1908.

Table with columns for dates 1-5 and corresponding values for 1908 and 1909.

THE WEATHER. FOR OMAHA, COUNCIL BLUFFS AND VICINITY.—Clouds possibly show Thursday; not much change in temperature.

FOR NEBRASKA.—Partly cloudy Thursday.

FOR IOWA.—Snow furries Thursday.

Table with columns for hours and degrees for Omaha yesterday.

DOMESTIC. Justice Wright of the court of appeals of the District of Columbia sentenced President Gompers of the Federation of Labor to one year, Vice President John Mitchell to nine months and Secretary Morrison to six months in prison for contempt in the Burns stove case for violating a court injunction.

The supreme court of Missouri yesterday ordered the Standard Oil company of Indiana, the Republic Oil company of Ohio and the Waters-Pierce company of St. Louis out of business in the state and fined them \$50,000 each.

Frederick Burnham, former president of the Mutual-Reserve Life Insurance company, is dead from inhaling gas in his home in New York.

State councilmen are said to have received bribes in connection with the filtration plant in Pittsburg, according to testimony brought out yesterday.

The low price of silver in Asiatic countries is bringing in competition for American products by reducing the cost of manufactures.

Vice President Gorman has asked for an American warship to be sent to Venezuela and has begun negotiations for the resumption of relations with the United States.

Mrs. Frederick L. Peterson shot and killed her husband in Kansas City because he slapped her while trying to effect a reconciliation because of domestic troubles.

New-born babe, destitute of clothing, is found beside track at David City just after a train had passed. Woman, alleged to be its mother, detained at Lincoln.

Hearing to be had today on injunction restraining the Water board from advising customers of water company regarding payment of bills.

Clerks told some of their experiences with Christmas shoppers.

Omaha Commercial club will send a large delegation to the Dry Farming congress at Cheyenne.

Talk among railroad men to the effect that all the Hill lines are to be consolidated into one corporation, with George B. Harris as president.

Live stock markets. Grain markets. Stocks and bonds.

MOVEMENTS OF OCEAN STEAMSHIPS. Arrived. Departed.

PRESIDENT GATHERING FACTS

Executive Will Soon Begin Preparing Answer to Request of Congress.

NO SENSATIONS ARE EXPECTED Data Will Show that Criminals Have Been Quick to Take Advantage of Curb on Secret Service Men.

WASHINGTON, Dec. 23.—Indications are that persons who expect President Roosevelt to say something of a personal nature in his message to congress replying to the inquiry as to the basis for that portion of his message dealing with the secret service will be disappointed.

While the president has not yet written his reply he has collected a stock of information which will serve for its basis. It is believed that he will confine himself principally to an effort to sustain the declaration in his annual message that the action of the congress in limiting the activities of the secret service agents has resulted in increase of crime.

Data will be produced to show that criminals and confidence men have been quick to take advantage of the cessation of the work of the secret service men, but it is not believed that there will be any reflection upon the character of individuals that will in the slightest degree embarrass any member of the house or senate.

To meet any objection that the secret service is limited by statute to the detection of counterfeiters, revenue and customs frauds and the same directed to preserve the general usefulness of that institution the president probably will recommend a change in the law so as to provide for the merging of the secret service, the land office inspectors, postoffice inspectors and all of the other minor governmental inspection agencies into a single bureau of criminology in the interest of economy and good administration.

FREDERICK BURNHAM DEAD

Former President of Wrecked Insurance Company Breathes Gas.

NEW YORK, Dec. 23.—Frederick A. Burnham, former president of the Mutual Reserve Life Insurance company, was found dead in bed in his home at 68 East Seventy-eighth street this morning of gas poisoning. The police say death was due to suicide.

The Mutual Reserve Life Insurance company went into the hands of receivers in February last. President Burnham, his brother, George Burnham, Jr., and the treasurer of the company, and George D. Eldredge, the attorney, were indicted on charges of larceny and forgery which grew out of an alleged payment of the funds of the company in satisfaction of personal claims against some of its officers.

George Burnham, Jr., was tried on the charge of larceny, convicted and sentenced to serve two years in prison, but the appellate division of the supreme court set aside this verdict and Burnham was released. The case against Frederick A. Burnham had not come to trial, and it was understood that it would not be prosecuted unless that against his brother George was eventually won by the prosecution.

THE HAVES, Dec. 23.—The department of marine and colonial affairs have sent telegraphic instructions to the commanders of the three Dutch warships in Venezuelan waters to cease further activity against Venezuela.

Foreign Minister Van Swinderen will make a statement in the second chamber this afternoon concerning affairs in the Caribbean sea, in which he expected to announce the suspension of Dutch hostile action against Venezuela, and the prospect of an early settlement of all the difficulties between that country and The Netherlands.

POPE TIRES OF CONFINEMENT

In Conversation with Bishop Scannell Compares Himself to a Caged Eagle.

ROME, Dec. 23.—(Special Telegram.)—"I may be an eagle, but it is a caged eagle, and eagles, you know, are unaccustomed to cages," said the pope today to Bishop Scannell of Omaha, who had told the pontiff from the quays of the Vatican he dominated the whole world like a "spiritual eagle."

The pope questioned the bishop regarding the reported strenuousness of American life. "Burns are in too much noise and bustle in America," the pope told the bishop, "but I sometimes think there is too much quiet and lack of bustle here. If we could strike a medium I think we would all be better off."

The pope's reference to being a caged eagle is in line with a number of statements he has made lately, indicating that he is chafing under the restrictions of the Vatican. At one time he declared that he would gladly exchange the pontificate for the old freedom he enjoyed at Venice.

POLICE TAKE TRAIN ROBBER

Officials Claim to Be Positive They Have Man Who Stopped Oriental Limited.

ST. PAUL, Minn., Dec. 23.—Through the orders of Chief of Police O'Connor and James Murnane, Bertillon expert, George T. Frankhauser, alias Ed Smith, alias Frank Hauser, is in custody at Moorland, Minn., and will be brought to this city tonight. The officers assert that they are positive in their identification of the man, who, with a companion, held up and robbed the Oriental Limited on the Great Northern railroad near Rondo, Mont., September 12, 1907, and secured nearly \$50,000 in booty. Rewards aggregating \$13,000 have been offered for his capture and conviction.

STICKNEY CONFIRMS REPORT

Says Horace G. Burt Will Become President of Great Western on Reorganization.



THE RETURNING FLEET MOST PEOPLE ARE THINKING ABOUT. From the Philadelphia Record.

GOMEZ ASKS FOR WARSHIP

Opens Negotiations with United States on Own Motion.

ASIATIC LABOR ENTERS FIELD

Low Price of Silver Abroad Said to Threaten Markets of Gold Countries.

WASHINGTON, Dec. 23.—The publication in Paris of Senator Frewer's letter to Sir Morton Frewen, the English bimetalist, relative to the rate of exchange between American and European countries on one hand and Asia on the other, has served the purpose of calling attention to the fact that Frewen spent some time last winter and spring in Washington urging upon congress and cabinet the importance of a recognition of the rapidly increasing divergence between the gold prices of the continent and the silver prices of the orient.

During the course of his stay in Washington Mr. Frewen addressed a letter to Representative J. W. Weeks of Massachusetts, who is a member of the banking and currency committee of the house and also of the present congressional monetary commission, in which he outlined his plans for an improvement on the exchange rate. In part, he said: "The demand for silver to put behind the small notes would raise the price of silver bullion to 41 an ounce. The effect of this would be to reduce the price of silver bullion to 31 an ounce. The effect of this would be to reduce the price of silver bullion to 21 an ounce. The effect of this would be to reduce the price of silver bullion to 11 an ounce. The effect of this would be to reduce the price of silver bullion to 1 an ounce. The effect of this would be to reduce the price of silver bullion to 0 an ounce. The effect of this would be to reduce the price of silver bullion to -1 an ounce. 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