

BIG TRUST CASES TO BE RE-ARGUED

Oil and Tobacco Appeals Are Again Placed on Docket Because of Death of Justice Brewer.

MAY MEAN YEAR'S DELAY

Will Not Be Reached for Months Unless They Are Advanced.

RUMORS OF COURT'S STANDING

Three on Each Side, with Judge Lurton's Opinion in Doubt.

HISTORY OF OIL LITIGATION

Prosecution Was Started by Justice Moody, Who Was Then Attorney General, Four Years Ago—Defense Loses in Two Courts.

CHRONOLOGICAL HISTORY OF STANDARD OIL

- 1868—John D. Rockefeller started in the oil business with \$4,000. 1869—Rockefeller became the owner of a refinery in Cleveland. 1870—Organization of Standard Oil company of Ohio by Rockefeller and others. 1871—South Improvement company arranges for rebates from railroads. 1872—Organization of "Vincennes-Kentucky Trust." 1882—Organization of so-called "Standard Oil trust." 1890—Passage of Sherman anti-trust act. 1892—Dissolution of "Standard Oil trust." 1893—Reorganization of Standard Oil company of New Jersey, as holding company. 1906—Filing of petition for dissolution of Standard. 1910—Circuit court at St. Louis decrees dissolution asked for by government. 1910—Appeal to supreme court of the United States. 1910—Case argued before supreme court and ordered reargued because of death of Justice Brewer.

WASHINGTON, April 11.—The supreme court of the United States today resumed argument for the cases of the United States against the American Tobacco company and the Standard Oil company.

The reargument of these cases comes as the direct result of the death of Justice Brewer. This jurist died just a few days after the Standard Oil case had been argued.

As Justice Moody was unable to participate in the consideration of these cases, only seven justices were left to give a decision. Attorney General Wickham was as much surprised as anyone at the sudden turn in the fight against the corporations. He expressed his ignorance of any further knowledge of the action of the court other than the announcement of Chief Justice Fuller that "Nos. 23 and 24, the American Tobacco company vs. the United States and the United States vs. the American Tobacco company, and No. 25, the Standard Oil company of New Jersey vs. the United States, are restored to their places on the docket for reargument."

May Be Postponed Year. Unless a motion to advance the cases is made they will not come up to the regular order of business for nearly a year.

Rumors of how the court stood on the big cases were to be heard about the capital all afternoon. These were based in all instances on the record of the members of the court, particularly in the Northern Securities case.

Six members of the present bench sat in that case. Justices Harlan, McKenna and Day were of the majority that ordered the dissolution of the Northern Securities company. Chief Justice Fuller, Justice White and Holmes were opposed to the action.

Many of the rumors were that the justices had divided in the same way on the Standard Oil and the tobacco cases. As to Justice Lurton, the seventh member, no count was expressed.

History of Litigation. For years "Standard Oil" has been under the scrutiny of state and federal governments. During the last four years the litigation which resulted in today's action has engaged the attention of the federal courts. Since March 11 of this year the supreme court has weighed the controversy of these years.

Today came another postponement. The first great fight over the methods of the Standard Oil interests was directed against the Standard Oil company of Ohio. As a result of the litigation, this organization was dissolved. The stock drifted into the hands of trusts of one form and another, and more litigation followed. Then the Standard Oil company of New Jersey was reorganized in 1899. With its capital stock of \$10,000,000, it became the holding company, that is, it acquired the stock of nineteen other oil companies, which in turn controlled a still larger number of companies engaged in various branches of the oil business. The task of fighting "Standard Oil" had outgrown the state, and the federal government took up the cudgel.

The bureau of corporations was organized, and as its first assignment, undertook an investigation of the Standard Oil. "It reached into the very vitals of the corporation," according to the description of that inquiry given in court by the Standard Oil counsel.

The late 1898 Justice Moody, now of the supreme court, then attorney general of the United States, directed the filing of a petition in the federal circuit court for the eastern district of Missouri, for the dissolution of the Standard Oil company of New Jersey, as a combination in restraint of interstate trade and a monopoly, all in violation of the Sherman anti-trust law. The petition was loaded with the ammunition collected by the states and by the bureau of corporations.

John D. Rockefeller, William Rockefeller, Henry H. Rogers, Henry M. Flagler, John D. Archbold, Oliver H. Payne and Charles M. Pratt were named as individual defendants. The Standard Oil company of New Jersey headed a list of 14 companies designated as "defendant corporations."

First Hearing at St. Louis. The hearing finally came on. Only the Waters-Pierce and company was resident in the circuit, and the Standard denied the right of the court to compel the other defendants, outside the circuit, to appear in court. It lost in this contention. Trial money was taken in Missouri and in New York. Finally, early in this year, over

(Continued on Second Page.)

Lincoln Goes Dry by One Thousand, Wets Concede It

Returns Not Fully Tabulated, but This Is Outcome of Contest on Liquor Issue.

(From a Staff Correspondent.) LINCOLN, Neb., April 11.—(Special Telegram.)—Lincoln went dry today by a majority estimated at 1,000. While the full returns have not yet been tabulated, the wets concede the election to the prohibitionists by a majority of about 800. And the prohibitionists claim the victory by a majority of from 1,000 to 1,300. University students, who contributed materially to the victory of the prohibitionists, are marching through the streets celebrating the outcome of the fight. The total vote cast was 9,474, of which the wets cast 2,271 and the dries 5,203. Dry majority 52%.

Dr. Miller and Mrs. Saylor Are Found Guilty

Former is Given Twelve Years and the Latter Three Years—John Grunden is Acquitted.

WATSEKA, Ill., April 11.—Dr. W. R. Miller was today found guilty of manslaughter for the killing of J. B. Saylor. Mrs. Saylor also was found guilty of manslaughter. John Grunden was acquitted. Dr. Miller's sentence was twelve years. Mrs. Saylor's sentence was three years. As the verdicts were returned Mrs. Saylor wept, her head buried on Golda Saylor's shoulder. Mrs. Miller threw her arms around Dr. Miller and wept. John Grunden sat stolid and unmoved. A motion for a new trial for Dr. Miller and Mrs. Saylor was set by Judge Bell for April 20.

South Omaha Men Are at Rapid City

Eighteenth Annual Stock Show Brings Big Crowd to the South Dakota Town.

RAPID CITY, S. D., April 11.—(Special Telegram.)—With the arrival of the representatives of the South Omaha stock yards today, the eighteenth annual meeting of the Western South Dakota Stock Growers' association started off with a bang. There are twenty-five commission men in the party, under the leadership of Secretary Stryker.

St. Louis City sends in an equal number and Chicago, Kansas City and Minneapolis are represented. The frolic began before the arrival of the visitors and all sorts of athletic events were participated in by Indians and white men. The races were run off on the main street.

In his address of welcome to the visitors Mayor Chauncey L. Wood referred to the fact that the country is fast settling up with small landed proprietors. Taking a look into the future, he made the prophecy that within the next decade the Siberian steppes would be given up as American cattlemen.

Tonight the city was brilliant with an electrical display and Indians are dancing. Big Turlic, Jr., and Big Turlic, Sr., Sioux Indians, won pony races, while Carrie Spotted Horse and Lisie White Shod were winning squares in the wheelbarrow and foot races.

Tomorrow the annual meeting of the association will be held, with presentation of reports by Secretary Stewart. Statistics in the secretary's report show that among cattle shippers from Sioux Dakota, extra were detected and the funds from their sale were distributed through the association as follows: Chicago \$315, value \$23,416.01; South Omaha \$109, value \$23,562.72; Sioux City 1,542, value \$23,968.54; total \$15,387, value \$67,947.27.

New Catholic Bishops Confirmed

Pope Ratifies Appointments in North and South Dakota and Minnesota.

ROME, April 11.—The pope today ratified the nominations of the consistory as presented to him by Cardinal De Lodi, appointed Abbot Vincent Wehrle of the monastery of St. Mary, as bishop of the new diocese of Bismarck, N. D.; Rev. T. Corbett, rector of the cathedral of Duluth, as bishop of the new diocese of Crookston, Minn.; and Rev. Joseph F. Blotch of Excelsior, Minn., as bishop of Lead, S. D.

Chief of Police for Sioux City

Chief of Detectives John B. Richards is Appointed to Succeed John Dineen.

SIoux CITY, Ia., April 11.—(Special Telegram.)—R. S. Whitney, councilman in charge of the Department of Public Safety, this afternoon announced the appointment of John B. (Dick) Richards as chief of police to succeed John Dineen, who has served six years. Richards has been chief of detectives and is a veteran of the force.

Twenty-Seventh Trolley Death. PHILADELPHIA, April 11.—With the death here today of Edgar Tannehill, the number of persons killed by street cars since the trolley strike began eight weeks ago has reached twenty-seven.

Mack Confers with Waterston. LOUISVILLE, Ky., April 11.—Norman E. Mack, chairman of the democratic national committee, had a regular talk today with Henry Waterston, at which the general political situation was discussed.

Swains Know Not Name of Maidens They Would Marry

Her name was really Wewer Benson, but her sweetheart, Arthur G. Wessow, had always called her Eva, so it was perfectly natural that he should take out a marriage license in that name. Their acquaintance improved somewhat after the issuance of the license, so Monday morning Mr. Wessow called at the office of Charles Furay, marriage license clerk at the county courthouse, to file a correction. The bride pair came from Northfield, Minn.

The haste of the springtime season gave rise to another confusion of the same kind. "Does I know how her name is spelled? Haven't I been going with her for several years?" Thus indignantly exclaimed William O'Reilly some days ago when Mr. Furay asserted that the bride-to-be's surname was Layton.

"It's Layton," repeated O'Reilly, and so it went into the marriage license book. New names to hand the return made by Rev. Father Charles Mugen, who married the couple, and he signed it "Layton."

PINCHOT MEETS COL. ROOSEVELT

Former Chief Forester and Ex-President Grassroots Little

Confidential Interview Takes Place During Stroll Through Forest.

CONSULTATION IS KEPT SECRET

Nothing Given Out Regarding Matter Under Discussion.

BULLOCK GOES TO LONDON

United States Marshal Will See Former President in British Capital Early in May—Will Not Talk of Trip.

PORTO MAURIZIO, Italy, April 11.—Mr. Roosevelt's widely heralded meeting with Gifford Pinchot, the deposed chief forester of the United States Department of Agriculture, took place on the veranda of Miss Carew's villa at 9 o'clock this morning. The interview proper took place later in the seclusion of the forest that skirts the town at the north.

Mr. Pinchot came direct from Copenhagen save for a six-hours stop at Basle, Switzerland, and arrived at the hotel at midnight. He said he would have nothing to say regarding his interview with "the chief."

It was apparent, however, that Mr. Pinchot expected to have not one, but a series of interviews with the former president. He said he would remain here after Colonel Roosevelt left.

"Porto Maurizio pleases me," he added. At 5:30 o'clock, accompanied by one of Mr. Roosevelt's secretaries who had been sent to greet him, Mr. Pinchot left the hotel and walked to the Carew villa.

Mr. Roosevelt was busy with his correspondence when his former chief forester arrived. The greetings were extremely cordial. These over, Mr. Roosevelt returned to his letters while Mr. Pinchot visited with Mrs. Roosevelt. After luncheon Mr. Roosevelt, Mr. Pinchot, Mrs. Roosevelt and her sister, Miss Carew, started out for a walk. They had not gone far when the two men fell into a swinging stride and finally plunged into the forest.

Mr. Roosevelt's mail continues to be very heavy. Today's incident a letter from H. D. W. English, president of the Pittsburgh Civil commission, transmitting the first grand jury presentment resulting from the "two years' fight against municipal graft. The writer attributes the ultimate exposure to Mr. Roosevelt's action in sending Frank Examiner Nesbit to examine notorious banks, prospect of handling funds that were used to influence legislation.

Bullcock Will Meet Roosevelt. DEADWOOD, S. D., April 11.—(Special Telegram.)—United States Marshal Seth Bullcock of this city, for many years an intimate friend of Theodore Roosevelt, has received by mail an invitation to join the ex-president in England before he returns to this country. Mr. Bullcock, when seen about the letter was reticent as to its contents, but admitted that he will meet Mr. Roosevelt in London about May 2. He declined to state the mission of his trip or whether politics would be discussed. Mr. Bullcock left here last night for Sioux Falls.

Cured Hog Products Take Another Drop

Pork Prices Off Dollar a Barrel on Chicago Market Because of Lower Corn.

CHICAGO, April 11.—Cured hog products, which declined 1/2 last week, repeated the performance today on the Board of Trade. The latter decline is attributed to the bearish corn market and in particular to the government's report showing the number of brood sows on the farms to be far in excess of what had been expected by the trade.

Commission Not Unanimous

Pullman Company Will Make Division Basis for Contesting Rate Reduction in Court.

WASHINGTON, April 11.—It developed today that Chairman Knapp and Commissioner Harlan did not agree with the Interstate Commerce commission's decision given yesterday reducing Pullman rates and ordering differential charges between upper and lower berth. It is said the dissent of the chairman and one of the commissioners from the majority report is one of the hopes on which the company will fight the decision in the courts.

Cudahy Back in Kansas City

Wife of Packer Who Attacked Lillis Says She Knows Nothing of His Return.

KANSAS CITY, April 11.—John P. Cudahy, the packer who attacked Jere E. Lillis, president of the Western Exchange bank at the Cudahy home in this city last month, returned to Kansas City from the west today. Mrs. Cudahy said she knew nothing of her husband's return.

You have done your best when you use a Bee want ad.

See want ads are treasures. They bring buyer and seller face to face. They find homes for people. Positions for people. Servants for people. They find what is lost. Give value to things grown old-fashioned, and vigor to whatever is lifeless. If you can't come down to the office, call Douglas 238, and a cheerful staff will write your ad and take care of it.



From the Cleveland Leader.

The famished fan: "Saved!"

PANIC IN DUBUQUE HOTEL

Fire Breaks Out in the Julien While 200 Guests Are Asleep.

MANY JUMP FROM WINDOWS

Sam Levy of Chicago is Probably Fatally Injured—Burning Stairway Collapses Under Mrs. Engler of Dubuque.

DUBUQUE, Ia., April 11.—Fire broke out in the Hotel Julien early today, while 200 guests were asleep. A panic followed and a number of persons were injured. Sam Levy of Chicago was fatally hurt by jumping from a third-story window. Charles Evans of Philadelphia suffered internal injuries. Firemen rescued the other guests. The loss is \$50,000.

Hotel Julien is one of the famous hostels of Iowa. It was well filled and it is considered miraculous that the fire did not develop into a holocaust. Frantic guests screamed piteously for aid from the windows in the upper stories and were rescued in many instances by heroic firemen. Other guests dashed madly down the fire escapes, tumbled and received several broken bones, besides severe bruises.

The origin of the fire is not known. It was discovered at 2 o'clock when the smoke began to fill the corridors and the flames were seen to burst from the barber shop in the entrance. It was but a short time until the fire department was on the scene, but the fire had made rapid headway and it was impossible to save the structure.

B. M. Maguire, manager of the Julien, was formerly manager of the Rome in Omaha.

Federal Officials for Nebraska

William Gifford Appointed Receiver of Public Moneys and C. F. Shedd Register of Land Office.

(From a Staff Correspondent.) WASHINGTON, April 11.—(Special Telegram.)—On recommendation of Congressman Kinkaid Dr. J. G. Simons has been appointed to the position of examining surgeon at Sidney, Neb., vice Dr. A. D. Stowith, deceased.

The contract for construction of a public building at Estherville, Ia., has been awarded to J. N. Salyers of Estherville at \$27,425.

The president sent to senate today nominations of William M. Gifford of Nebraska, as receiver and Charles F. Shedd of Nebraska, as register of land office at Lincoln, Neb., both reappointments.

The nomination of the following postmasters also were sent to the senate today: Nebraska—Butte, Charles A. South; Crete, Horace M. Wells; Campbell, John Parker; Fairfield, George M. Prentice; North Bend, John Cusack.

South Dakota—Oacoma, John Pufford; Emmora Roy was appointed postmaster at Moorland, Webster county, Iowa, vice A. E. Moore, resigned.

Relief of W. W. Ait. Representative Kinkaid's bill for relief of Willard W. Ait of Hyannis, approved.

How Big is Omaha?

\$25 for those who hit the mark 102,555 in 1900. How many in 1910?

Omaha's School Census of Population Between Ages of 5 and 21.

Table with 2 columns: Year and Population. Rows: 1890 (24,520), 1900 (30,765), 1891 (27,281), 1901 (30,150), 1892 (26,603), 1902 (30,561), 1893 (29,742), 1903 (30,873), 1894 (29,974), 1904 (31,763), 1895 (28,630), 1905 (29,230), 1896 (28,609), 1906 (29,168), 1897 (30,124), 1907 (27,144), 1898 (32,892), 1908 (26,102), 1899 (32,673), 1909 (26,774).

Fill in, cut out and mail to The Bee Census Dept.—April 12

..... is my guess of the number of inhabitants in Omaha according to 1910 census.

Name Address \$10.00 for best estimate. \$5 for each of three next best. In case of tie first answer has preference. Award on official count.

SPEAKER CANNON AGAIN REBUKED

"Uncle Joe" Refused Expenses for Automobile by Rejection of Conference Report.

ECONOMY FEATURE CONSIDERED

Fight Led by Champ Clark, Who States Purpose.

INSURGENTS AGAIN ARE DEFIED

Sarcastic Speech Aimed at Men by Cannon on Floor.

APPLAUSE FOLLOWS ADDRESS

"I Remain Speaker Until March 1," He Says, "Unless Insurgents Have Courage to Join Solid Minority."

WASHINGTON, April 11.—Almost the entire insurgent strength of the house was joined with the democrats today in what was generally acknowledged to be an additional rebuke to Speaker Cannon.

A conference report on the legislative, executive and judicial appropriation bill, contained an agreement to appropriate for the expenses of automobiles previously provided for Speaker Cannon and Vice President Sherman. The house reiterated its disapproval of these expenditures, and by a vote of 131 to 122 refused to agree to the report, sending it back to the conferees for further consideration.

After this action had been taken, Mr. Cannon, leaving the chair, went to the republican side of the house and there delivered a speech that contained much of sarcasm and invective. He again defied the insurgents and intimated that they lacked courage to join with the solid minority in deposing him. Encouraging his republican colleagues and admonishing the democrats, he declared he believed a re-election majority would be returned in the coming elections.

Minority Leader Clark made a speech in which he insisted that, if given an opportunity, the democrats would endeavor to realize the suggestion of Senator Aldrich, that the expenses of the government might be curtailed to the extent of \$300,000 annually.

"Uncle Joe" in the Chair. Soon after the conference report was placed before the house it was seen that but one item of that report excited the interest of members. Speaker Cannon was in the chair.

Mr. Hitchcock of Nebraska wanted to know whether the speaker and vice president were permitted to take the machines away with them during recesses of congress.

With intense interest the call of the roll was listened to in order to determine how the insurgents were voting, as it was realized their attitude on that subject would determine the result. It was not long before the result was foreseen and its announcement provoked a scene on the democratic side.

Then Mr. Mann of Illinois arose and in sarcasm declared that "this is mere child's play."

The republicans voting with the democrats were Cooper of Wisconsin, Davis of Minnesota, Michael E. Driscoll of New York, Haugen of Iowa, Hubbard of Iowa, Hubbard of West Virginia, Keen of Iowa, Incald of Nebraska, Lenroot of Wisconsin, Lindbergh of Minnesota, McLaughlin of Michigan, Madison of Kansas, Miller of Minnesota, Morse of Wisconsin, Murdoch of Kansas, Nelson of Wisconsin, Scott of Virginia, South of California, Streator of Minnesota, Townsend of Michigan and Oviatt of Minnesota. Pajo of Louisiana, democrat, voted with the republicans.

Clark for Economy. Minority Leader Clark gave the house a statement of his purpose to work for economy, whether that was denominated child's play or anything else. He was in favor of taking away all automobiles from officials in Washington, he said. He would agree, though, to make the salaries of these officials large enough to compensate them with such luxuries as automobiles.

"If I ever get possession of the government," he said, "I purpose to make good Senator Aldrich's declaration that this government can be run for \$200,000,000 less a year than it now costs."

Speaker Cannon then descended to the floor and made a speech. "This whole controversy, touching the automobile in connection with the offices of speaker of the house and vice president of the United States, has not been inspired from beginning to end or encouraged or approved by the present occupant of the speaker's chair," he said.

Mr. Cannon explained that the proposition for automobiles had originated in the senate. Then the speaker recalled to the attention of the members the difference that has always existed in the salary of the speaker and other members.

"It is true," he added, looking straight into the eyes of Champ Clark, who occupied a seat just across the aisle, "that a desire to provide over this house when a different party may be in the majority."

"Looking into the eyes of the gentleman from Missouri," said Uncle Joe, when he was allowed to continue, "I know that if he becomes speaker he will be the same Mr. Champ Clark."

Stands by His Job. Then he added: "I am quite content, but I want to notify you that unless the republicans on this side do not approve of the personality of their speaker have the courage to join a solid minority in deposing him. I remain speaker until March 1."

Then amid alternate applause and laughter, Mr. Cannon told a story of "Blue Jeans" Wilson of Indiana, who had launched into a campaign for economy in the house by opposing on the floor the free distribution of 3-cent palm leaf fans during one day of the hottest summers Mr. Cannon had ever remembered.

Not only palm leaf fans, but also ice cream lemonade had called forth the indignation of "Blue Jeans" Wilson, said "Uncle Joe."

He then entered into a defense of the new tariff law, declaring to the apparent delight of the republicans that the government had enjoyed greatly increased revenue since the passage of the Payne-Aldrich law.

Referring sarcastically to "headline of newspapers that fairly tell the truth and frequently give the republicans the dispatches under them," Mr. Cannon assured