SINGLE COPY FIVE CENTS.

WILLIAM TORIDAGE.

PAGES ONE TO EIGHT.

OMAHA, SUNDAY MORNING, JUNE 25, 1911-FIVE SECTIONS-THIRTY-EIGHT PAGES.

KOHLSAAT GIVES HIS TESTIMONY

Record-Herald Editor Before Senate Committee Investigating Election of Lorimer.

KNEW OF ATTEMPT TO HOLD UP Last August the Entire Story Was Told to Colonel Roosevelt.

NAME OF ROOT IS BROUGHT IN La Foliette and Cullom Are Mentioned in New Light.

UNCLE JOE CANNON'S NAME HEARD

Private Life of Illinois Senator in Ideal and that He Has Fought Twenty Years for Lorimertsm.

WASHINGTON, June 24 -Many figures of national prominence were brought into Lbrimer investigation today for the first time when Herman K. Kehlsaat, edfor and publisher of the Chicago Record-Herald testified before the senate committee investmenting the election of Senato: Lee mer.

Former I resident Rossevelt's name was linked with the investigation when Mr. Kohlsnar test fied that lost August he told Colonel Roosevelt the entire story of the alleged attempt of F. M. Hines to collect \$10,000 from Clarence S. Funk, general manager of the international Harvester company, to reinsherre those who had cont-thuted \$80.00; "to but Locimer across at Springfield." The ban of secreey was was the day of ships and sallors. The pinced on the former president, but Mr. king and queen and the foreign repre-Kohlsant testified Colonel Roosevelt wrote sentatives at the coronation left the caphim that he did med, because of Mr. Kohi- Ital and came here for the great naval sant's information, to attend the Hamilton review off Spithead. Fine weather put the club dinner in Chicago later in August, finishing touches on one of the most mag-1910, if Lo imer was to be there.

The Roos ve't letter will be placed in the re-ord of the hearing.

The names of Senate a Root, La Pollette London by special train. The king were an and Cuilom were ment oned in a new light, admiral's uniform with a riband of the Mr. Kohlsast testified that he had in- Order of the Garter. formed these senators, before the senate passed on the Lorimer case, of the conver- man's uniform. The queen, Princess Mary sation in which Funk had told him of and nearly all of the royal ladies were blines slieged attempt to collect money, dressed in navy blue. tion names, because he considered him- don, carrying Indian princes, peers and attained by constantly drumming into their self under a pledge of secrecy to Mr. peercases, members of Parliament, lords of Funk not to do so. Mr. . hisaat men- the admiralty and diplomats. The regular tioned Senator Cullom's name only at the and the excursion trains arriving during close of the day's session.

Connon and Tawney Mentioned. Former Speaker Cannon and former of the world. Representative Tawne of Minnesota figured in the day's testimony. Judge Hanecy, counsel for Senator Lorimer, asked the witness if Senator Lerimer in 1903 in the English channel between the main- wanted to take me, his wife, as a shield during the first ten days of July, so that did not drop a legal suit against Mr. land and the Isle of Wight. Kohlsant because Cannon and Tawney told him it was feared if such were not done the Chicago Record-Herald would and one visiting in size and armament. The prophet of "absolute life." whose not support Roosevelt for president in was the American battleship Delaware.

is needed to it," declared Mr. Kohlsaat. The witness underwent a long cross-examination by counsel for Senator Loriner. He was asked if he did not tell the

defstigable, the Inflexible, the IndominHonore's court in order to build for the Funk story to every newspaper in Chi- atable and the Invincible. Other foreign a reputation for decency. The girls The witness said that he could not remember if he had, although he had spoken of it without mentioning names ton. Japan by the armored cruiser Kurams, teachings they received were not demoraliz. to several persons. He was asked if he Austria by the Radetsky, Italy by the ar-ing, nor a subtle defense of free love. had not given it to every megasine that mored crujser San Marco, Russia by the arwas friendly to him. Mr. Kohlhaat denied that he had done so.

"Didn't you give it to one of the editors the cruiser Buenos Ayres. Chile by the of the Outlook?" inquired Judge Hanecy. cruiser Chacabuco, Sweden by the armored No. sir."

"Didn't you give it to Theodore Roose-"Oh, yes."

A striking feature of Mr. Kohlsant's cruiser Jacob Van Heemskerck, and Nortestimony was repeated statements that way by the armored cruiser Eldsvold. he found much to admire in Senator Lori- Greece sent the armored cruiser Georgios mer's private life. He referred to the Averof. renator's life as ideal "What I have been fighting for twenty

years is Lorimerism," he declared. "Lorimerism" he defined as an "af- were secondary vessels from Japan, Italy filiation and co-operation and cohesion of ocrats and republicans for party pelf added to the British units of dreadnaughts

Mr. Kohlsaat further testified that he had tingent 170 ships. All the vessels in the written an account of the conversation between himself and Funk, but without men- and excursion steamers with spectators, tioning Funk's name to Senators La Fol- were moored in lines supplemented by

lette and Root. % shorter lines of submarine and torpedo This was done at the request of Wal- boats. The fleet occupied an area ter L. Fisher, now secretary of the interior, about eighteen square miles.

"Senator Root wrote me in reply," said LIMITATION TO TEACHERS' the witness, "and thanked me for the in formation. He said it had generally informed him in making his speech against Lorimer on the floor of the senate." "What," exclaimed Senator Gamble, "do you mean to say that senators were in-

fluenced in arriving at their decision by matters not evidence?" "I did not discuss that question with Senator Root," replied Mr. Kehisaat, Mr. Kohlsaat said that besides Colonel

Roosevelt he had only divulged Mr. Funk's name in connection with the conversation to Victor F. Lawson and to Mrs. Kohlsnat. Scope of Inquiry Brondened. The scope of the inquiry was materially

widened today when the committee de-(Continued on Second Page.)

# The Weather

FOR NEBRASKA-Probably showers. FOR IOWA-Probably showers. Temperature at Omaka Yesterday.



Comparative Local Record.

1911. 1910. 1909. 56 93 86 72 73 63 84 83 74 .00 60 T recipitation Temperature and precipitation departures remperature and precipitation from see normal.

Normal temperature:

Excess for the day.

Total excess since March I.

Normal precipitation.

Leftchency for the day.

Precipitation since March I.

Leftchency for cor. period in 1910

Tentichency for cor. period in 1910

# Coming and Going in Omaha



King and Queen and Coronation

Guests Attend Water Function.

MANY NATIONS REPRESENTED

Hundreds of Largest Fighting Ma-

chines Are Moored in Rondstead,

Occupying an Area of Eigh-

teen Square Miles

PORTSMOUTH, England, June 24.-This

Their matesties, accompanied by the offi-

cial envoys of other countries, came from

The prince of Wales was in a midship

the morning added numbers to the thou-

Seventeen Nations Represented.

mored cruiser Rossin. Spain by the

cruiser Reina Regente. Argentina by

cruiser Fyigia, Turkey by the cruiser

Hamidieh, China by the cruiser Hal Cht.

Denmark by the armored cruiser Wolfert

Fischer, the Netherlands by the armored

Hundred Seventy British Ships. In addition to the official representatives

and Chile. Various types of warships

and invincibles made the total British con-

roadstead, including the foreign warships

nificent displays of the week.







PENEWING ACQUAINTANCE

#### OH, I DON'T KNOW ?

Free Love and Nothing Else.

Fifty Little Girls, Who Are to Form Resene Committee to Save Teacher.

CHICAGO, June 24 - (Epecial Telegram.) Following the trip hammer blows of the for abducting Mildred Bridges.

on free love. Mrs. See declared. That See, instead of being a spiritual man of Godly attributes, was a sensualist; truth," instead of being inspired, had their due and apayable July 1, origin in his carnal mnd; that his power over Mona Rees and Mildred Bridges was

stead of being humble and meek, he was an archegotist, whose mind brooked no opsands already gathered here from all parts | positi Declares His Ego is Great.

"His ego is so great," suid Mrs. See, 'that I could not move him. I saw him Seventeen nations were represented in start deliberately on the road that I fore-the vessels moored in Spithead roadstead, saw was going to lead to his ruin. He for him, but I saw the perniciousness of Of the number ten were battleships of the his doctrine and the sensuality behind affairs can be made subject to the pro-Dreadnaught class from the British navy, them, and refused to follow."

teachings are said to have caused three The British dreadnoughts were the Colos-mothers to consign their daughters to his sus. Septune, Hercules, Collingwood, St. keeping, is said to have enrolled fifty Vincent, Vanguard. Temeraire, Superb and little girls as a "rescue committee.

powers sent vessels of the pre-dreadnought members of See's junior commonwealth. type. France was represented by the Dan- He wishes them to tell the jury that the See's Plan to Save Himself.

See's idea to call fifty little girls as witness was announced today in an effort to offset the effect of the unmasking of 'absolute life," as a free love cult by the reading of See's "secret Bible."

Driven to desperation by the crushing blow delivered by Assistant State's Attorney Burnham with the introduction of the sensational secret Bible, the king of the Racine avenue "Love Jungie," made frantic appeals to his lawyers today to rush the trial and demanded that they overcome the great stride made by the state in its efforts to land the free love advoof the seventeen visiting nations, there cate behind prison bars.

Never in the annals of the Cook county Bible, known as "Bock 12." Women and struments shall become effective. girls who occupied seats in the court room hung their heads and many of them left. It was predicted today that the trial, as of a result of the unexpected revelations already made by the state, would consume all next week and probably a longer time

Ancther Call Will Be Made in Interest

of Mail Division for

Omaha.

(From a Staff Correspondent.)

railway mall division. Seastor Brown and

others are quietly at work upon the mat-

ter, and when Postmaster General Hitch-

Representative Lobeck of Omaha has

committee of the house district committee

Bids were received today at the Treas

ury department for the construction of

the public building at Lead, S. D. The

owest bidder was Dexter & Wenzel of

Civil service examinations will be held

Interurban Lines to Joplin and Sev

eral Other Mining Towns

Are Tied Up.

Wichita, Kan., if limestone is used, \$77,

861, and for sandstone \$73,462.

TRACTION EMPLOYES AT

Murray, Neb.

the local public service corporations.

from the Nebraska delegation.

WASHINGTON, June 24 .- (Special Tel-

#### Nebraska Delegation PENSIONS CRITICISED Will See Hitchcock

Baptist Speaker Says Professor Should Not Be Asked to Desert Principles for Stipend.

PHILADELPHIA, June 34-"No rich man has the right to ask us to desert our principles for the sake of an old age pendeclared the Rev. E. M. Hoteat. president of the Furman university Greenville, S. C., at today's session of the egrfam.)-Ropresentative Sloan has been applauded the sentiment expressed, and and left for home last night. Prior to criticism was directed against Andrew Carnegie because of the provisions atnate Omaha as headquarters for the new tached to the ironmaster's teachers' pension fund excluding from participation in the fund colleges which impose any thelogical test.

A resolution introduced by Rev. S. S. Baton of Des Moines, Ia., calling attention to evils was adopted. The evils in- been named a member of the special subcluded the fiquor traffic throughout the world, white slavery, slavery in Africa. optum traffic to China and many social

#### REBELLION IN LOWER CALIFORNIA IS ENDED

Last Party of Insurrectos Will Surrender Soon-General Jack Mosby Held.

WASHINGTON, June 14.-With the exception of "General" Jack Mosby and two ompanions, the insurrestos who surren dered to the American military authorities in California after having been driven to the border by Mexican federal soldiers. will be ordered released by the War department. Mosby and two insurrectos will be turned over to the United States marshal at San Diego, who holds a warrant

for their arrest. General Bliss, commander of the Department of California today telegraphed the ductors in the employ of the Joplin & checks for amounts aggregating \$20,000 noisily charged that the witness and the War department that a party of insurrectos near Tecarie. Mexico, is expected strike today. As a result interurban serv- supreme clerk. The supreme guardian also their arms the armed rebellion in Lower berry and Cherokee, Kan., and twenty child, aged 5 years, on the payroll as a California will be practically ended.

Wife of "Prophet" Declares Cult is Secretary Royse Send- Notice of First | Hardwick Asks as to Alleged Change | Wyoming Congressman Criticises Pol-Assessment to Bankers.

Three Mothers Said to Have Enrolled Banks' Capital or Surplus Not Available for Payment, but Fund Must Come from Undivided Profits

(From a Staff Correspondent.) LINCOLN, June 24 - (Special Telegram.)tate in ripping the mask off See's love Secretary Royse of the State Banking the wife of the "prophet' today de- board today, from reports sent in from 658 livered a crushing blow to the man on trial state banks, finds that there are \$60,252. 568.72 of average daily deposits subject to Mrs. Evelyn Arthur See, wife of the the guaranty deposit law. As computed by founder of "absolute life," and who is Secretary Royse, one-fourth of 1 per cent seeking a divorce, held the "revealer" up of that amount, to be levied as the airst to scorn and declared his creed to be based assessment under the new law, will net an initial guaranty fund of \$165,633.92. Subsequent payments will be made in similar that his sex teachings in the 'book of eighteen months. The assessment will be

Secretary Royse has informed bankers cars the claim that he could not sin-that of the law, but emphasizes the fact that against the undivided profits. Should church, are enroute here. these be insufficient, assessments must be made sgainst the stockholders to make up the required amount. In his letter to the bankers the secretary further orders a of each institution to be held some time a thorough examination of the banks' visions of the new law.

# Senate Committee Approves the House

Provides that People of New Mexico and Arizona Vote Again on Certain Parts of Constitutions.

WASHINGTON, June 24.-The senate mmittee on territories today voted six to three to report favorably the house resolution admitting New Mexico and Arizona to statehood, with the provision that the Arizona constitution, containing the judiclary recall, shall be submitted to the people. Slight amendments to the house resolution were made.

If the senate accepts the house resolution and it becomes a law the people of the two territories will be assured of statehood The resubmission of the portions of the two constitutions is intended only to give the voters another opportunity to say whether in the case of Arizona they desired the right to recall their judges and in that of New criminal courts has such sensational testi- Mexico, whether they are satisfied with the mony figured in a criminal trial as was strict provisions against amendment. It brought out with the reading of the cult is provided that whatever the vote, the in-

## Will Veto Reciprocity Bill if it is Amended Fisheries Agents

President is Reported to Have Made This Statement Over Telephone to Several Senators.

WASHINGTON, June 24.-It became known at the capitol today that President Taft talking over the long distance telephone from Providence last night, repeated to several senators his determination to veto the Canadian reciprocity bill in case any amendment is added to it.

Senators accept the president's ultimatum on reciprocity as applicable to modifica-Baptist World alliance. The vast audience granted a two weeks' leave of absence tions which might be made at the instance of republicans as well as democrats and after his address Mr. Hoteat said his leaving he had a conference with Senator say that it would have the effect of pre-Brown in regard to making a final appeal venting any agreements on amendments to Postmaster General Hitchcock to desigfor tariff changes. Many senators have received telegrams and letters announcing a purpose on the part of the farmers to test the constitutionality of the proposed reciprocity law if it receives less than a twocock returns Monday he will receive a call thirds majority in the senate. This position is taken on the ground that as the bli carried into effect the provisions of a treaty, it should receive the vote in the senate necessary to render a treaty operto investigate all branches of the district ative. Priends of the measure do not congovernment and look into the conduct of cede the point, but they are claiming the two-thirds.

# Acrimonious Debate in Woodmen Circle

July 22 for rural carriers at Ellis and Supreme Guardian Charged on Floor of Convention with Carrying Grandchild on Pay Roll.

ROCHESTER, N. Y., June 24.-Sovereign PITTSBURG, KAN., STRIKE camp. Woodmen of the World, and Supreme Forest circle today wound up their blennial convention, which has been in progress here two weeks. The closing deiberations were marked by several acrimonious debates, especially in the For-PITTSBURG, Kan., June 24-Inability to obtain a satisfactory adjustment of the est circle, the supreme clerk charging the wage scale caused 100 motormen and cop- supreme guardian with having signed former, Gennaro Abbatemaggio, and they Pittsburg Electric Rallway company to without the knowledge or consent of the informer had prepared their list together. other towns and mining camps is tied up. cierk and deputy.

# NAVAL REVIEW OFF SPITHEAD MRS. SEE DENOUNCES ARTHUR NEBRASKA BANK GUARANTY BURKETT NAMED IN INQUIRY MONDELL ON COAL LANDS

of Front on Sugar.

hairman Explains that Former Nebraska Senator First Was Reported to Be Lined Up with Bristow.

WASHINGTON, June 24.-The inquiry into the Colorade group of beet sugar factories, controlled by the American Sugar following is a copy of a letter which Conby the house "sugar trust" investigating lands of the United States:

his return from Europe.

Burkett's Name Brougt Inregular meeting of the board of directors in the name of former United States Sena- 1907 coal lands were sold at the prices Union Pacific a substantial competitor for tor Burkett of Nebraska by questioning named in the law. Scott's Bluff, Neb.

"No. I had not heard it."

ator on the sugar tariff?"

tory at Scottsbluff was not established un- by law, to \$65,423,342, under classification. til after the passage of the tariff bill." Mr. Hardwick explained that Mr. Burkett first was reported to be lined up with

nothing about it. the beet sugar business.

"Would a considerable tariff reduction

would certainly operate to our disadvan-

# Drowned in Sight

Boat in Which H. L. Hahn of Spring-Field, S. D., and H. B. Chichester Are Sailing is Overturned.

WASHINGTON, June 24 -- Drowned behelpless to save them, was the fate of Walter L. Hahn of Springfield, S. D., and

Details received today by Fish Commisoner Bows indicate that Chichester and Hahn took their wives out for a sail from St. Paul Island, Alaska. Their boat capsized in a squall. The two men succeeded in rescuing their wives and placed them exhausted on the bottom of the upturned

Weakened by their efforts in saving the women, their strength soon gave out and they sank. Mrs. Chichester and Mrs. Hahn were rescued several hours later by

#### **EXCITING SCENES IN** TRIAL OF CAMORRISTS

Prisoners Charge that Witnesses and Informer Prepared Evidence Together.

VITERBO, June 24.-The Camorrist trial today was exciting. Giuliano, a marshal of Carabineers and head of the prison guard at Pozzuoli, near Naples, where many of the prisoners had been confined. the hope that the present policy may be was interrogated. He gave a list of the Camorrists who, he asserted, attended the banquet at Bagnoli, when, according to the prosecution, the deaths of Gennaro Cuoccolo and his wife was determined upon.

The defense was quick to note that the names of the accused were given by the witnesses in the same sequence as they appeared in the list introduced by the in-Camorra, resulting only in an exchange of insults and accusations.

icy of Interior Department.

WITNESS AGAINST HER HUSBAND PAYMENT DUE ON FIRST OF JULY REFERS TO SCOTT'S BLUFF PLANT LETTER TO SECRETARY FISHER Charges that High Peices Asked Are Not Legal and that People of

> West Must Pay Too Much for Coal. (From a Staff Correspondent.)

WASHINGTON, June 24 - (Special.)-The Refining company through the Great West- gressman Mondell of Wyoming addressed ern Sugar company, was concluded today to Secretary Pisher on the status of coal the cierk of the court here. The only ques-

interests in California industries will be Interior. Sir: Prior to 1873 the public coal from Omaha and Kansas City on the east taken up. John D. Spreckels will be a lands of the Umted States were disposed to Ogden on the west, a competing line witness, as also will Claus Spreckels upon of without taking into consideration the prior to 1901 for transcontinental business question as to whether or not they con-Further insight into the relations of the tained coal, and therefore all the lands con- line extends from New York on the east Mormon church and the American Sugar taining anthracite and bituminous coal in over the sea to New Orleans and thence amounts every six months for the next Refining company will be sought Monday Illinois, Indiana, Iowa, Kansas, Kentucky, by rail to San Francisco and Portland on Refining company will be sought Adolad of from Prophet Joseph F Smith, head of Maryland, Michigan, Missouri, Ohio, Pennthe Church of Jesus Christ and the Latter by Saints. Both Prophet Smith, who is Virginia, and most of such lands in Alacondary Company. president of the Utah-Idaho Sugar company, and holds as trustee of the people nearly 50,000 shares of sugar stock, and the guaranty assessment is to be faxed Bishop Nibley, business manager of the law, providing for the sale of coal lands at the majority opinion. not less than \$10 per acre where such lands were more than fifteen miles from a com- "is that all the facts of this case con-President Chester S. Morey of the Great pleted railroad and not less than \$30 per sidered in their natural, reasonable and Western Sugar company was the only wit- acre for such lands as were within fifteen practical aspect and given their appropriate

> Mr. Morey about the Great Western's "In 1907 the policy of considering the price Pacific railway in or prior to the year 1901. establishment of a beet sugar factory at of \$10 and \$20 per acre fixed by law the "Had you heard it currently reported at a classified price in excess of the mini- the government to establish destruction of during the sugar tariff negotiations in mum was adopted. For a time the classified competition between those companies. 1909," asked Mr. Hardwick, "that Senator prices were not generally greatly in excess No Direct or Substantial Restraint. geological survey, the classification of 14, outlay involved in the purchase of the

> Many Valuations Exceedingly High. "The mere statement of an increase in fect of the transaction chiefly relied upon Senator Bristow and other republicans who valuation to nearly three times that fixed by the government in this case. But it is wanted to reduce the tariff on sugar and by the statute does not, however, give an that when people in his state became in- adequate idea of the actual conditions in Pacific of a controlling interest in the that when people in the fields where coal is being mined, for stock of the Northern Pacific company was changed his mind. Mr. Morey said he knew in such localities the classified price is also violative of the anti-trust law. from ten to twenty-five times the statute The witness declared that there was no price. The comparatively low average inagreements or understandings between the crease in valuation is due to the fact that preceding statement of facts, it is suf-Colorado group of sugar factories we, much of the land which has been classified ficient to say that if any controlling interthe Utah or California groups as to sell- contains, or it is believed to contain, thin est was thereby acquired, it was lost some ing territory, prices, etc. Removal of the velns or deposits of low grade lignite coal, time before this suit was instituted and tariff on sugar, Mr. Morey said, would kill having no present market value and not that none of that stock is now held by, or salable at any price as coal land. These for the Union Pacific company. lands have largely been classified at or affect the business?" Representative Malby near the minimum price, thus keeping down bitious project in this respect for the futhe general average. On the other hand in ture, we fall to discover any opportunity or "It certainly would. We are running on all of the fields where the coal is of sufficlose margin now and tariff reduction ciently high grade to be workable, or is being worked, the prices even for lands far from means of transportation have been in-

> from \$150 to \$500 per acre. officers to fix prices above those contained they chose a lawful way for doing it. of Their Wives in the statute, there is much force in the fore the eyes of their wives, who were cure an exorbitant price for its lands by and fair inferences, we conclude that the H. B. Chichester of Eagle Pass, Tex., gov- the price should be fixed with a view of logical that under a system of valuation averments of its bill. ernment fisheries agents in Alaska, whose discouraging the acquisition of lands for cuit judge, participated in the hearing, despeculative purposes, rather than with the liberation and conclusion in this case and he intent of capitalizing the necessities of now concurs in this opinion. citizens who must have coal of which the government has a monopoly.

Earlier Prices Not Excessive. "The first prices fixed under classification were in the main not excessive, though quite high enough to discourage purchase except with a view of immediate development, and therefore though the policy in volved a questionable exercise of executive authority, there was a general disposition in the country affected to withhold criticism and give the new policy a fair trial. The reclassifications and increased valuations, however, have placed coal lands at such prohibitive figures and contemplate satisfy the public and no complaints of such a serious burden on western communities that the people of the public coal land states have become thoroughly aroused over the situation, and as the representative of the people of one of the states whose citizens are suffering and are certain to suffer more from the effect of the present policy I feel it my duty to

radically modified. "The valuations which have been fixed on public coal lands in Wyoming, Colorado Montana, Utah, New Mexico and other western states are, in my opinion, so befind it difficult to discuss the subject an entirely dispassionate and respectful way, for to characterize the policy and procedure which has been pursued in what I believe to be a fitting manner would re quire the use of language more forcefu Giuliano was also confronted by Enrico and pointed than I care to use in a con to surrender soon. When they lay down lee to Joplin, Mo.; Columbus, Girard, Mul- was charged with having kept her grand- Alfano, the alleged directing spirit of the munication of this character. If the situa-

(Continued on Second Page.)

# HARRIMAN LINES WIN MERGER SUIT

United States Circuit Court Decides that Combination of Union and Southern Pacific is Legal.

OPINION IS BY JUDGE ADAMS Southern Pacific is Not Dependent on Union Pacific for Outlet,

ROADS WERE NOT COMPETITORS Court Savs No Direct or Substantial Restraint of Traffic.

BILL IS ORDERED DISMISSED

Judge Hook Files Dissenting Opinton, in Which He Says Government Made Case and Injunction Should Issue.

ST. LOUIS, June 2'-The United States circuit court of the Eighth district today handed down an opinion that the purchase of the Southern Pacific by the Union Pacific "did not amount to a direct and substantial restraint of either interstate or international commerce."

The recent decision of the United States supreme court in the Standard Oil case was cited among others by Judge Elmer B. Adams, who wrote the majority opinion Supereme Court Justice Willis Vandevanter, while circuit judge of the Eighth district, participated in the hearing, deliberation and conclusion in the case and concurred in the opinion. Judge William C. Hook filed a dissenting opinion.

#### Opinion is by Judge Adams. The majority decision was written by

Judge Elmer B. Adams and was mailed to tion, reads the opinion, was this: Was committee. Next week the sugar trust's "Hon. Walter L. Fisher, Secretary of the the Union Pacific company, extending only with the Southern Pacific company, whose

"While the Union Pacific was entirely dependent upon the Southern Pacific for its "In 1873 congress passed the coal land Pacific for its connection eastward," reads

"Our conclusion," continued the opinion, ness today. Chairman Hardwick brought miles of a railroad, and from that time until relative signification do not make the transcontinental business with the Southern "We therefore pass to a consideration on minimum price and of selling coal lands some less important matters relied upon by

Burkett had changed front on the sugar of the minimum prices but gradually those; "Certainly the desire to appropriate the prices have been increased by reclassifica- trifling business done by the Southern Pation (in some cases the same lands have cific on the minor lines or to suppress a Statehood Resolution

To you know whether the information that a beet sugar factory was to be established at Scottsbluff had anything to ed in influencing the vote of any western sen-672.600 nores, made prior to March 21, 1911, Huntington stock. It did not amount to "No," said Mr. Morey. "I don't see how had raised the valuation of these lands from a direct and substantial restraint of either that could have been because of the fac- \$250,460,618, under the minimum prices fixed interstate or international commerce. This is not sufficient to bring it within the con-

demnation of the ant-trust law. "This concludes consideration of the ef-

"Without dwelling on the reason for the purchase of this stock, disclosed in the

reason for the injunctive relief on this ac count.

### Relation with Santa Fe.

creased from the minimum fixed by law to The court held also that the investment of the Harriman lines in the Santa Fe was "Whatever one's views may be as to the not for acquiring control and that if it proper interpretation of the coal land law, was for obtaining inside information conand therefore, as to authority of executive cerning the operation of a great competitor

"The conclusions of fact dispose of this argument that the value of coal-bearing case," the opinion concluded, "without the land differs so widely and the temptation necessity of determining the question much to large holdings, particularly in fields of debated in brief and argument whether exceptional quality, is so great that a securing control of the Southern Pacific graduated price rather than a flat rate is company by purchasing stock of individual the better from the standpoint of public owners could in any view of the case have policy. However, as it has never been the contravened the anti-trust law. On the policy of the government to attempt to se- facts of this case, with all their reasonable creating a land monopoly, it would seem government has failed to substantiate the

"Mr. Justice Vandeventer, while a cir-"The bill must be dismissed and a decree

will be entered to that effect." No Change in Rates.

The merger, according to the court did ot cause a change in rates no complaints of discrimination and no conspiracy. Con-

cerning these features the opinion read: "The proof shows that after 1901, as vell as before the rates for transcontinental traffic were the same over both the 'nion Pacific and Southern Pacific lines. "There has since then been with respect to either of these lines, no impairment of service, no discontinuance of efforts to

### Base Ball Tickets.

Round trip tickets to Lake Manawa.

Quart bricks of Dalzell's ice cream.

Boxes of O'Brien's Candy." All given away free to those who find their names in the want ada

Read the want ads every your name will appear sometime may be more than once. No puzzles to solve nor subscrip to get-just read the want

Turn to the want ad pages