SINGLE COPY TWO CENTS.

VOL. XLI-NO: 17.

OMAHA, FRIDAY MORNING, JULY 7, 1911-TEN PAGES.

WICKERSHAM ON NEW BISHOP OF LINCOLN CONSE-

SUIT TO SEPARATE MINES AND ROADS

Government Re ight to Vitaline Commodita of Com-

TEST CASE OF LA Bill is Filed in Unit. in Philadelp.

COAL COMPANIES ONLY A DEVICE Complaint Charges that Bailroad Really Owns Coal Transported.

SUBSIDIARIES PAY NO DIVIDEND

They Buy Coal and Sell tr at Nominal Loss, Depending Upon Profit from Freight to Make the Beat Pay.

WASHINGTON, July 6.- The government

will renew the fight to disassociate the great coal-carrying railroads from their strengt control of mines and thus vitalize Monsignor Tihen the commodities clause of the interstate nmerce law. A test case against the Lehigh Valley ratiroad will be filed today in the United States court in Philadelphia That the Lehigh Valley Rallway Coal company, Cox Bros. Inc.; the New York & Middleffeld Railroad and Coal company and the Locust Mountain Coal and Iron company are not bone fide coal companies but merely adjuncts to the Lehigh Valley ratiroad and are "devices for evading the odities clause," is the government's

efficient complaint.

It is also affected the Lehigh Valley, with caused the Lebigh Valley Coal company to Lincoln diocese. contract at a less for the output of other

the buying of coal from other operators has Wichita, who is the oquecrator; Bishop as trusts. been done at a loss to the coal company it Scannell of Omaha and Bishop Lilles of has enabled the Lehigh Valley rafiroad to Kansas City, Mo., co-consecrators; Bishops transport the coal over its lines and profit Mats of Denver, Janusen of Belleville, Ill.; from the freight charges.

support its claim that the coal comthat directorate of the directorate and the executive committee of the railroad Standard Oil mittee of the coal companies Among those named are: Eben B. Thomas, George P. Baer, E. T. Stotesbury and

that since the capital stock of the coal company had been owned by the ratiroad it has paid no dividends, that millions of deliars have been advanced by the railroad to the coal company which have never been cofunded and that the railroad has peld

or has a pecuniary interest in it, the gov- will operate neparately. down dummy coal companies and force the

While in effect the government's action is a blow at the so-called Coal trust the Elliott and Bowers case is separate from that suit, which is on appeal to the supreme court.

In the government's original commoditie clause actions against anthracite roads. which was begun in 1908, the courts held that a rullroad company might awn stock in a coal company and not violate the odities clause if it did not own or have any interest in the transported coal

With that decision the commodities clause case to the supreme court, where it was fact as to whether the railroad has any interest in the coal which it transported. Judge Gray of the United States circuit. court of the eastern district of Pennsylvania, signed an order at Wilmington. the amended complaint. The government is represented in the action by the attorney general, James A. Fowler, his assistant. and Edwin P. Grosvenor, special assistant attorney general.

The Weather



eus temperacure. Sucesa for the day March 1. Sermal precipitation. If inch
seliciency for the day. If inch
seliciency for the day. If inch
otal rainfall ance March L. 7.5 thches
seliciency since March 1. 7.5 thches
seliciency for our period. 1838. If inch
inches for our period. 1838. If inch

Reports from Stations at 7 P. M. Station and State Temp. Such Rain-of Weather. 7 n. m. cut. falt. Station and State
of Weather.
Cher emmo, pf. cloudy.
Deverport, clear.
Denver cloudy.
Des Mornes pt. cloudy.
Design City, cloudy.
Lander pt. cloudy.
Lorder Platte cheir
tmaha. cloudy.
uebio, rain
apid City pt. cheady.

CRATED AT WICHITA



RT. REV. J. HENRY TIHEN.

is Consecrated as Bishop of Lincoln

Several Bishops and 500 Priests from Neighboring States Take Part in Ceremonies at Wichita.

WICHITA, Kan., July &-Monsignor John Catholic diocese of Wichita, was this morn-It is also affected the Lehigh Valley, with ing consecrated bishop. He will go at once cree in the tobacco case—the most casual to Lincoln, Neb., to take charge of the consideration of the drastic and far-reach-

of St. Joseph and Innocent Wolf, abbot of

Company to Be Disintegrated

by the earnings of transportation of coal company of New Jersey will be announced. The company it is said will undergo company that the Lehigh Valley rail.

By proving that the Lehigh Valley rail. actually the legal owner of the that are charged with having combined

coal carrying railroads from their controt be the same. It was reported that under the reorganization plan the earnings of the Standard Oll company will not be affected.

Exchange Epithets

Call Each Other Perjurers in Pribilof Hearing.

ceedings of the house committee on ex-General Wickersham carried the the once great seal herd of the Pribliof troi of commerce among the states or with second that the government might amend agents of the United States government. its complaint and involve the question of Prof. Henry W. Efflott, fur seal expert, and who have been in controversy about the section of the act, because they are enscals, shook their fiets and exchanged a gaged in monopolizing or attempting to series of lively epithets. .

Prof. Ellott, concluding the reading of missioner Bowers had "perjured himself" "You are a confessed perjurer yourself."

retorted Commissioner Bowers. "That is a rotten charge that no man responded, shaking his fist in the direction of Mr. Bowern

"I'll prove the charge," Mr. Bowers replied vehemently. Presiding Representative Rothermel

Pennsylvania, suspended the sitting.

James Riley of Eldorn Keeps Secret Until Next Day Because of Fear of Whipping.

SELECTA. In. July 6-(Special) - After Serious Riots in HLDORA, Ia., July 6-(Special.)-After cars, drown in the lows river yesterday afternoon, James Riley returned home and kept the secret until today because be feared a wiffpring, he having been ordered not to go swimming. Mrs. Parmella Smith. Two Men Killed When Mounted spent an anxious and sleepless night when her son did not return, but hoped he had gone to a camp of friends who were on an outing north of town. When the boy did not return this morning she gave the alarm and a posse was organized and aided by the Riley boy's confession recovered the

KOREANS WILL ENTER COUNTRY

16 inch Will Be Allowed to Go to Hastings School.

From a Staff Correspondent.) WASHINGTON, July 6 - Special Dele- the cars defring the guards. gram.) - Several days agn; two Korean destined for instruction at Hastings college. Neb., were held up at Ellis Island Pouch of first-class mall that was stolen The fact that they were detained was from an lowe Central train, or the local communicated to P. R. Johnson, secretary station of that road, last November, was of the Hastings college, and he appealed found resterday in Breed's lake, three to Senator Brown. The senator took the miles from here. While diving from a L. A. WELDH, Local Porscaster. | to cuter the college.

RULE OF REASON

Attorney General Discusses Recent Decisions of Supreme Court in Address to Michigan Bar.

GIVE LIFE TO SHERMAN LAW It is Now an Effective Weapon for Use Against Trusts.

AREA OF UNCERTAINTY LESSENED

Reasonable Construction Takes Place of Literal Interpretation.

SEVERAL PRINCIPLES SETTLED

No Form of Corporate Organization or Lapse of Time Can Bar Court of Equity from Terminating Hiegal Contract.

BATTLE CREWK, Mich., July &-Attorew General Wickersham spoke before the interpretation of the Sherman anti-trust law in the Standard Oil and tobacco cases. He gave his unqualified endorsement to the ourt's application of the so-called "rule

Those who have thoughtlessly yielded to the superficial conclusion resulting from the application by the chief justice's rule of reason to the interpretation of the Sherto justify the idea that the Sherman law has been made ineffective by those two decisions, for precisely the contrary is established by those two great judgments.

ing remedy imposed-makes it perfectly ap contract at a less for the output of other anthracite operators, has transported the coal over its own lines and through the consecration ceremonies. Among those an actual effective weapon to the accomcoal company has fixed the prices in New present were Archbishop Glennon of St. plishment of the purpose for which it was Louis, head of the province in which primarily enacted, namely, the destruction The government charges that aithough Wichita is included: Bishop Hennessey of of the great combinations familiarly known

Area of Uncertainty Narrowed. "The area of uncertainty in the law has Ward of Leavenworth, Cunningham of greatly narrowed and its scope and effect Concordia, Meerscheart of Oklahoma, Burke have been pretty clearly defined. The school of literal interpretation has been repudiment offes that the officers of the railroad. In addition to these nearly 300 priests and the coal company are the same and from the neighboring states took part in larly when intent becomes a necessary con- when Miss Ethel Course and Miss Lillian perior court.

ration that Will Not Affect

Dividends.

D Lenigh Valley Coal company's anthracite, and conspired to monopolize the oil trade of competitors of a character usually known back. companies. The control will continue to formula, seeks to control the price at which have got you."

Size Not Monopoly. "Size alone does not constitute monopoly. Seal Expert and Fish Commissioner a business acquired by the result of he said, the girl demanded money. business development, is not a viciation according to the witness. WASHINGTON, July s.-During pro- by means of intercorporate stockholdings, Scath." or by means of agreements between actual those who are concerned in such efforts exceed if I didn't kill him you would."

Del., this morning permitting the filing of a statement, declared United States Comsolidation, no species of transfer of title. whether by sale, conveyance or mortgage and no lapse of time from the date of the original contract, conspiracy or combination, can bar a federal court of equity ever dared put his name to." Prof. ElBott from terminating an unlawful restraint or Brussels Conference Appoints Commitcompelling the disintegration of a monopelistic combination.

"If this law," declared the attorney gen eral in conclusion, "designed to protect the people of this country from the evils of monopoly and to preserve the liberty of men concluded the business which had the Rain Causes Sharp the individual to trade freely shall now culted them together from nine steel proshall be recognized and its beneficent consequences realised the twenty years of for Paris late in the afternoon. slowly developed interpretation and widening precedent will not have been without

Police Charge Mob at Street Car Barn in Suburb.

jured during a charge by the police on a England, secretary and adjourned to meet mob near the street car barns near In- again when summoved by the chairman. dianilla, just outside this city, today. made to move cars into the suburbs. The Albert and later visited the hattlefield at cars were encorted by mounted police, who Waterloo, nine miles from the Beigian rode into the crowds of strikers and their capital. sympathiners and used their sahers freely. The dead were striking motormen. whem a great number had gathered about

Stolen Mail Peach Found. HAMPTON, In., July 6-(Special.)-A



Watching and Waiting

From the Buston Herald.

Millionaire Wounded by Two Girls Testifies at Trial.

SAYS THEY DEMANDED MONEY He Refused to Pay and Miss Graham

Shot Him-He Wrenched Gun from Her and Miss Courad

will be a field of uncertainty insofar as an of summer finery that made the crowd in and his brother, James B., were called into dent, is acting as the head of a "political" investigation of facts is required-particu- Tombs police court tobay forget the heat Judge Bordwell's department of the su- news bureau" which "suppresses truth" sideration, but this much surely, may now Graham appeared for examination on the Both men were summoned to plead to as to sentiment concerning presidential the said to be beyond controversy.

That ordinary agreement of purchase Stokes, the millionaire hotel man. In controversity and sale, of partnership or of corporate trast to the blooming defendants Mr. Stokes addition. John J. McNamara was expected insurgent leader in the house, addressed organization do not violate the first section looked pale and worn. The girls were accom- to plead to the charge of conspiracy to to the Nebraska progressive republican "This principle applies to all associations approached with her hands behind her

as pools, to agreements with so-called "At the same time through the door into ernment hopes to bring its case into line. The company may be split into fifteen wholesale or retail agents, whereby the the ball I saw Miss Graham creeping towith the recent decision of the supreme or twenty parts and each will operate in manufacturers of an article, even though ward me with a revolver leveled at me. court in the commodity clause case, strike its own territory independent of other made according to some secret process or Stepping in front of me she said: 'Now I

It may be sold by purchasers directly or Then, continued Stokes, Miss Graham indirectly from the manufacturer. It also told him he must pay her for "doing her applies to agreements to control compe- great moral damage, defaming her mother titions between independent concerns by and sister." They told him, he said, that unmeans of a common stock-holding trust less he compiled with their demands they whether individual or corporation holding, would hill him and "would have no diffi- McNamara's action ensued. culty getting rid of his body."

Stokes said he refused to sign a statement The attainment of a dominant position in that he defamed Miss Graham. Thereupon, honest enterprise and normal methods of "Its death or \$25.000," said Miss Graham

of the law. But unfair methods of trade, "I told them," said Stokes, "that if it by destroying and excluding competitors were a case of death or one cent I'd choose

"The Graham girl," he went on, "said to was considered by many a dead letter, but penditures investigating the charge that or potential competitors whereby the con- me . You will, will you?" and began firing." Stokes wrested the revolver from Miss islands is being wantonly slaughtered by foreign countries in any particular line of Graham after he had received two wounds. industry is secured or threatened, expose Then he said the girl called: "Ethel, you United States Fish Commissioner Bowers, to the penalties prescribed in the second. Then Stokes heard another shot and a

"It also is now settled that no form of Steel Masters Will Form World-Wide Organization

tee of Thirty Heade dby Gary to Work Out the Details.

BRUSSELS, Belgium, July 6-The steel SOY SEES COMPANION DROWN be clearly understood, if its true purpose ducing countries in a brief session today and adjourned. Most of the Americans left The conference appointed a committee of

thirty, made up of members proposed by each national group, to work out a plan for an international steel organization and submit it to the full conference when called. The American members of the committee Mexican Capital are Judge E. H. Gary, chairman of the board, and President A. J. Farrel of the United States Steel corporation; Charles M. Schwab, president of the Bethlehem Steel corporation; E. A. S. Clarke, president of S. King, vice president of the Jones & Laughlin Steet company.

The committee organized by making Following their deliberations the dele-The rioting occurred when an effort was gates were received at the palace by King

> Judge Gary said he felt that distinct progof ress had been made toward a "common world of feeling and practice in steel affairs." He is satisfied with the remite thus far accomplished through the international exchange of opinion.

ELEVEN MEN STABBED IN FIGHT AT COUNTRY DANCE

STOKES TELLS OF SHOOTING McNamara Defense Springs Surprise; Cases Are Called

Defendants Refuse to Plead to Charge of Murder, Saying Extradited for Alleged Dynamiting.

LOS ANGELES, July 6-The defense in the McNamara dynamite conspiracy case

ments was made in the case of James B.

McNamara, who entered no pica whatever, building that the indictments against him nomination of President Taft.

Aurora, Sin.

Grand Island, Ill in.

Ravenna, E in.

Columbus, E in. holding that the indictments against him should not stand because the grand july was biased and because Earl Rogers, who acted as a special district attorney to aid the inquisitors during the investigation, had Times and the Merchants' and Manufacturers' association during the search for evidence.

The prosecution met the move of the dejurisdiction.

Crowd Ransacks Home of Dead Man for Hidden Money

Frederick Prager of Pittsburg Dies of Heat and Neighbors Search House Until Driven Away.

after it became known today that Frederick Prager had been found dead in bed at his home, neighbors rushed to the house and began ransacking for \$11,000 rumored to have been hidden somewhere about the premises. It took a squad of police to clear the house of fortune hunters and save the building from being wrecked. Prager succumbed during the night to the

Emma Sterana, committed suicide, while a few months ago her husband. John Sterana met a violent death in a mill. The the rumered fortune. The police will make a thorough search.

Drop in Corn Prices

Values Break Three Cents at Opening of Chicago Market Because of Downpour in the West. CHICAGO, July &-With rain moistening

the parched cornfields of Illinets, Nebraska. Iowa and northern Kansas, the market for that cereal here drouped an extreme 2 cents at the opening today. The December the Lackawanna Steel company and Willis option, which closed at 60c yesterday, declined to sic, while September dropped from 66%c last night to 64c.

were killed and five others seriously to- Judge Gary chairman and W. B. Peat of FINANCIER SENT TO PRISON President of Puse Company Who Got Half Million on Fraudulent

Paper is Sentenced.

GRAND RAPIDS, Mich., July 6 .- Presi-American Electric Pass company of Michiundeterminate sentence of from four to fourteen years. Jones confessed that he had secured \$500,000 and \$730,000 on fraudu-

Wendling Begins Sentence. of the Hastings college, and he appealed in Breed's lake, three in Senator Brown. The senator book the matter up with Secretary Named of the lake a swimmer struck the department of commerce and labor with pouch lying on the bottom. He brought the result that the Koreans will be admitted and allowed to proceed to Hastings were in had condition as a result of the mitted and allowed to proceed to Hastings the pouch lying on the bottom. He brought is up. The letters had been opened and the mitted and allowed to proceed to Hastings were in had condition as a result of the mitted and allowed to proceed to Hastings they received.

HUSKOGKE. Oki. July 6—A quarred the well in the lake a swimmer struck the over a girl at a country dance nine miles from here. While diving from a function and is the property south of this city early today resulted in a fight in which eleven men were stabled. It is believed one of the injured will die the flames have so far proved fulle.

The wounds of several are serious.

MR. NORRIS MAKES CHARGES

Congressman Accuses President's Secretary of Running News Bureau.

ALLEGES SUPPRESSION OF FACTS Nebraskan Says Progressives Are Be-

ing Wronged by Conspiracy of Big Newspapers-Echo of Shotwell Incident. Charles D. Hilles, secretary to the presi-

DISINUCETATED or the Sherman act, even though incidentor the Sherman a

from the Nebraska progressives declaring most every spot in the place. The morning their repudiation of Frank A. Shotwell, report showed cain in the following places: the interest on the coal company's bonds. this afternoon that within a short time from competition or exclude or prevent him. Miss Conrad "smiled sweetly" when being compensated the covernment claims, plans for reorganizing the Standard Oil others from competition for the quashing of the language and as such had given Aurora. So in.

Mr. Norris charged that the progressives had been wronged by a "conspiracy of great newspapers" in suppressing news religiting to the progressive movement. After referring to a series of articles printed, Mr. Norris' letter concluded:

Countries, 2 in. Burchard, in. Burchard, is in. Cortect, light rains. Wilber, 25 in. Harvard, 50 in. Salem, light rain. Courts, 50 in. Salem, light rain. Wilber, 25 in. Salem, light rain. Salem, light rain. Wilber, 25 in. Salem, light rain. Wilber, 25 in. Salem, light rain. Salem, light rain. Wilber, 25 in. Salem, light rain. Salem,

These various articles have earmarks that strongly indicate they originated in Clay Center, it, rain. the White House. I do not think that the president himself dictated them and I do fense with a motion to disallow the plea to not know that he had knowledge of them. but it is generally understood that the in-An argument on the relevancy of John formation came from his private secretary and almost without exception these object tionable articles contain items of informs tion that necessarily must have come from one closely connected with the White

"I am reluctantly led to believe that the a political news bureau that is making remained unbroken today is that of the determined effort to suppress any sentiment in favor of the candidacy of Senator La of truth and the publication of ungrounded west" today and further reductions in and false reports."

PITTSBURG, Pa., July &-A few minutes PEEPING TOM HAS FLASHLIGHT have moderated the heat in the southern Citizens of Edgement Watching for Enterprising Nuisance with

Shorgans.

A "Peeping Tom." with unusual methods & yesterday morning, led the country toof carrying on his operations, has appeared day. at Edgement, and the citizens now are heat. Three weeks ago his sister, Mrs. Reeping a close watch for him, and prom NEW YORK, July 8-A blockade in the ise to fill him full of lead if he is detected subway today capped the misery of the In the act of spying on the residents. The hot wave. When the stalled trains finally three deaths wiped out the Sterans-Prager dows of residences late at night, and in- ing passengers were helped out by the family and neighbors endeavored to get stead of being satisfied to peer into them score. Some were taken to hospitals. he has provided himself with a flashlight. There was no change for the better here the rays of which he turns into the rooms today, compared with Wednesday. At 16 which he desires to inspect. Naturally this oclock the mercury had reached at and six has greatly angered the residents and they death had been reported upto that time. are sparing no efforts to run him down.

GIRL SAVES FATHER'S LIFE John Benker of Gregory County, S. D., Dragged from Burning Building

by Daughter.

SIOUN FALLS, S. D., July &-(Special.) daughter the life of John Denker, a well known Gregory county homesteader, was make while trying to save his automobile from a burning building. The daughter from the heat are included in the list of rushed to his rescue and succeeded in dragging him from the burning structure. The building was set on fire by a bolt of lightning, and efforts of the neighbors and

dent Frank G. Jones of the bankrupt GREAT OIL WELL IS BURNING gan was today sentenced to prison on an Spouter at Tulsa Throwing Hundred

on Fire.

seing left of it but a mass of smoldering

Denker's financial lose was about

lent paper. He declared the money was all TULSA, Okl., June 4-What is said to be used in the company's business and that the greatest oil well ever struck in Okiahe did not personally profit by the home is on fire and oil is being burned R. Timblin, a lease employe. He was in

MERCURY IS DOWN HOT WAVE SPENT

Great Central Valley Gets Relief from Extreme Temperature of Last Few Days.

HUNDRED MARK NOT TOUCHED From Buffalo to Salt Lake the Air Has Cooled Off.

LIGHT LOCAL RAINS REPORTED No General Disturbances, but Some Very Timely Showers.

NEBRASKA CORN BELT REVIVES

Rainfall Covers Large Area and Much Good Comes to the Crop from Even a Smal lAmount of

	fater.	
	Manager of the second	
Some Thurs	day Maximums.	
orth Platte	# Denver 7	á
maha	Si Des Moines 8	ø
urango	# Pueble 2	ä
eoria	2 Pueblo 7	×
rand Junction	M Lander 8	ø
OSWell	94 Blapid City 3	H
odena	88 Salt Lake City 5	М
niedo	M Santa Fe	3
uffalt		g

30 Valentine The heat wave seems to have passed. At any rate, the terrific high temperature is missed from the reports of the weather bureau observations. Of twenty-two reports, reaching from Buffalo, N. Y., to Grand Junction, Colo., and from Modena, Mont., to Roswell, N. M., the maximum temperature registered yesterday was 14 at Toledo, O. Local rains are reported from many places, but nothing in the form of a general disturbance. The weather bureau promises cooler weather, but does

not yet sight a general storm. Rain in Corn Belt. While the precipitation of Wednesday night and Thursday in Nebraska was generally light, it was scattered sufficiently to do a great deal of good. Reports received by the railroad at Omahn yosierday show that almost the entire Nebraska corn belt got some rain.

Very little rain fell in the Omaha division of the Burlington Thursday morning, but the Lincoln division was reported as having rains almost over the entire district. Stromsburg-reported 1.35 inches of

rain at 8:25 Thursday morning. and issues "ungrounded and false" reports Wednesday light showers fell, as was the case Thursday morning, but the showers came as a godsend to the farmers and brightened the outlook for the best corn crop in years. The small amount of rain moistened the ground just enough to unfold the corn, which had begun to tighten

> Both the Alliance and Sheridan divisions reported no rain, and in many cases hot

Guria Je in.
Minden, light rain.
Oberlin, 34 in.
Herndon, sprinkte.
Superior, light rains.
Blue 1811, light rains.
Holden, light rains.
Red Cloud, light rains.
Orleans, light rain.

SHOWERS BREAK HOT WAVE Relief Comes in All Parts of Country

Except North Atlantic States. WASHINGTON, July 6-Practically the only section of the country where the hot president's private secretary is the head of wave that has spread from coast to coast north Atlantic states. Rain brought the long awaited cool wave to the upper lake Follette and to do this by the suppression region, the plains states and the "middletemperatures are probable in the next twenty-four to thirty-six hours. Showers states.

By tomorrow night the east generally will get rain, it is predicted, and the worst and most prolonged spell of heat since 1981 will be broken. SIOUX FALLS, S. D., July 6.—(Special.)— Boston with M degrees as compared with

unidentified individual appears at the win- crept into the underground stations, faint-

Relief is predicted by tomorrow with hope of thunder atorms tonight. PITTSBURG, July 6.-The appressive heat continues today. At 9 a. m. the thermometer registered \$7 degrees, a jump of eight degrees in an hour. There is no indication that the hot spell, which started

last Friday, will be broken today, Relief Comes to Chicago. deaths and 273 prostrations was the toll exacted by Chicago's record-breaking hot wave, which lasted for five days. One hundred and twenty-five infants who died

The hot wave was broken shortly after

Boxes of O'Brien's Candy.

Round trip tickets to Lake Manawa.

Quart bricks of Dalzell's

ice cream. All given away free to those who find their names in the want ada. Read the want ads every day, your name will appear sometima, may be more than once.

No puzzies to solve nor subscriptions to get-just read the want Turn to the want ad pages-