

MISSOURI ANTI-TRUST LAW GOOD

Statute Attacked by Rockefeller Corporations is Upheld by United States Supreme Court.

OUTRAGE PROCEEDING STANDS

Companies Refused to Pay Fines and Charters Were Forfeited.

TRIBUNAL DECISION UNANIMOUS

It Says Rights of Corporations Are Not Interfered with.

HARVESTER COMPANY AFFECTED

Outrager Decree Has Been Entered Against It and It Appeared Alleging that Law is Not Constitutional.

WASHINGTON, April 1.—The anti-trust laws of Missouri were upheld today by the supreme court of the United States. The court approved of the state's action in ousting the Standard Oil company of Indiana and the Republic Oil company of New York from the state and fining each \$50,000 under these laws.

In proceedings begun in Missouri the Standard Oil company of Indiana, the Republic company, a New York corporation and the Waters-Pierce Oil company, a Missouri corporation, were charged with having combined to control the prices and to prevent competition, and the supreme court of Missouri found them guilty.

The Waters-Pierce company was a Missouri corporation and the court set a day when its charter would be forfeited if the company did not pay a \$50,000 fine. The fine was paid. Only the Standard and the Republic, which were ousted, appealed to the supreme court.

The claim was made that the corporations could not be ousted in the same proceedings. Furthermore it was urged that ousting corporations was greater punishment than was inflicted on individual violators by the laws.

The International Harvester company recently appealed to the court from a Missouri ouster decree, the appeal being based on the ground that these laws were unconstitutional.

Justice Lamar, who announced the unanimous opinion of the court, held that no right of the corporations had been denied under the law in the trial.

Will Ask Rehearing in the Patent Case

WASHINGTON, April 1.—The defeated parties to the "patent monopoly" case recently decided four to three by the supreme court of the United States, today asked the court to rehear the issue before a full bench. The United States government joined in the appeal with a request for permission to intervene because the case is regarded as of the greatest public interest and involves the enforcement of the Sherman anti-trust law.

According to the government's application the United States is seriously concerned in a number of Sherman law suits by the court's decision, which sustained the right of a patentee to attach to the sale of an invention restrictions stipulating that the purchaser must use in connection with the patented article only such supplies, which are not patented, as are bought from the patentee of the invention.

The decision the government submits "extends the power of property held under letters patent beyond the warrant of the constitution and the grant of the patent laws, and puts it above the authority of congress to regulate commerce among the several states, and above the universal limitation expressed in the maxims, 'so use your own as not to injure another's.'"

TENNESSEE MAY HAVE REPUBLICAN SENATOR

NASHVILLE, Tenn., April 1.—For the first time since the period of reconstruction there is a prospect that Tennessee may have one republican representative in the United States senate.

Pending the meeting of the legislature next January the seat made vacant by the death of Senator Robert L. Taylor will be filled by an appointee of Governor Hooper, republican, should he name a man from his own party. It is said here today that Newell Sanders of Chattanooga, chairman of the republican state committee, is the foremost candidate.

Many other names, however, are mentioned.

OMAHA RAILROAD MAN ON TRIP THROUGH EAST

WASHINGTON, April 1.—(Special.)—Samuel F. Miller, general manager and passenger agent for Nebraska and Wyoming districts of the Chicago & Northwestern railway, with Mrs. Miller and their two daughters, who were attending school in Massachusetts, have been in Washington for several days "doing" the historic places in the capital. They may go to New York tomorrow to spend the Easter holidays.

The Weather

FOR NEBRASKA.—Fair; not much change in temperature.
FOR IOWA.—Generally fair, except rain or snow in southeast portion.

Temperatures at Omaha Yesterday

Hour	Temp.	Dir.
5 a. m.	32	W
6 a. m.	32	W
7 a. m.	32	W
8 a. m.	32	W
9 a. m.	32	W
10 a. m.	32	W
11 a. m.	32	W
12 m.	32	W
1 p. m.	32	W
2 p. m.	32	W
3 p. m.	32	W
4 p. m.	32	W
5 p. m.	32	W
6 p. m.	32	W
7 p. m.	32	W
8 p. m.	32	W
9 p. m.	32	W

The National Capital

Monday, April 1, 1912.

The Senate.
Adjourned out of respect for the late Senator R. L. Taylor of Tennessee.

The House.
Met at 11 a. m.
Resumed debate on wool tariff revision bill, which it will vote on before adjournment.

First Decision Made by Commerce Court Fails to Stand

WASHINGTON, April 1.—A signal victory was won today by the Interstate Commerce commission when the supreme court of the United States decided the commission had the power to compel water lines to report to it regarding intrastate as well as interstate business. It was the first case from the commerce court to be considered by the supreme court and the commerce court was reversed.

While the case before the court concerned immediately only water lines, the government declared in arguing the cases that the defeat of the commission in this case would mean that railroads also need not report regarding intrastate business and the commission's whole system of gathering reports relative to commerce would be worthless.

The orders in question required reports regarding operating expenses and operating revenues of water lines and affected principally lines on the great lakes.

The commerce court held that the commission had power to require reports only regarding traffic carried under joint arrangement with railroad carriers, but not as purely intrastate and port-to-port business.

Justice Day said a mistake had been made by the commerce court in confusing knowledge of intrastate commerce with regulation of it. He said it was within the power of the commission to require a "showdown of the whole business," intrastate as well as interstate. Justices Lurton and Lamar dissented.

Dr. Hirsch Says No Prejudice Against Jews at University

CHICAGO, April 1.—President Harry Pratt Judson of the University of Chicago testified today that Miss Esthes Mercy, a former student, was dismissed from the university "because her reliability for truthfulness was not such as made her a desirable student." Miss Mercy is suing Miss Marton Talbot, dean of women at the university, for \$100,000 damages for alleged slander, and charges that her character has been assailed by the dean.

"Has John D. Rockefeller any connection with the University of Chicago?" President Judson was asked.

"No, but he is the largest donor," replied the president.

Dr. Emil G. Hirsch, who is an honorary professor at the university, testified that there was no prejudice in its faculty against Jews. Miss Mercy previously had testified that prejudice against Jews had counted against her at the university.

President Harry Pratt Judson was expected to be the last witness called by the defense.

When court convened in the afternoon Judge Pomeroy announced that he and counsel for both sides had received anonymous letters bearing on the case.

Both the judge and counsel refused to discuss the contents of the letters which they had received or to say whether any threats were contained in them.

Man Found in Sioux City Charged with Theft of Notes

SIoux CITY, Ia., April 1.—Paul Fleming of Chicago was arrested at the Northwestern station this afternoon for the alleged theft of \$10,000 in notes March 29 in Chicago. Aida T. K. Parkinson is the complainant. The arrest was made on the request of the Chicago police.

CHICAGO, April 1.—Complaint was made to the Chicago police by Mrs. Parkinson, whose home is in Rensselaer, Ind., that Fleming, who posed as a land agent, negotiated with her for the purchase of property.

Mrs. Parkinson declared that he went with her to the station when she was about to return to her home, and while she was buying her ticket held her handbag for her. When she had bought the ticket Fleming was not to be found and she reported the loss of her notes to the police.

Two Oil Companies Lose Fight Against Missouri Laws

WASHINGTON, April 1.—The anti-trust laws of Missouri were upheld today by the supreme court of the United States. The court approved of the state's action in ousting the Standard Oil company of Indiana and the Republic Oil company of New York from the state and fining each \$50,000 under these laws.

G. W. BAKER WITHDRAWS CLAIM TO EDDY ESTATE

BOSTON, April 1.—George W. Baker of Thion, N. H., one of the six claimants to the estate of Mrs. Mary Baker G. Eddy, the founder of the Christian Science denomination, announced today that he had accepted an offer of settlement and would withdraw from the litigation.

Mr. Baker entered his suit against the estate on March 11, 1911, and at the same time asked the court to prevent George W. Glover of Lowell, S. D., and Dr. E. J. Foster Eddy of Waterbury, Vt., respectively the son and adopted son of Mrs. Eddy, from continuing their suits against the estate because of releases signed under a former suit.

The amount of the offer is not stated.

HOUSE VOTES FOR WOOL TARIFF ACT

Democrats with Aid of Progressive Republicans Pass Bill Without Amendments.

EFFORTS TO RAISE RATES LOSE

Attempt to Substitute Minority Measure is Defeated.

TARIFF BOARD GETS CRITICISM

All But Three Democrats Stand Their Party.

PRAISE IS GIVEN LEGISLATION

Assertions Made in Debate that Bill Would Save Big Sum to Consumers Without Injuring Wool Industry.

WASHINGTON, April 1.—The democratic wool bill today passed the house 189 to 82 with twenty progressive republicans voting for it. Representative Tucker of Colorado, who opposed it in debate and answered "present" on the roll call and Representative Francis of Ohio, who voted against it, were the only democrats who did not line up with the majority.

Representative Payne moved to recommend the bill with instructions to the committee to report the republican substitute, but that was lost 169 to 108.

The twenty republicans who voted for the bill were: Anderson, Lindbergh, Miller, Nelson, Nye, Stearnson, Stevens, Volsted, Haysen, Hubbard, Akin, Jackson, Murdock, Young, O'Leary, Warburton, Lafferty, Hanna, Kent, Norris.

Supporters of the bill declared it would not cut the government's revenue, but would save more than \$5,000,000 a year to consumers because of their adjustment of rates.

All the attempts of the republicans to amend the bill to increase the rates were lost.

The tariff board came in for criticism in the speechmaking.

Representative Kitchin considered that Senators Smoot and Warren had deliberately imposed on the tariff board to maintain the high duty on wool.

"How is it," he cried, "that sheep growers in Washington are able to raise wool at one-twentieth of a cent a pound and in Wyoming, according to the board's report, a pound costs thirteen cents?"

Representative Mondell replied that wool costs 15 cents to produce in Wyoming.

"And yet," returned Mr. Kitchin, this infallible board shaded that cost price just 2 cents. The gentleman's estimate discloses the beauty of the system."

Fourteen Thousand Chicago Carpenters Strike for More Pay

CHICAGO, April 1.—Building operations aggregating expenditures estimated at from \$20,000,000 to \$30,000,000, were expected to be affected in Cook county today by a strike of 14,000 carpenters who have been ordered to suspend work this morning. Contractors and carpenters estimated that construction work on at least 50 buildings would come to a stop.

The carpenters are demanding 60 cents an hour, an increase of 5 cents an hour. The situation was given a more serious aspect today when union leaders made the statement that a greater increase would be demanded should employers appear obstinate in granting the demand made.

The Chicago downtown district stands to be the most vitally affected. Several skyscrapers are in course of construction at a cost ranging from \$1,000,000 to \$10,000,000.

DES MOINES, Ia., April 1.—Union carpenters of Des Moines went on strike today because of the master builders' refusal to grant the increase in wages. Practically every large building in course of construction is deserted. The carpenters demand an increase in wages of from 50 to 55 cents an hour, giving the high cost of living as the principal reason.

New York City Shaken by Explosion in a Powder Plant

LITTLE FALLS, N. J., April 1.—The Luffin-Rand powder mills at Wayne, five miles east of here, blew up shortly after 8 o'clock today. The detonation shook the district for miles around.

Three of the buildings of the plant were destroyed. Information as to the further extent of the explosion was not obtainable at the company's offices at Wayne. The mills are under the operation of the E. I. Dupont de Nemours company of Wilmington, Del. Two men were killed and three others injured.

PATERSON, N. J., April 1.—A tremendous explosion, which shook the country for miles around this morning, was located at Mountain View, about five miles west of here, at one of the powder mills of the Luffin-Rand company. The explosion was felt all through Greater New York. There were three distinct vibrations, beginning shortly after 8 o'clock.

Irrigation Farmer Hit by a Decision

WASHINGTON, April 1.—In a case of vital interest to irrigation farmers of the west the supreme court today held that landowners along a river had no right to object to change in the river current by riparian owners below them.

The court held that the Henry Schodde estate in Idaho was not entitled to damages because the current of water used for irrigation from the Snake river was being changed by a dam built by a power company below.

"I Will Accept the Nomination if Tendered"—T. R.



From the Sioux City Journal.

COAL MINERS SUSPEND WORK

Four Hundred Thousand Men in Central and Eastern Mines Idle.

BITUMINOUS MEN ARE VOTING

Probability that Terms Agreed On at Cleveland Conference Will Be Accepted—Anthracite Men More Appreciative.

CLEVELAND, O., April 1.—Scores of thousands of coal miners quit work today in the anthracite fields of Pennsylvania and in the "central competitive field" of the bituminous portion of the industry. Officially the movement is a "suspension" of work, and whether it is to develop into a widespread strike depends upon the outcome of voting in the union ranks and of conferences between the men and employers within the next ten days.

Anthracite men are more apprehensive than their bituminous brethren as to the outcome. This condition is predicated upon the fact that there is no definite agreement immediately in sight for the hard coal men, whereas the bituminous conference here adjourned after the men's representatives had abandoned practically all their demands except for increased wages, and on this point modified their terms considerably.

Referendum Ballot Begun.

The union men are to take a referendum ballot at once as to whether the modified terms for a new wage agreement are to be accepted and there is a general feeling that the result of the ballot will be a return to work.

Upon the outcome of the voting in the central competitive field—comprising Pennsylvania, Ohio, Indiana and Illinois—will depend also the basis for new wage scales in other sections of the country, where the present agreements do not expire until May 1 or later. Southern and southwestern mines and the comparatively few in the Rocky mountain states are affected by this status of affairs.

Four Hundred Thousand Affected.

West Virginia and Kentucky bituminous fields will not be greatly affected unless the present suspension becomes a strike. Nonunion labor predominates in these mines and the men in similar situations in the industry have shown a disposition to continue at work.

Approximately 600,000 men are directly affected today and some 20,000 more, scattered throughout the coal districts of the country are watching the outcome of the "suspension" for its possible effect upon their own wages and working conditions. It probably will be at least thirty days before all mines will have resumed, if the referendum votes and conferences result favorably, and the last ten days of that period may present a problem as to fuel supply to industries of all character.

Soft Coal Miners Will Accept.

INDIANAPOLIS, April 1.—"It's all over" by signing the new wage contracts. As a matter of course the increase in wages won by the soft coal miners will be followed by the granting of an increase to the anthracite miners without a struggle.

This was the statement of John P. White, president of the United Mine Workers of America when he returned to (Continued on Second Page.)

Hitchcock Says He Did Not Help Reject the Sherwood Bill

WASHINGTON, April 1.—Some of the democratic senators who voted against the pension bill as amended by the senate declared today they had been placed in a false attitude by statements in press dispatches that by this vote they aided in rejecting the Sherwood dollar-a-day pension bill, which came from the house. Among them were Senators Chilton of West Virginia, Gardner and Johnson of Maine, Hitchcock of Nebraska, Kern and Shively of Indiana and Martine of New Jersey.

These senators favored the Sherwood bill, as shown when they voted for the amendment offered by Senator Curtis, which would have substituted the dollar-a-day provision of the house bill for the graduation of the senate bill, and would have had the effect of restoring the Sherwood bill. The Curtis amendment was lost, 25 to 41, however, and so the bill did not commend itself to the northern democrats, and most of them voted against it.

The bill is now in conference, where a bitter contest between representatives of the two houses is expected.

Clark and Wilson File Their Petitions in Springfield, Ill.

SPRINGFIELD, Ill., April 1.—The petition of Champ Clark for nomination for president at the state primary April 9, was filed with the secretary of state today and he was given first place in the democratic presidential ballot. Woodrow Wilson will have second place on the ballot. Colonel Roosevelt's petition also was filed today, and his name will have second place on the republican ballot. President Taft's name going on first.

The Clark petition was presented to Filing Clerk Elmer Hill as he entered the door, but the Wilson petition was filed by him on his desk and a controversy arose over which was first presented. Secretary Rose finally decided the Clark petition should have precedence.

Clark's representative retired on the ruling of Secretary Rose that no petitions would be received or watchers allowed to be about the office outside of regular office hours.

Water Company Must Pay for Connections

WASHINGTON, April 1.—Water companies must bear the expense of tapping their pipes to furnish connection with all city residences. If they are to serve the public impartially, according to a decision today by the supreme court of the United States.

Albert E. Hatch of Cooper d'Alene, Idaho, brought suit to compel the Consumers' company of that city to furnish to him a connection without his having to bear the expense. The supreme court decided in his favor today.

MISSISSIPPI RIVER RISES

All Previous Marks on Gauge at Cairo Are Exceeded.

MISSOURI HIGH AT ST. JOSEPH

Lowlands at Kansas City Are Flooded, But Serious Damage Is Not Expected—Des Moines River Falling.

CAIRO, Ill., April 1.—Refugees from points in Missouri, Kentucky and Illinois arrived here this morning with tales of devastation by the high water of the Ohio and Mississippi rivers. The river gauge here stood at 52.5 feet, the highest ever recorded.

A big force of men is patrolling the levees and thousands of sandbags are ready for use if the river begins to weaken the levees. All of the business and factory sections of Hickman, Ky., was flooded today, when the water began to go over the top of the levee.

The Iron Mountain track between Cairo and Thebes is under water and trains are being detoured over the Mobile & Ohio road. Practically the entire Cairo district outside of that protected by the local levees is under water.

HAVENPORT, Ia., April 1.—The stage of the Mississippi river today is 11.7 feet, one foot lower than on Saturday morning. The decline came following the breaking up of the ice gorge six miles below Linnopolis Saturday night. The railroad bridge over the Cedar river at Buchanan on the Clinton-Iowa City branch of the Rock Island was washed out today.

ST. LOUIS, April 1.—The Mississippi river at St. Louis rose 1 foot in the last twenty-four hours and it is expected to remain stationary at 28.5 feet for thirty-six hours, when it will go above the flood stage of thirty feet. The lowlands along the East St. Louis, Ill., shores are under water, but no great damage has been done.

KANSAS LOWLANDS FLOODED.

KANSAS CITY, Mo., April 1.—The Missouri river continued to rise here today and the Kansas river was affected by back water from the Missouri, but all the Kansas streams, including the Kansas river west of here, were falling.

Some of the residents of the east and west bottoms moved from their homes today fearing an overflow of the lowlands.

Although the Missouri river was 22 feet above low water mark, a depth known as the "flood stage," P. Connor, the government weather forecaster, said no serious damage would result here unless heavy rains ensued at once. He said a light rain that fell today would have little effect and predicted fair weather by tomorrow.

The Kansas river at Kansas City has been diked since last year and can carry off a larger volume of water than ever before.

ST. JOSEPH, Mo., April 1.—The Missouri river is within three inches of high water mark and gradually rising. Residents of the neighboring bottoms are moving their families and live stock to the hills.

DES MOINES River Falling.

DES MOINES, Ia., April 1.—Probable relief from flood conditions was indicated here early today, when the Des Moines river stood at 11.1 feet, with prospects of a fall. Flood stage here is 18 feet, but the river was reported to have gone down two feet at Boone since yesterday and the lower stage was expected to reach here by noon or a little later.

CEDAR RAPIDS, Ia., April 1.—Thousands of dollars' damage has been done to stocks stored in the basements by the Cedar river flood. The river is the highest since 1894. The flood is expected to begin to fall tomorrow.

DISBARMENT PROCEEDINGS AGAINST LYONS DISMISSED

KANSAS CITY, Mo., April 1.—The disbarment proceedings brought against Leslie J. Lyons, United States district attorney, by Ernest D. Martin, a former state senator, were dismissed by the Kansas City court of appeals today. Lyons was charged with irregularities in the conduct of his office, but the court's opinion today exonerated him of every charge made against him.

SUDDEN FRESHET SWEEPS VALLEYS

Elkhorn Goes on Another Rampage Tearing Away Roadbeds and Destroying Bridges.

REPAIRS BEING MADE RAPIDLY

For First Time in History U. P. is Not Operating Trains.

RUNS WILL BE RESUMED TODAY

Plattsmouth Bridge Foreman Has Narrow Escape from Death.

WATER IS FALLING GRADUALLY

Unexpected Flood Comes Monday Morning Destroying Bridges that Have Heretofore Been Safe.

Twenty-four Union Pacific and Northwestern trains are tied up at Fremont. Officers promise that traffic will be resumed today, but several days will be required to get back to schedules.

Elkhorn goes on another rampage yesterday and conditions were worse than at any time during the flood.

Missouri Pacific is the only road out of Omaha that was running trains yesterday.

New channel is cut across Fremont island, and it appears to be a permanent one.

Crews of bridgemen are hastened to the scene of the damage to repair structures as soon as possible.

Water at several points in the state rises again at alarming rate, causing much additional damage.

Plattsmouth bridge foreman is swept from his velocipede on Burlington tracks and is nearly drowned.

The flood situation in Nebraska was more serious yesterday than at any time since the waters of the Platte and Elkhorn reached flood stage last week.

The water, though, is now receding rapidly an the roads promise that some sort of service will be resumed today.

Early Monday night the streams went higher and at several points tracks and bridges that had heretofore been safe were washed out.

For the first time since the Union Pacific was built not a train is moving in or out of Omaha. Additional washouts are reported at Fremont twenty-four Union Pacific and Northwestern trains are tied up between here and that place.

The only trains out of Omaha yesterday were those of the Missouri Pacific and the Burlington, which is detouring its trains over that road by way of St. Joseph.

The track of the Northwestern was cut at Arlington so that the Union Pacific was again shut off from the use of this track by the west.

At Waterloo Sunday the water fell fifteen inches, or exactly to the high water mark of 1911, but at 2 o'clock yesterday morning a rise set in. At noon the water had gone up again about 7 inches above the 1911 mark, and was still rising. At noon there was three inches of water in the Waterloo business houses and activity there remains practically at a standstill.

Foreman Has Narrow Escape.

The Crest of the flood at Plattsmouth apparently reached its height Sunday, but yesterday the water was still surging over the Burlington and Missouri Pacific tracks in three places between Plattsmouth and Orosopolis. K. W. Zayegren, bridge foreman for the Burlington at Orosopolis, attempted to go to Orosopolis on his velocipede. In trying to go through the turbulent stream across the tracks his vehicle was swept from the rails and by heroic effort he saved himself from drowning. The water is now falling at these points.

Arlington had another scare during the night. The water had gone down Sunday, but early yesterday a rise again set in and continued up to about 19 o'clock, when it began to go down. A Northwestern fill two miles west of Arlington toward Fremont was washed out during the night.

At noon reports were received that the water is falling steadily at Valley and Ashland.

Six spans of the wagon bridge at Louisville have been washed away. The water is falling at these points.

Makeshift Service Promised.

Officials say that service will be resumed soon on all lines to the west, with the exception of the Rock Island, which will not be able to complete repairs on its bridge over the Platte river at South Bend before Wednesday at the earliest.

The Northwestern has succeeded in putting its track at Arlington in passable condition and this morning will run trains on its Black Hills and Wyoming lines out of Omaha. This line will be used by the Union Pacific until the repairs on its road between Fremont and Waterloo are completed, which will be some time during the latter part of the week.

With the line opened to Fremont the Union Pacific will again establish through service west.

The Burlington completed the repairs on its Ashland bridge over the Platte last night and this morning trains will probably run between Omaha and Lincoln. From Lincoln west the road has been open for several days. The Omaha road, tied up by a washout at Pender since early last week, completed repairs last night and this morning service at Sioux City will be resumed. The branch from Emerson to Norfolk has been in operation two days.

The Union Pacific has not operated a passenger train out of Omaha to the west since Saturday night at 11 o'clock. Nor has a train arrived since that time. This is the longest period of time that the Overland system has been tied up since the road was open to traffic more than forty years ago.