

Supreme Court Decision Will Divorce the Coal and Railroad Business

INTERPRETS "COMMODITIES CLAUSE"

Court Unanimous in Its Decision—Roads Cannot Legally Transport Coal from Mines that They Own—Government Can Now Make Another Attempt to Enjoin the Lehigh Valley from Moving Its Own Coal.

Washington, April 3.—The "commodities clause" of the Hepburn rail law, interpreted two years ago by the supreme court of the United States in what was commonly supposed to be an important group of words, was given a new life today by that same tribunal in a second interpretation. So effective was the reconsideration of the subject that government officials tonight predict that the evils sought to be corrected by legislation will now be remedied and railroad business will henceforth be divorced from coal business.

Decision Is Unanimous.
Chief Justice White today announced the decision of the court. The entire bench agreed with his statement, although on the previous consideration of the case, Justice Harlan dissented from the judgment of the court.

Error of Lower Court.
The chief justice today took the position that the lower court erred in refusing to allow the government to amend its original petition. He referred to the refusal as "an absolute abuse of discretion." He said, however, that the abuse was "obviously occasioned by a misconception of the character of the action of this court and the scope of the matter."

Chief Justice's Summing Up.
"It must be held that while the right of a railroad company as a stockholder to use its stock ownership for the purpose of a bona fide separate administration of the affairs of a corporation in which it has a stock interest may not be denied, the use of such stock ownership as a device for the purpose of destroying the entity of a producing corporation and of so mingling its affairs with those of the railroad company as to make the two corporations virtually one, brings into question the public interest in such a corporation as to such producing, etc., corporation within the prohibition of the commodities clause."

Cannot Abuse Its Stock Power.
"In other words, what by operation and effect of the commodities clause, there is a duty cast upon a railroad company purporting to carry into the interstate commerce a product of the producing, etc., corporation in which it has a stock interest, to abstain from so exercising its power as to bring about a change by which the commodities clause prohibition is thereby plainly would be violated by the unnecessary co-mingling of the affairs of the producing company with its own as to cause them to be one and inseparable."

Amend Lehigh Valley Petition.
As a result of the decision, the lower court will now allow the government to amend its petition in the Lehigh Valley case. A different situation arose in regard to the Pennsylvania case, where the government did not ask for leave to amend, and the court refused to grant it. The government did not ask for leave to amend in the Pennsylvania case, but the court refused to grant it. The government did not ask for leave to amend in the Pennsylvania case, but the court refused to grant it.

RATE REGULATION IN NEW HAMPSHIRE.

Special Legislative Committee Introduces a Sweeping Bill.
Concord, N. H., April 3.—The Boston and Maine railroad company, passenger and freight rates in New Hampshire until July 1, 1913, subject to change by the state public service commission; but if the rates, after investigation, as found unreasonable, another person may sue for and recover any excess over such maximum paid by him, according to recommendations of the public service commission on railroad rates, to the legislature to-night.

The committee has been investigating the alleged raising of passenger and freight rates in this state by the Boston and Maine railroad company, and the report, signed by all five members of the committee, will be introduced in the form of a bill.

The bill as recommended calls upon the proposed public service commission to investigate the rate matters and to report its findings to the legislature. For the purpose of the investigation and appropriation of \$10,000 is provided.

LETTER MAILED 73 YEARS AGO JUST DELIVERED.
Danbury, Conn., April 3.—A letter mailed in Geneva, N. Y., 73 years ago, by Peter Bixby to O. B. Paddock of Danbury, N. Y., was delivered to-day by the post office. The letter, which was found in the archives of the Geneva office, was discovered and mailed to Danbury, where no trace of Paddock being known was made by the dead letter office at Washington, from where it was mailed to Mrs. Mead.

The writer and Paddock both died some years ago, and Mrs. Mead is Paddock's only surviving relative. The letter was in reference to a tinware land owned by Paddock in the northern part of New York state and by its means Mrs. Mead hopes to establish a claim to land which she has tried to get, but been unable to, in the past.

CHICAGO POLICE IN LABOR FIGHT.
Factions Start Trouble Which Culminates in a Riot.
Chicago, April 3.—Patrolman J. J. McGuire was shot and probably fatally wounded today while attempting to stop a fight between union labor factions over work on a new office building in the downtown district. The police were called to the scene by a man who was shot by the police.

The police were called to the scene by a man who was shot by the police. The police were called to the scene by a man who was shot by the police. The police were called to the scene by a man who was shot by the police.

VALUABLE DOCUMENT FOUND IN ALBANY FIRE RUINS.
Governor's Letter of 1760 Was Only Partially Burned.
Albany, N. Y., April 3.—State Historian J. O. Sweeney today announced a valuable document in the library ruins. It was the appeal, written by Gov. Thomas Pownall, to the British government for the relief of the sufferers from the government's tax.

The message is partly burned, but portions of many pages are legible. Baron Joseph Theodores Peter von Niemczyk.
Cannelton, Ind., April 3.—Baron Joseph Theodores Peter von Niemczyk of Cannelton, Ind., who has been a resident of this county for forty years, died here today, aged 80. He was born in Hungary, and came to America in 1830. His wife died ten years ago.

Uniform Creep Reporting.
Washington, April 3.—A world-wide system of uniform creep reporting will be proposed at the International Institute of Statistics, which will convene in Rome on May 15.

Cabled Paragraphs

Dublin, April 3.—The corporation of Dublin voted, 48 to 9, to "proceed with the next business" when a resolution proposing a lay address on the occasion of King George's approaching visit, was introduced at a meeting today.

Moscow, April 3.—The constitutional-democratic candidate, Nikolai V. Tolstoy, on the day after the election of the seat in the duma made vacant by the retirement of Feodor A. Golovine, a constitutional democrat, and former president of that body.

Air-La-Chapelle, Rhénish Prussia, April 3.—The aviator Lescares and passenger, who left Hasselt, Belgium, in an aeroplane on Saturday, has landed here. The aviator crossed three frontiers, the Belgian, Dutch and German, in a single flight, although the distance traversed was only 100 miles.

London, April 3.—Manuel de Mazon, an Indian, who retired from the post of Mexican financial agent at London to succeed Francisco L. de la Generala, is a passenger on the steamer Caronia, which sailed yesterday from Queenstown for New York.

Cape Hattien, Haiti, April 3.—The lawyers of the twenty-two men condemned to death for political offenses have been led to hope that executive clemency will be exercised. Applying to an appeal made by them, President Simon states that he will await the result of the papers submitted and the decision of the military tribunal before definitely concluding to interfere.

Washington, April 3.—Representative James R. Mann of Illinois was unanimously chosen candidate for speaker and floor leader of the republicans in the house of representatives at the caucus held in the house chamber tonight. His name was proposed to the caucus by ex-speaker Joseph G. Cannon, and he received the support of the regular and those insurgents who were present.

The endorsement means that he will receive the republican vote in the house tomorrow. He will become the elected head of the minority party in the house in the next congress.

Dozen Insurgents Missing.
More than a dozen insurgents were not at tonight's caucus. Many of those who are opposed to Mr. Mann did not attend the caucus tonight. There was no concerted action, however, toward disagreement with the general party programme.

Split on Committee Appointments.
The caucus proceedings were hazy and on all points except the method of selecting the minority members of the standing committee of the house. On this question there was a clear-cut difference of opinion between those who advocated the appointment of the committees by Mr. Mann and those who wanted to follow the constitutional plan of having a special committee to select the other committees.

IN MAINE PRISON SENTENCED FOR LIFE.
Threatened to Kill, He Lived but Thrice and One-Half Year.
Thomaston, Me., April 3.—Death threatened to an early end today the life sentence which 18-year-old Sidney Brown, convicted of murdering a woman, received here for the murder of his chum, Norris W. Heath, at Bowdoinham, in 1907. He is now in the state prison here for the murder of his chum, Norris W. Heath, at Bowdoinham, in 1907. He is now in the state prison here for the murder of his chum, Norris W. Heath, at Bowdoinham, in 1907.

Two Attended Neither Caucus.
Two members of the house have the unique distinction of having taken part in neither the republican or democratic caucus. One is Mr. Berge of Milwaukee, socialist, and the other is Theron A. Smith of New York, elected as a republican, but who has since become a member of the standing committee.

SHOT IN BATTLE WITH POLICE OFFICER.
Deckhand of Steamer Was Being Arrested for Disorderly Conduct.
Flakill-on-Hudson, N. Y., April 3.—A desperado who had been in the Hudson river tonight the other night shot a police officer in the back of the head. The man was taken to the Highland hospital, where it was said he could not live.

SHERIFFS FIRED UPON BY MEN IN AMBUSH.
Had Arrested Two Brothers on Charge of "Retaliation."
Asheville, N. C., April 3.—Deputy sheriffs who had in their custody Nathan and Miller Gunter, brothers, and were on their way to place them in jail, were fired upon by two brothers of the accused men late last night. The men were forced to liberate their prisoners.

RAILWAY MAIL CLERK DROPPED FROM SERVICE.
Said to Be Penalty for His Political Activity.
Boston, April 3.—By the direction of Postmaster General Hitchcock, the local postoffice authorities have dropped Charles F. Quackenbush, railway mail clerk living in Stamford, Conn., and candidate for president of the first district of the Railway Mail association, from the government rolls. The retirement of Quackenbush from the government service will not prevent him from continuing to work for C. W. Walter, Quackenbush was appointed to the railway mail service in 1898 and has since then been in this city and New York.

OLD COINS WASHED ASHORE BY HIGH TIDE.
Ancient Relics Cast up by Sea on English Coast.
London, April 3.—The extraordinary high tide along the Suffolk coast today washed up hundreds of gold, silver, and bronze coins, many of them in the neighborhood of Aldeburgh. Large quantities of antique rings and ornaments, supposed to be relics of the submerged city of Dunwich, also were cast up by the sea.

Wife Has Voice in Disposal of Property if She Has Community Right.
Washington, April 3.—Woman won a victory today in the supreme court of the United States in a case which decided that her right in community property, recognized under the civil law in force in the southwestern states, is not lost by her husband's death. The court held in a suit over the title to a tract of land in Arizona county, N. M., that Adolph Lea did not have the right, in view of a New Mexico law, to convey his land to another without his wife joining in the transfer.

Denman Thompson May Recover.
West Swanton, N. H., April 3.—Denman Thompson, who was convicted of the murder of a woman, may recover today. Attendants at the bedside expressed the belief that, barring no untoward developments, the aged actor would now recover.

Receivess Divorces Colony.
Reno, Nev., April 3.—Receivess Colony was the subject of Theodore Roosevelt's address today to a group of several thousand arrested big game poachers.

More Dutch Farmers Arrive.
New York, April 3.—The third large party of Dutch farmers to arrive here today, selected by the state government in the west came today on the steamer Noordam. Today's installment included the little members of big families numbered about 300 souls.

Instead of Cannon

TO BE REPUBLICAN LEADER IN THE NATIONAL HOUSE.
NOMINATED BY "UNCLE JOE"

A Dozen Insurgents Missing from Last Night's Caucus—A Lively Controversy Over Selecting Committees.

Sup't John Kennedy of Mystic Woolen Company and Mrs. Addie Holmes of Old Mystic Sustain Painful Injuries.

Stonington, Conn., April 3.—As a result of a collision between an automobile and a trolley car here tonight, John Kennedy, superintendent of the Mystic Woolen company of Old Mystic, is seriously and perhaps internally injured, and Mrs. Addie Holmes, wife of Old Mystic, has a broken nose and slight bruises.

Other Occupants Escaped.
The other occupants of the car, Mrs. Holmes' two sons, William and Clifford, escaped injury.

Returning from Hope Valley.
The party was going from Hope Valley to Stonington, where the company's mills are located, to Old Mystic.

Turned Onto Trolley Tracks.
In passing through here, William Holmes, driver of the car, turned the trolley tracks to pass an oncoming automobile and before he could get into the road again ran into a trolley car head-on.

Auto Overturned and Smashed.
The automobile was overturned and smashed to pieces and the occupants killed. The trolley car was slightly damaged.

Removed to Their Homes.
Mrs. Holmes and Mrs. Kennedy were assigned to become the company's removed to their homes in Old Mystic.

BOY MURDERER DIES.
IN MAINE PRISON SENTENCED FOR LIFE, HE LIVED BUT THRICE AND ONE-HALF YEAR.

Thomaston, Me., April 3.—Death threatened to an early end today the life sentence which 18-year-old Sidney Brown, convicted of murdering a woman, received here for the murder of his chum, Norris W. Heath, at Bowdoinham, in 1907. He is now in the state prison here for the murder of his chum, Norris W. Heath, at Bowdoinham, in 1907.

Thieves Caught at Work in Newark.
N. J. opened fire on the police, wounding Policeman William McGee and ridding an automobile with shot.

Rev. R. K. Atkinson, Pastor of a Davenport, Ia., Congregational Church, has resigned to become the secretary of the Playground Association of America.

The Maple Sugar Season is a failure thus far, according to reports from the maple belt of Vermont. The weather has been unfavorable to the run of sap.

Senator Elihu Root of New York yesterday moved and secured the admission of his son, Elihu Root Jr., to practice before the supreme court of the United States.

Clarence C. Hillman, the Seattle millionaire, convicted of using the mails to defraud, was sentenced to two and a half years in prison and to pay a fine of \$5,000 and costs.

EXTRA COFFIN FOR THE FRAGMENTS OF BODIES.
Will be Interred With the Unidentified Fire Victims.

New York, April 3.—The eight unidentified victims of the Washington place fire of March 25, which cost 144 lives, will be buried Wednesday as the big labor parade in their memory winds through the streets. It was definitely announced tonight a ninth coffin, containing fragments of incinerated bodies, impossible of identification, will also be interred.

OLD WEBSTER CLAIM TO BE ARBITRATED.
Millions of Acres in New Zealand Involved in the Case.

Vancouver, B. C., March 3.—Great Britain and the United States have agreed to arbitrate the case involving ownership of millions of acres of land in New Zealand. This was announced by Dr. J. G. Emblay, investigation general, in a letter to Sir Joseph Ward, premier of the commonwealth, arrived today from the interior department by the coming special session of congress.

HARVARD WINS IN THE INTERCOLLEGIATE DEBATE.
Yale Has Second Place and Princeton Bings Up Rear.

Cambridge, Mass., April 3.—Harvard won the three-cornered debate from Yale and Princeton tonight on the question, "Resolved, That all elective state officers should be nominated by direct primaries."

DOGS DON'T BARK AFTER DARK AT MONTCLAIR, N. J.
Argument Presented for Holding Newark Episcopal Conference There.

Newark, N. J., April 3.—Montclair, N. J., was chosen as the next meeting place of the Newark Episcopal conference today, upon the recommendation of the Rev. H. P. Randolph of the First church in Newark.

COHOES WOMAN OF HEIRS TO \$60,000,000 ESTATE.
Is Cousin of the Widow of the British General Huett.

Troy, N. Y., April 3.—Mrs. Philomene Normandin of Cohoes, N. Y., a cousin of Madam Tusk, widow of the late British General Huett, has received word that she is one of the heirs to an estate worth \$60,000,000.

Butte, Mont., April 3.—Socialists today swept Butte, selecting mayor, city treasurer, police judge, and five out of nine aldermen. Two years ago the democratic party elected every candidate in Elmer 1908 county.

Condensed Telegrams

The Squadron of French Warships sailed from New York for Brazil.

More Than 22,000 Irish, of whom 18,113 were males, emigrated the past year.

The Postoffice inspectors have taken hand in the crusade against Black Hand operators.

The Transatlantic Liner Camillo was six hours in the ice off the Newfoundland Banks.

St. James' Catholic Church of San Francisco was destroyed by fire, causing a loss of \$100,000.

The Cathedral of St. John the Divine, New York, will be thrown open for public worship April 19.

The Hotel Jefferson, formerly the Reconnaisance, on Cony Island, was partly destroyed by fire.

Rev. Dr. Hastings, former president of Union Theological seminary, died in New York at the age of 84.

The Interstate Commerce Commission decided that steam and electric roads must exchange interstate traffic.

Three Bombs Were Thrown at the homes of button workers in Muscatine, Ia., who took the place of strikers.

The Tobacco Shed of Winthrop, Hamden in Westport, Conn., was destroyed by fire yesterday, causing a loss of \$2,000.

Two French Officers and 12 Men were killed and others wounded in a fight with the natives in French Guinea.

A Son Has Been Born to Mr. and Mrs. Charles Cary Rumney, the latter being the daughter of the late E. H. Harriman.

A Conference Was Held by Ambassador Bryce with Counselor Anderson of the state department on the arbitration treaty.

The New Tariff Law of the Netherlands, passed by the government in parliament, is moderately protective in character.

John R. Wilson, Brother of Governor Wilson of New Jersey, has succeeded Mr. H. Morgan as city editor of the Nashville Banner.

Prof. Frederick Lud Oimsted of Harvard, the inventor of the X-ray, and Miss Sarah H. Sharples, Radcliffe, '98, were married last Thursday.

Thieves Caught at Work in Newark, N. J. opened fire on the police, wounding Policeman William McGee and ridding an automobile with shot.

Rev. R. K. Atkinson, Pastor of a Davenport, Ia., Congregational church, has resigned to become the secretary of the Playground Association of America.

The Maple Sugar Season is a failure thus far, according to reports from the maple belt of Vermont. The weather has been unfavorable to the run of sap.

Senator Elihu Root of New York yesterday moved and secured the admission of his son, Elihu Root Jr., to practice before the supreme court of the United States.

Clarence C. Hillman, the Seattle millionaire, convicted of using the mails to defraud, was sentenced to two and a half years in prison and to pay a fine of \$5,000 and costs.

EXTRA COFFIN FOR THE FRAGMENTS OF BODIES. Will be Interred With the Unidentified Fire Victims.

New York, April 3.—The eight unidentified victims of the Washington place fire of March 25, which cost 144 lives, will be buried Wednesday as the big labor parade in their memory winds through the streets. It was definitely announced tonight a ninth coffin, containing fragments of incinerated bodies, impossible of identification, will also be interred.

OLD WEBSTER CLAIM TO BE ARBITRATED. Millions of Acres in New Zealand Involved in the Case.

Vancouver, B. C., March 3.—Great Britain and the United States have agreed to arbitrate the case involving ownership of millions of acres of land in New Zealand. This was announced by Dr. J. G. Emblay, investigation general, in a letter to Sir Joseph Ward, premier of the commonwealth, arrived today from the interior department by the coming special session of congress.

HARVARD WINS IN THE INTERCOLLEGIATE DEBATE. Yale Has Second Place and Princeton Bings Up Rear.

THE SHOOTING WAS

Gen. Murchison Receives Full Report of the Mexicans' Fire Upon American Troops

SOLDIERS HAVING A DAMP TIME OF THE FIGHTING AT URES AND SAN RAFAEL.

Ground Has Been Wet Three of the Four Weeks That Mancovers Have Been in Progress—Force of 200 Rebels Captures Caborca Sonora—Official Report of the Fighting at Ures and San Rafael.

San Antonio, Tex., April 3.—Rain today again balked General Carter and there were no manoeuvres at Fort Sam Houston camp. Camp has been established almost a month, and for three weeks the ground has been wet.

Rebels Got Reinforcements.
After the rebels were repulsed from the trap laid by Colonel Ojeda and Lt. Medina Barron, chief of rurales, they continued in the direction of Ures. The report says: "Later they received five hundred reinforcements. With this added force they attempted to take the right flank of the federal forces."

New Militia Officers Arrive.
A number of the two hundred militia officers who will participate in the manoeuvres arrived yesterday and today.

Report of Firing on U. S. Troops.
Reports on the firing on American troops at Presidio, Tex., by Mexicans have been received by General Lawton. The investigation is being conducted, but was unable to hear conclusively that the shooting was unintentional.

Rebels Capture Caborca, Sonora.
Nogales, Sonora, Mexico, April 3.—Francisco Morneau, presidente of Caborca, Sonora, 75 miles south west of Nogales, has reported that about 200 rebels captured that place yesterday. He said he had orders to defend the town with corporals, but was unable to raise a force. Morneau is being looked for a house in Nogales, Arizona.

Rebels Made a Stand.
At Ures the rebels made a stand, but in the fighting they were scattered into small groups which went in different directions. A report reached Agua Prieta that the rebels were reported those who fled at Ures, but this report has not been confirmed.

Corral Wants Leave of Absence.
Mexico City, April 3.—Eduardo Corral, vice president of Mexico, petitioned congress today for an indefinite leave of absence. He said that he was confined to his bed because of his health. He expects to spend some time at Carlsbad.

Battles at Ures and San Rafael.
Agua Prieta, Sonora, Mexico, April 3.—An official report by General Torres, military commander of the first zone, including all of Sonora, was received here.

GRAND JURORS TO INSPECT "SQUEAL BOOK."
Investigation of "Wide Open" Conditions in New York Begun.

New York, April 3.—In an effort to clean up the underworld, how wide the "crime wave" is, the grand jury, which is investigating the question, subpoenaed today the officials of the city's largest insurance companies to testify as to the number of burglaries reported in the city since January 1.

WATERBURY TO BECOME A FREIGHT CENTER.
is an New Route to Be Established by New Haven Road.

New Haven, April 3.—With the completion of a double track between New Haven and Boston and Boston and Shelton, which the New York, New Haven and Hartford Railroad Co. is actively pushing through, there will be a very important change in the freight business of the New Haven system.

FOURTEEN STRIKERS FINED AT HARTFORD.
Charged with Breaches of Peace and Intimidation.

Hartford, April 3.—After an all-day session of the city court here today, Judge W. H. Clark found fourteen of the strikers guilty of breaches of the peace and fined them sums ranging from \$5 to \$25, and costs. The cases of each of the strikers were heard and the accused released on bonds.

BISHOP CONDEMNS THE HAREN SKIRMISH.
Threatens to Excommunicate Parishioners Who Wear It.

Greenfield, Mass., April 3.—Removed from a sick bed and driven eighteen miles over the country roads to the place, Bishop of Hartford, Northfield was given a hearing in the district court here today on a charge of embezzlement from \$2,000 to \$25,000. Bishop Proctor, who had served as selectman at Northfield for five years, pleaded not guilty and was held for hearing April 12. Post was fixed at \$5,000, but late today Proctor had been unable to secure bail.

FASHIONABLE WOMAN HELD AS SHOPLIFTER.
Says She Has Not Been Herself Since Her Daughter's Death.

New York, April 3.—An attractive woman, wearing five diamond rings and a watch, was arrested by police and with checks and considerable cash in her purse was locked up tonight. She was charged with shoplifting.

TEETH IN ACCIDENT.
Auto in Which He Was Riding Collided With Tree.

Waterloo, Belgium, April 3.—Canadian dentist, Dr. Charles Mercier, architect of the Waterloo bridge, died today in an automobile accident. The chauffeur in seeking to cross a ravine, struck a tree and was killed.

Cardinal Lost Several Teeth in Accident.
Auto in Which He Was Riding Collided With Tree.

Waterloo, Belgium, April 3.—Canadian dentist, Dr. Charles Mercier, architect of the Waterloo bridge, died today in an automobile accident. The chauffeur in seeking to cross a ravine, struck a tree and was killed.

Cardinal Was Injured.
The cardinal was badly cut on the face, and several of his teeth were knocked out. The chauffeur was seriously injured.

Cardinal Was Injured.
The cardinal was badly cut on the face, and several of his teeth were knocked out. The chauffeur was seriously injured.