

MAKAROFF SENDS FLEET  
OUTSIDE AND SINKS FOUR  
SHIPS IN THE CHANNEL

Sensational Plan Is Adopted by the  
Admiral in Opening Offens-  
ive Campaign.

## COAL IS RUNNING SHORT

And Supply of Ammunition for  
Big Guns in Port Arthur  
Forts Is Limited.

## JAPANESE NOW AT DALNY

Marines Are Alleged to Have  
Landed—Russians May Fall  
Back for a Time.

LONDON, March 14.—A correspondent of the Daily Mail at Nieu-Chwang says that after the removal of the battleship Retvizan four Russian steamers, the Harbin, the Hailar, the Ninguta and the Sengari, were anchored at the mouth of the entrance to Port Arthur in prospect of the first important move, the idea that Vice Admiral Makaroff will attempt the offensive and make a desperate attempt to bring together Russia's scattered naval forces, or endeavor to inflict damage upon the Japanese navy.

The dispatch, which is prominently displayed by the Daily Mail, and which the correspondent says is "on Russian information," is, if true, news of the first important move, the idea that Vice Admiral Makaroff will attempt the offensive and make a desperate attempt to bring together Russia's scattered naval forces, or endeavor to inflict damage upon the Japanese navy. The story must, however, be viewed cautiously, the only approach to confirmation from any quarter being in a dispatch from a correspondent of the Daily Telegraph at Yiu-Kow, which merely says: "Vice Admiral Makaroff has issued orders to the effect that the saving of coal is unnecessary, but that the big-gun ammunition in the forts must not be wasted. Evidently this ammunition is running short."

There is no other news to hand on the subject.

The Daily Telegraph's Tokyo correspondent sends an unconfirmed rumor to the effect that Japanese marines have landed and occupied Dalny.

It may be remarked that the British newspapers all regard Vice Admiral Togo's report that he has laid mines at Port Arthur as a mere bluff and they say that such a feat would be impossible under fire. The Daily Mail thinks that if Vice Admiral Makaroff closed the channel it was in order to prevent the ingress of Japanese torpedo boat destroyers, as was done at Wei-Hai-Wei during the Chino-Japanese war.

It is a subject of unceasing remark and conjecture that nothing has been heard of the Vladivostok squadron and it is beginning to be believed that it is really inside the harbor of Vladivostok.

The Standard's Tokyo correspondent says that according to a dispatch from Gen. Gen. the Russians are believed to be withdrawing from the northeast frontier of Korea and concentrating at Vladivostok.

The correspondent of the Morning Post at Tokyo throws a light upon Japan's financial intentions and says it is estimated that Japan will be able to maintain a war for eighteen months without borrowing abroad. The policy is to retain the gold in Japan and it is believed that it will not be necessary to spend abroad more than one-eighth of the cost of the war, this expenditure being chiefly on coal, cordite and steel. The fact that Port Arthur is completely blockaded permits a great saving, because Japan will be able to charter vessels at peace rates.

The correspondent of the Times at Seoul comments on the remarkable civil influence which the Japanese brought to bear upon Korea without adopting an attitude of overbearing coercion. The correspondent says that on the contrary everything is being done to conciliate the Koreans, but he points out that from Chumupo to Seoul every controlling influence is in the hands of the Japanese, police and telegraph. He adds that Japan must have been laying the foundation for this condition of affairs for many months.

RUSSIAN ARMY MAY  
RETREAT AND WAIT

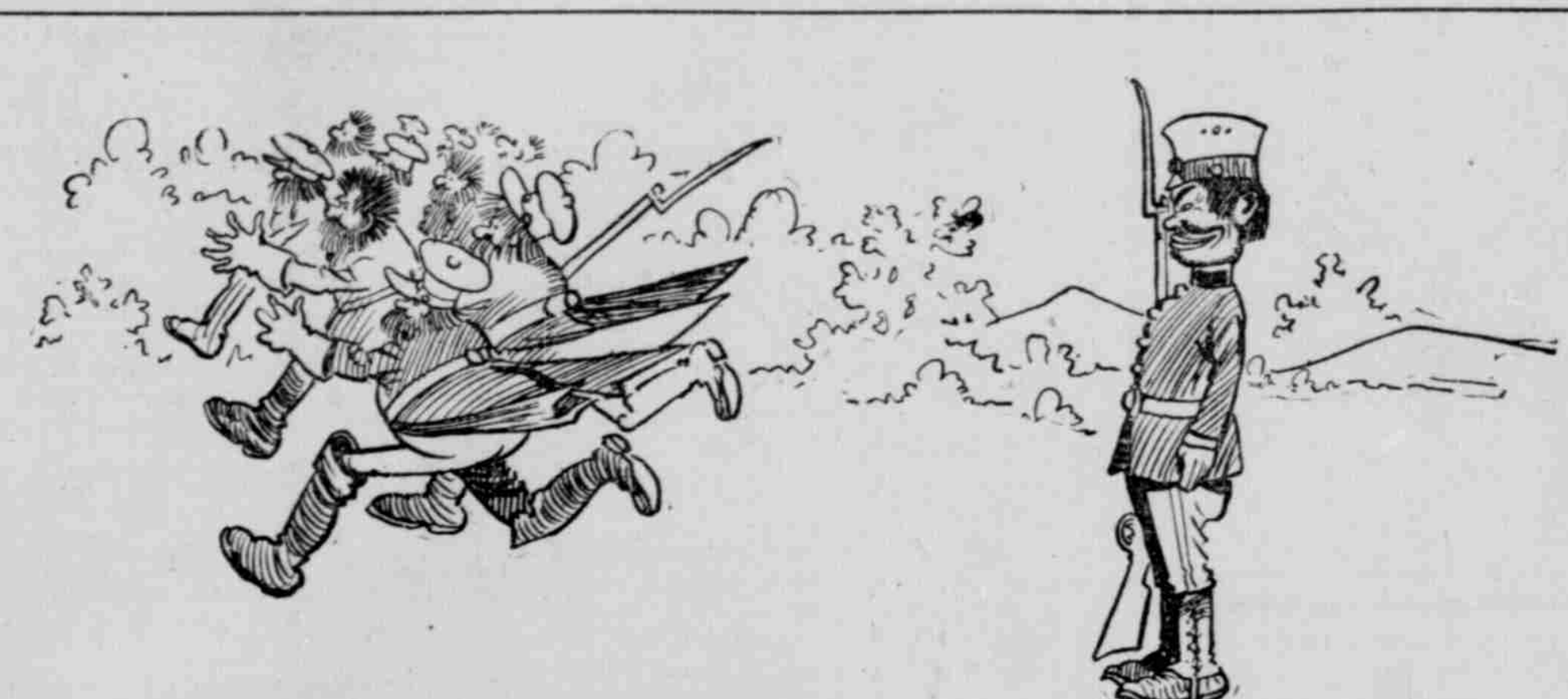
YIN-KOW, March 14.—The local Russian authorities are apparently incensed and manifestly much annoyed at the solicited inquiries of the commanders of foreign gunboats regarding the recent blockade of the Liao river before the arrival of the Japanese, which latter event is regarded as a foregone conclusion. Although the blocking of the Liao and also the defense of the settlement and native town are regarded as unattainable, it is certain that a disposition of the troops to the arrangement of a defense plan have already been made. The arrival of General Kondratovich a few days ago, however, arrested the arrangements and threatened to cause the abandonment of the original intention.

The best Russian information obtainable at Port Arthur is that the Japanese intend to fall back indefinitely until the mobilization of 300,000 troops for the purpose of assaulting and opposing the Japanese and probably 200,000 more to oppose Chinese.

The same opinion asserts that Vice Admiral Makaroff will fight hard. He is determined to weaken the enemy at any cost, and make the operation of the Baltic sea fleet in the far East feasible, though it may be necessary to fight without the Pallada, Czarevitch and Retvizan, which it is admitted, cannot be fully repaired within six months. On account of the uncertainty of the success of the scheme of constructing a mud dock, in which the Chinese and Japanese, naval experts allow a year for the work.

JAPANESE TRIED TO SAVE  
RUSSIANS UNDER FIRE

TOKIO, March 14.—A supplementary report from Vice Admiral Togo, concerning the effort made by the crews of the Japanese torpedo boat destroyers in action off Port Arthur on the 10th inst., to rescue the crews of the disabled Russian torpedo boat destroyers, reached here to-day. Captain Shiroto Asai, commanding the flotilla of torpedo boat destroyers, states that the Japanese would have been able to rescue many more of the crews of the Japanese torpedo boat destroyers, had it not been for the deadly fire of the shore batteries and the close approach of the Russian cruiser Novik. The report also explains that four men rescued were not part of the crew of the Stereguschich, as originally reported. When the Japanese rescuers reached the Stereguschich only the dead remained on board, and it is believed that the living members



The Jap, as part of his military training, wears a smile even in the hottest of the ignorant Russians that they are



But all is not lost: why cannot Russians obtain the services of the "Genial Tom" and thus counteract by dispensing a few of his widest smiles?

ACCUSED OF LOBBYING  
FOR RURAL CARRIERS

Charges Made in House by Mr.  
Crumpacker Against President  
Cunningham.

## LETTER AND CIRCULAR

Special to the Indianapolis Journal.

WASHINGTON, March 14.—A sensational incident occurred in the House to-day when Representative Crumpacker, of Indiana, charged that attempts were being made to coerce members of Congress into supporting legislation in which rural carriers are interested. He stated, in substance, that President Cunningham, of the Carriers' Association, had appeared here as a lobbyist in violation of the civil-service regulation, and said that he took this method of directing the attention of the administration to the action of Cunningham.

"A few years ago," said Judge Crumpacker, "Chairman Loud, of the postoffice committee, stated that the rural carriers would soon organize into a political body with the view of attempting to coerce favorable action in the way of increased salaries and the granting of favors of one kind and another on the part of Congress. I have before me something which vindicates the prophecy of Mr. Loud."

Judge Crumpacker then exhibited a letter from a carrier in the Tenth district of Indiana, together with a circular received by the carriers from President Cunningham. In this Cunningham instructs the carriers to send telegrams to their representatives and a skeleton form of telegram is outlined. Here are the concluding sentences of the Cunningham circular:

"I believe we got things going our way and succeed if you do your part. I understand the situation, and the department will take no notice of any work you do in regard to pushing our bill."

Cunningham states that prominent men with millions of dollars behind them are interested in the cause of the carrier. It was developed during the debate that representatives quite generally have received telegrams, inspired by President Cunningham, urging them to work for the carriers.

MINE WORKERS' OFFICER  
BEATEN BY MASKED MEN

Chris Evans Attacked on Train  
Near Trinidad, Col.—Guards  
Kill a Striker.

TRINIDAD, Col., March 14.—Chris Evans, financial manager of the United Mine Workers of America, was beaten by three masked men with revolvers to-day on board a Colorado & Southern passenger train bound for Pueblo, and painfully hurt. The men boarded the train at a point a mile east of Trinidad, and, after attacking Evans, jumped off and escaped. Evans was sent to Colorado by President John Mitchell.

At Prior to-day guards of the Michael Calabrese, a striker, Calabrese, it is said, had fired at a negro, and then barricaded himself in his house in an attempt to resist arrest.

BELIEVE MRS. DYE IS  
INNOCENT OF MURDER

Residents of Boone, Ia., Confident  
She Did Not Send Poisoned  
Candy to Miss Nelson.

BOONE, Ia., March 14.—Residents without an exception are confident that Mrs. Dye is innocent of the charge of sending poisoned candy to Miss Nelson, of Pierre, S. D. Investigation of the cause of this confidence discloses that there is a belief that Dye had another sweetheart, here, who was madly jealous of Miss Nelson, and who may have sent the poisoned package. Mrs. Dye said to-day that she would not leave the State until the Legislature had time to act in reference to an extradition law.

GREGG DAMAGE SUIT IS  
PASSED TO THE JURORS

Closing Argument Marked by a  
Tilt of Counsel and Applause  
by the Auditors.

## INTEREST IS UNABATED

Special to the Indianapolis Journal.

CRAWFORDSVILLE, Ind., March 14.—The \$10,000 damage suit of Mrs. June Jamison Gregg against Mrs. Sarah Gregg, mother of the former's divorced husband, George Gregg, for the alienation of the latter's affections, went to the jury to-night, after a trial lasting more than three weeks. During all that time the most intense interest has been taken in the proceedings. The courtroom has been crowded at every session of the court, at times to such an extent that when the crowd was once settled it was impossible for another person to force his way in. The district judge, Judge West, presided over the trial.

Judge West completed his instructions to the jury at 2:30 o'clock. If a verdict is reached it will not be reported till to-morrow, as the judge, after giving instructions for a sealed verdict, went home. During the closing argument of Charles McCabe, for the plaintiff, the defendant's attorneys interrupted four times with objection as to the evidence. McCabe told McCabe that he had ventured a new point, seeking to convey an erroneous impression concerning the electric wires at the window in which George Gregg was seen sitting at the dance on the roof with the "certain young woman," and McCabe responded that he had been up there to see just how the matter placed before him said anything about them. This reply moved the audience to applause. The judge told the jury that they must not let popular sentiment affect their verdict as, if they did, then courts had better be closed.

Mr. McCabe closed by showing wherein June Gregg's testimony had been corroborated by that of Mrs. Austin, sister of the defendant, in the vital points, while the defendant depended upon her son George to corroborate her.

PANAMA TO ADOPT  
THE GOLD STANDARD

PANAMA, March 14.—According to a decree of the convention published to-day, the monetary unit of the republic after Dec. 31 next will be the gold dollar of the same dimensions in weight, by law, as the United States dollar. The silver currency now in circulation will be exchanged at the rate of \$100 in gold for \$225 in silver. The decree is being greatly discussed.

FRIENDS OF W. R. HEARST  
CONTROLLED CONVENTION

Henry MacCracken, of Urbana,  
Nominated for Congress by  
Ohio Democrats.

## KANSAS CITY PLATFORM

URBANA, O., March 14.—At the eighth district Democratic congressional convention to-day Henry MacCracken, of Urbana, was nominated for Congress. W. L. Finley, of Kenton, and W. R. Niven, of Logan county, were elected delegates to the national convention, but they were not instructed. Friends of W. R. Hearst controlled the convention. The Kansas City platform was reaffirmed by a vote of 131 to 83.

## Cannon Rhymes for the President.

WASHINGTON, March 14.—While Representative Allen Smith was nominating Speaker Cannon for the presidency in the House Friday, Mr. Cannon's county convention was endorsing President Roosevelt enthusiastically. This endorsement reached the speaker to-day and he immediately forwarded it to the White House with his compliments and this memorandum:

"If I was so soon to be done for, 'What was I ever born for?'"

Editor for Congress.

GREENFIELD, Mo., March 14.—J. Fred Rhodes, editor of the Eldorado News, was nominated for Congress to-day by the Republicans of the Sixth Missouri district. C. L. Houts, of Warrensburg, and J. R. Hale, of Rich Hill, were selected as delegates to the Chicago convention.

GAEL AND TEUTON FLEE  
FROM HOME TO BE WED

Wacker Sees in Trip to Anderson  
the Solution of Trouble with  
Love Affairs.

## PARENTS DIDN'T KNOW IT

He was German, she was Irish.

So they eloped—not in the sensational fashion, but in the quiet way. It was all very simple. They met downtown and boarded an interurban car and took a pleasant ride to Anderson.

There they were married by 'Squire Williams. They caught the next car back to Indianapolis and went about their daily calling much as usual.

In this wise culminated the long love affair of John K. Wacker, of 132 Chestnut street, and Georgia Mary Sullivan, of Madison avenue, yesterday afternoon. For months the two young people have been pledged to each other, but their happiness has been darkened by serious objections by Mr. and Mrs. August Wacker, parents of young Wacker. These objections arose from the fact that their son is German, and Miss Sullivan is Irish.

Tired of waiting for parental consent, the young couple yesterday took the matter in their own hands and went to Anderson secretly and were married at 4 o'clock yesterday afternoon, returning to the city in time for supper last night.

Mr. and Mrs. Wacker were not aware of their son's marriage until informed of it late last night by the Journal. They were surprised and angry. They said that their son John had been home to supper and had acted much as usual, and that, too, was a surprising thing to them.

NOT GOOD FOR NEGRO  
TO LEARN TOO MUCH

Opinion of Mississippi's Governor,  
Who Vetoes Bill for Colored  
School Appropriation.

JACKSON, Miss., March 14.—Governor Vardaman this afternoon sent to the House his veto of the bill appropriating \$2,300 for the support of the Holly Springs normal school, a colored institution. The Governor in his veto message takes ground against negro education, stating that it is not the best thing for the negroes. He advanced this view during his campaign for Governor. The Governor gave what he termed a constitutional reason for vetoing the bill. The veto message comes up in the House and a stiff fight will be made to pass the bill over the Governor's veto. Some of the leaders say to-night that it will be successful.

REMARKABLE SACRIFICE  
OF A JAPANESE MOTHER

Drove a Dagger Into Her Heart in  
Order that Son Might Be  
Free to Fight.

## IMMEDIATELY ENLISTED

NEW YORK, March 14.—A Japanese woman at Takashaki, on learning that her only son had been exempted from active service on the ground that she was dependent upon his earnings, has committed suicide, says a World's dispatch from Tokio. In a letter she stated that she was about to kill herself in order that her son might be free to fight for his fatherland. Then she plunged a dagger into her heart. Withdrawing the weapon, she handed it to her son, who immediately volunteered for active service.

MOROS ARE ROUTED BY  
RECONNOITERING FORCE

WASHINGTON, March 14.—Acting Adjutant General Hall received the following cable from Major General Wade, dated Manila, March 12:

"Major General Leonard Wood reports an attack of a reconnoitering force east of Cottabato by a strong party of Moros made hostile by the passage of the anti-slavery law. The Moros' position was shelled and the Moros flanked and the outworks taken. They were strong and well constructed. Cannon captured—twenty-one old Spanish, thirty-three Lantakas, also large quantities of ammunition and supplies. No casualties on our side."

MCDONALD IS INDICTED  
ON TWO COUNTS FOR  
KILLING MISS SCHAFER

First Alleges the Fact of the Beat-  
ing and Second of the Attempted  
Criminal Assault.

## EARLY TRIAL DEMANDED

Counsel for Defense Will Move  
Immediate Hearing at the Ar-  
raignment on Thursday.

## NEW SUSPECT IN SIGHT

Police Are Tracing the Movements  
of George Ernhart, an Alleged  
Detective from Cromwell.

Special to the Indianapolis Journal.

BEDFORD, Ind., March 14.—The Lawrence county grand jury formally indicted James McDonald to-day as the murderer of Sarah C. Schafer. The jurors did not report the result of their deliberations until 3 o'clock. The indictment is embraced in two counts, neither of which designates the character of the weapon McDonald is supposed to have used in committing the crime.

The first count alleges that McDonald "feloniously, maliciously, and with premeditated malice, did beat, strike and wound Sarah C. Schafer on the head with some blunt instrument, to the grand jurors unknown."

The second count alleges that in an attempt to criminally assault Sarah C. Schafer, McDonald beat and wounded her on the head, with some blunt instrument, from which wound she died.

Judge R. N. Palmer, senior counsel for McDonald, gave notice that he would on Thursday morning present a motion for an immediate trial of his client, who will be arraigned at the same time. He charges that the report of the grand jury has been purposely delayed, so as to preclude the possibility of a trial at the present term of court.

Prosecutor Miller announced that the State was ready and Judge Wilson informed counsel he would take the matter under consideration until Thursday morning, when he would decide whether the case of McDonald would be tried this term or passed until May. Attorney Palmer said the defense would require only two days, and if the court can assemble and adjudge the case McDonald will be tried this term.

George Ernhart, the alleged detective who is charged with the murder of the Schafer case and who was arrested Saturday night by the local police, has been identified by Charles F. Grimes, attorney at the Park Hotel, as the mysterious stranger who appeared at his hotel the night of the murder. Ernhart is now in the custody of the police. The discovery was made by Cook, who visited the shed at 7 o'clock that morning.

Officials will to-morrow search the baggage of Ernhart for some evidence which will disclose his identity. He alleges his residence is at Cromwell, a few miles from Elkhart, Miss. Schafer's home.

The mutilated body of Sarah Catherine Schafer, whose murder James McDonald must stand trial before the Lawrence county Circuit Court, was discovered the morning of January 22 in a cab owned by Captain William Cook in an alley off Lincoln street between Thirtieth and Fourteenth streets. The discovery was made by Cook, who visited the shed at 7 o'clock that morning.

It was an hour before the body was positively identified as that of Miss Schafer. The identification was made by S. B. Lowe, president of the Schafer family, and Professor Louder, an associate in the high school faculty.

The city was thrown into a state of intense excitement and half a dozen persons, members of the family of the murdered girl, were viewed with suspicion in connection with the murder and it was nearly three weeks after the investigation into the crime was begun that James McDonald's name was first brought before the board.

McDonald mentioned to his wife and to a brother-in-law that he had passed the alley about the time the crime was supposed to have been committed and had seen two suspicious characters loitering at the corner of Fourteenth and Lincoln streets. He bragged to members of his family that he could throw some light on the murder.

There existed some feeling between McDonald and his brother-in-law and the latter first brought the story to the ears of members of the investigating board. The detectives developed the evidence was strong enough to hold him for the crime, though they thought him innocent. His arrest was made late last night and he was sent to the Jeffersonville before 100 of the citizens of the city knew he was suspected of the crime.

MCDONALD AGAIN SAYS  
HE IS NOT GUILTY

Special to the Indianapolis Journal.  
BLOOMINGTON, Ind., March 14.—A look of despair covered the face of James McDonald to-day as he was arraigned.

(CONTINUED ON PAGE 3, COL. 3.)



ATTORNEY GENERAL P. C. KNOX.  
Who Pushed the Case Against the Northern  
Securities Company.

WRECKED BANK'S CASHIER  
SAYS "GUILTY," ENDING TRIAL

Other Officials of Defunct Institution  
Will Answer to Govern-  
ment To-Day.

## BRODRICK TO APPEAR

Thousands in Shortages Must Be  
Explained by Former President  
and J. Walter Brown.

The first case growing out of the Elkhart Bank failure came to a quick end yesterday. Cashier Wilson L. Collins, pleaded guilty to all except one, accusing him of having embezzled \$40,000.

This was nolle on the motion of United States District Attorney Joseph B. Keating. The trial had been set for 9 o'clock, but was continued until 2 o'clock.

At that hour Judge Anderson called the case and Collins pleaded guilty.

The penalty for the crime against him is not less than five years and not more than ten years' imprisonment. Judgment was deferred by Judge Anderson until the other two cases are tried.

The trial of Justus L. Brodrick, late president of the bank, is set for this morning at 9 o'clock. Brodrick is indicted on sixty-four counts, the first five of which charge him with embezzling amounts from \$1,504 to \$50,000. It is also charged that on Sept. 23, 1903, he made false reports to the comptroller of the currency.

The alleged report asserted that the bank had \$22,700 in gold on hand, and it is charged that the report stated that on that day there was \$22,700 in "cash items," when as a matter of fact the amount was much less. It is also charged that many false entries on the individual ledger were made and also in the bank's daily cash accounts. Misapplication of funds, money and credits of the bank are charged to the amount of \$70,733.52.

A heavy stockholder, J. Walter Brown, has sixty-seven counts against him. He is charged with abetting Brodrick in the misapplication of funds and credits of the bank in the sum of \$428,377.77, for the use of the Elkhart Bank, and with the use of Consolidated Paper and Bag Company, both of which is charged were insolvent. The charges against Brodrick and Brown are in misappropriating the funds on notes on which it was pretended to pay money to a number of individuals and firms. The count also charges Brown with abetting Brodrick in buying \$50,000 of mortgage bonds of the Consolidated Paper and Bag Company.

The trial of Brown is set for next Monday, but it is thought from present indications that the trial will be continued way over the rest of the court calendar.

A large number of attorneys have been retained by the defendants. District Attorney Keating and Jesse J. McLaFollette represent the government. The trials will be by jury.

The bank, which is defunct, is the Indiana National Bank of Elkhart, and was organized ten years ago, with a capital stock of \$100,000, surplus \$20,000. At the time of the failure many poor people were distressed and a great crash among a number of small industries.

LAYS IN WAIT AT  
ALLEY FOR RIVAL

Eit Smashes Man with His Girl  
and Both Are Ar-  
rested.

Because Andrew Washburn was walking with his girl last night Henry Eit, a cigar maker, lay in wait for the couple and as they were passing an alley near East and Washington streets jumped out and struck Washburn, knocking him down.

After the assault Eit turned and ran east on Washington street closely pursued by Washburn, who caught him at Liberty street. Washburn proceeded to demonstrate to Eit that he was out of his class when Patrolmen Musgrove and Hostetter reached the place. Both men were arrested.

BOOM OF GEN. MILES FOR  
PRESIDENT IS LAUNCHED

Prohibition Party Will Name Sol-  
dier at Convention Here,  
Says Newlin.

## TO POLL 2,000,000 VOTES

State Prohibition Chairman C. E. Newlin, of this city, declared yesterday that Gen. Nelson A. Miles would probably be the nominee of his party for President at the national convention here on June 20. The "Miles boom" was launched last week by prohibitionists in Venango county, Pa. They celebrated the election of 248 officials in that county on their ticket with a banquet. At the function a speech was made by David B. McCalmont endorsing the candidacy of General Miles.

The latter is reported as saying, "I would like no better case to my public career than the presidential nomination at the hands of the Prohibition party."

"He will poll 2,000,000 votes," if nominated," said Chairman Newlin yesterday. "I believe that Felix McWhirter, of this city, may be named a candidate for Vice President on the same ticket with General Miles."

Spacious caucus headquarters have been assigned to the Prohibition party of Indiana by the Statehouse custodian. The rooms are the same as those to be used by the Republicans at the next session of the Legislature.

The prohibition delegation will number about 1,200, according to the state apportionment, while the Republican delegation will be 1,300.

JAMES J. HILL'S MERGER  
IS DECLARED  
ILLEGAL  
BY THE SUPREME COURT

Decree of Circuit Court for District  
of Minnesota Is Upheld  
on Every Point.

## RULING NOT UNANIMOUS

Four Members of the Tribunal, In-  
cluding the Chief Justice,  
Dissent.

## OPINION OF MAJORITY

Maintains that Congress Has the  
Right to Control Interstate  
Commerce.

WASHINGTON, March 14.—In the United States Supreme Court to-day an opinion was delivered in the merger case of the Northern Securities Company vs. the United States in favor of the government's contention that the merger was illegal. The opinion of the court was handed down by Justice Harlan and it upheld the decree of the Circuit Court for the district of Minnesota in every particular. Four of the justices dissented from the five constituting the majority.

The division in the court was due to a difference of opinion as to the right of federal control of state corporations. The majority opinion proceeded on the theory that Congress has a right under the Constitution to control interstate commerce, no matter by whom conducted, while the minority or dissenting opinion was based on the theory that in the present case the effort is to regulate the ownership of railroad stocks by state corporations and that such ownership is not interstate traffic.

An effort was made by the court to prevent knowledge of the fact that the opinion was to be rendered to-day from getting to the public, but nevertheless it was quite generally understood among newspaper men, attorneys and others an hour or so before rendering of the opinion. When, therefore, the members of the court filed into the chamber at noon they were met by an expectant crowd, which filled every seat both inside and outside the bar. Seated among the attorneys was Attorney General Harlan, Secretary of War Taft, an unusual number of senators and members of the House. There was no surprise manifested when, promptly on the assembling of the court, Justice Harlan began the delivery of the opinion. The fact that he had been selected for the preparation of the document at once led most people to conclude that the decision would uphold the Sherman and Elkins laws, and as other opinions of the government. The justice read his opinion from a printed copy, which covered thirty pages, and consumed about an hour and a quarter in its delivery.

A CLOSE SHAVE.

Very soon after Justice Harlan had concluded his presentation of the case it became evident that the court had divided on the questions at issue, and as other opinions were announced, it developed that there not only had been a very close shave for the government, but that one of the members of the court who cast his vote with the majority entertained opinions of his own, which fact rendered the division all the more marked and interesting. This was Justice Brewer, who, while concurring in the result, announced an independent opinion of his own that he held the view that previous anti-trust decisions had been more sweeping than was justified.

Four of the nine justices dissented outright. These were Chief Justice Fuller and Justices White, Peckham and Holmes. The opinion of Justice Harlan was supported by Justices Brandeis, Day, and McHugh. While those of Justices Brewer and Holmes were comparatively brief. All told, the court consumed two hours and three-quarters in disposing of the case.

The fact was noted by several persons that the argument in the case was begun Dec. 14, just three months previous to the decision of the Supreme Court. It was considered a very brief interim between the arguments of the government and the dissenting opinion to-day was brought by the United States against the Northern Securities Company, a corporation of Minnesota; the Northern Pacific Railway Company, a corporation of Minnesota; and the Great Northern Railway Company, a corporation of Minnesota. James J. Hill, a citizen of Minnesota, and William F. Crocker, D. Willis James, John S. Kennedy, J. Pierpont Morgan, Robert Bacon, George F. Baker and Daniel Lambert, citizens of New York.

It was pointed out by several persons, as against the defendants, the provisions of the statute of July 2, 1890, commonly known as the anti-trust act, and entitled "An act to protect trade and commerce against unlawful restraint and monopolies."

After announcing the origin and the purpose sought to be accomplished by the suit, Justice Harlan reviewed the facts as disclosed by the record in the case, showing that it had grown out of a combination of the Great Northern Railway Company and the Northern Pacific Company into the Northern Securities Company, which latter company was organized Nov. 13, 1899. He then summed up very briefly the allegations of the government and the defense of the Securities Company.

Of the government's case he said: "The government charges that if the combination was held not to be in violation of the act of Congress, then all efforts of the national government to preserve to the people the benefit of free competition among carriers engaged in interstate commerce would be wholly unavailing, and all transcontinental lines—indeed, the entire railway system of the country—may be absorbed, merged and consolidated, thus placing the public at the absolute mercy of the holding corporation," and of the railroad case: "Several defendants denied all the allegations of the bill imputing to them a purpose to evade the provisions of the act of Congress or to form a combination or conspiracy having for its object either to restrain or to monopolize commerce or trade among the States or with foreign nations. They denied that any combination or conspiracy was formed in violation of the act."

Having outlined these preliminaries, Justice Harlan came immediately to the judicial consideration of the case and practically indicated the decision of the court in the first sentence of the opinion proper. In that sentence, he said: "In our judgment the evidence fully sustains the material allegations of the bill, and shows a violation of the act of Congress, in so far as it declares illegal every combination or conspiracy in restraint of commerce among the several States and with foreign nations and forbids attempts to monopolize such commerce."

He again recurred to the facts in the case and said that, laying aside any minor things, it was indisputable that upon the

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