

Today—Cloudy. Tomorrow—Cloudy.

THEORETICAL VICTORY ONLY

OPPOSING COUNSEL IN STANDARD OIL CASES SPEAK ALIKE ON DECISION.

OF NO PRACTICAL EFFECT

Parent Concern Not Dissolved, Only Ordered to Distribute Holdings Among Five Thousand Stockholders—Trial Decided Saturday Similar to That Against Coal Carrying Roads.

New York, Nov. 21.—Mortimer F. Elliott, general counsel for the Standard Oil company, said today in commenting for the first time on the decision against the company handed down yesterday by the United States court at St. Paul:

"I have seen what purports to be the text of the decree handed down by the United States circuit court yesterday. The company will take an appeal to the United States supreme court immediately and will cheerfully abide by the verdict of the highest court in the land, whatever that may be.

"Arguments in this case began last April and we are glad to have reached an opinion. I do not mean we are pleased with the opinion itself, but we are glad to get it, whatever its nature. The decree does not order a dissolution of the Standard Oil company; that is a misunderstanding. What the decree orders, as I now understand it, is that the company shall distribute among its stockholders, of whom there are approximately 5,000, its holdings in stock of subsidiary companies. This distribution, I further understand, is ordered to be effected on a pro rata basis of apportionment. That is to say, heaviest holders of Standard Oil stock would receive a proportionate number of shares in the stock of subsidiary companies."

Mr. Elliott was asked what course the company would adopt if the verdict of the court should be upheld in the higher court. "That," he said, "is something I shall be better prepared to discuss when I see the opinion by which the United States circuit court justifies its decree."

Wellman's View of It. Henry Wellman, who represented the attorney general of Missouri in that state's suit against the Standard Oil company and conducted the examination in New York of the officers of the company, takes a view similar to that expressed by Mr. Elliott. He sums up the situation as "a theoretical victory." "I cannot see," he said, "that any practical effect is to be expected. It seems as if the best the government can do is to order the sale of the property and, in that case, the money, of course, goes to the present stockholders in some of the other companies."

"The case is similar to that of the coal roads, which were forced to separate from their coal business and it is difficult to see, even if the decision is upheld by the supreme court, how the government can prevent the control of Standard Oil properties remaining in the same hands, even if it is split up into constituent properties. This has been the case in every suit in which the government has compelled the dissolution of combinations. They have simply been put into different shape and have gone along more compactly than ever."

John D. Archbold when informed of the decision said: "I shall not make any statement and if anything is said, it must come from the counsel of the company. Naturally we desire to look over the text of the court's decision."

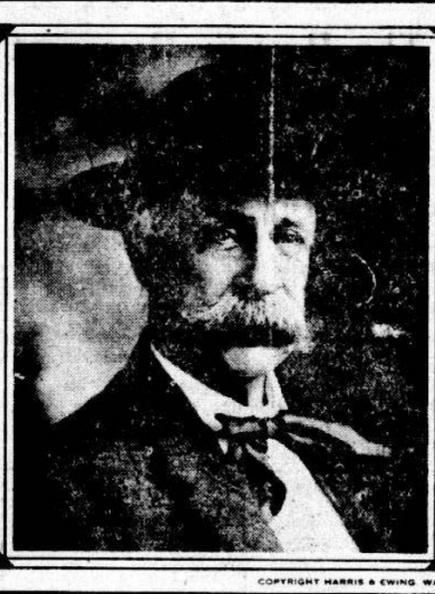
Will Continue to Sell Oil. Philadelphia, Nov. 21.—"I never know what I am going to do until my clients come after me," said John G. Johnson of this city, when told of the decision of the Standard Oil company case, and asked what steps would be taken to stay the order of dissolution. When asked the importance of the decision, Mr. Johnson replied: "I guess the government thinks it important."

How about the Standard Oil company, he was asked. "Well, I reckon on the Standard Oil company will continue to sell oil," Mr. Johnson was one of the counsel for the defense.

John D. Won't Talk. Cleveland, Nov. 21.—"I simply cannot comment on the decision of the United States circuit court on the government's complaint against the Standard Oil company," said John D. Rockefeller at church today. "I am no longer actively connected with the management of the company, and it would be improper for me to enter into a discussion of the matter. Mr. Rockefeller, who has been ill, is recovering rapidly.

A NEW POSTMASTER. Washington, Nov. 21.—(Special.)—Following the resignation of Mrs. Eugene Wessing as postmistress at Lothrop, Missoula county, Representative Gray has recommended the appointment of W. H. Decker as postmaster at that place.

JOSEPH C. S. BLACKBURN



Governor of the Isthmian Canal Zone, Panama, and a member of the canal commission. It is rumored that Mr. Blackburn will soon retire from active service at Panama.

POLITICS ABSORBING ENGLAND'S WHOLE ATTENTION

ADOPTION OF BUDGET LACKS SUPPORT AMONG LORDS—LIBERALS FAVORED.

London, Nov. 21.—The United Kingdom is more absorbed in politics than for many years, and the coming week will see the culmination of the fierce warfare over the budget. The house of lords is expected to vote Thursday on Lord Lansdowne's resolution calling for the rejection of the budget. Most leaders in the upper house will speak. Lord Rosebery's efforts for the conservatives and that of the Earl of Halsbury for the liberals are awaited with the most interest.

Probably the largest number of lords were mustered for the vote since the rejection of home rule. About 450 are likely to be assembled and not more than one-quarter of these will support the budget. Most of the politicians predict that when the question goes before the people at the general elections in January it will be impossible to wipe out the great liberal majority. The betting at Lloyd's is 3 to 1 in favor of the liberals. Liberal leaders declare that the issue is whether the hereditary chamber shall rule the country.

CYANIDE PILLS SENT TO GERMAN OFFICERS

Vienna, Nov. 21.—An extraordinary attempt at wholesale poisoning of military officers here has caused a sensation. A large number of officers, just promoted to be captains in the general staff, have received through the mails sample boxes of pills. These were accompanied by a circular recommending them for nervous debility. Captain Meier took some of the pills and died immediately. An autopsy revealed the presence of cyanide of potassium.

A further investigation showed that all the pills contained a quantity of potassium in large quantities, and also that many first lieutenants attached to the staff but not promoted had not received pills. The circulars were signed "Charles Francis," and bore a false address. It is suggested that the poison may have been sent out by some disappointed officer or that the poisoning is an anarchist outrage.

NEW POSTAL CARDS TO BEAR BETTER PICTURES

Washington, Nov. 21.—Designs for new postal cards have been approved by Postmaster General Hitchcock. It was announced today that the cards will be furnished by the government printing office, in accordance with a contract effective on January 1, 1910. On the ordinary card the head of the late President McKinley will appear, as now, but a much better likeness of the martyred president has been selected. On the small card intended for index purposes and for social correspondence, a likeness of President Lincoln will appear. The two-cent international card will bear a portrait of General Grant.

A novel and pleasing innovation has been made for the reply postal card. On the first half will appear a portrait of George Washington, while the stamp on the second, or reply half, will be a likeness of Martha Washington.

REPARATION TO BE DEMANDED OF NICARAGUA

EXPLANATION OF GROCE AND CANNON EXECUTION TO BE ASKED FROM ZELAYA.

Washington, Nov. 21.—Following a conference with the president at the White House tonight on the Nicaraguan situation, Secretary of State Knox authorized the following statement: "It is certain representations of fact which have been made to the state department concerning the Groce and Cannon case have been verified by inquiries that have been made this government will at once prepare a demand on the Nicaraguan government for reparation for the death of these two men."

For two hours tonight President Taft conferred with Secretary Knox on the Nicaraguan situation. The secretary was accompanied by Henry M. Hoyt, counselor of the state department. Mr. Knox had previously conferred with Assistant Secretary Huntington Wilson.

Another Ship Ordered South.

The ordering of the Buffalo south on hurry up schedule is taken to mean that this government is making ready to throw a column of United States marines into the Nicaraguan turmoil for the protection of American lives and property. While 700 marines are scattered over the canal zone, they can be quickly concentrated by means of the railroad in Panama, where there are military stores and supplies. An expedition against Nicaragua in which the marines figure would be undertaken on the Pacific coast of the isthmus. The Buffalo would land the men at the port of Corinto, 40 miles from Managua. Authorities tonight insist that the dispatch of the Buffalo is not to be accepted as meaning an expedition is to be launched against the Zelaya government, but that the vessel is ordered south as to be in readiness should the occasion suddenly arise.

The Buffalo carries six guns, of 6.88 tons burden, and her engine, developed 2,500 horsepower. Her 64 guns will be driven at full speed by Panama, when on her arrival her commander has been instructed to report immediately to Washington.

COMPLETED NEXT YEAR.

Seattle, Nov. 21.—The Copper River & Northwestern railway will be completed from Cordova to the inland terminus at Kenai, Alaska, a distance of 200 miles, by the end of next year, according to a statement made here today by E. C. Hawkins, vice president and chief engineer. Mr. Hawkins has just returned from Alaska. The road has been completed a distance of 36 miles from Cordova. Says, 4,000 men will be at work in the construction camps.

FRATS TO HONOR PEARY. New York, Nov. 21.—In honor of "Brother Peary," the Delta Kappa Epsilon has planned one of the largest college fraternity dinners ever held, for December 18, at the Hotel Astor. Commander Peary is a member of Theta chapter, Dke, at Bowdoin college. Two years ago the fraternity denied the explorer and gave him the fraternity flag, which Peary took with him and unfurled with the stars and stripes at the pole.

ESCAPE WHEN STEAMER SINKS

PASSENGERS OF ST. CROIX REACH LOS ANGELES AFTER LONG MARCH.

MRS. THOMAS A HEROINE

Thrilling Scenes When Alarm is Given and Women and Children Are Being Lowered into Boats—Only Half Hour Elapses From Time Fire Breaks Out Until Ship is Deserted.

Los Angeles, Nov. 21.—Famished, nearly exhausted, and garbed mostly in borrowed clothes, the 165 men, women and children who were passengers on the steamer St. Croix, which burned and sank last night off Point Santa Monica, arrived here today. With them came the 78 officers and members of the crew, likewise exhausted and destitute.

All were brought here from Santa Monica by trolley after the police department and sympathetic residents of that city had furnished food which broke up a fast that for some had stretched through 36 hours. The survivors had walked, ridden and made their way to Santa Monica as best they could from the isolated landing place.

Mrs. L. A. Wallace of Berkeley remains at the beach city in a hospital with her 6-month-old baby. Mrs. Wallace was severely injured about the lower limbs when an eye bolt securing a davit rope broke and the boat she was in plunged, bow first, into the sea. She and the baby, with the 11 other occupants of the boat, were thrown into the water, but were rescued by her husband and two other men, who dived from the upper works of the burning vessel.

Herbert, the 6-year-old son of Charles Vellbaum of San Francisco, was saved at the same time by Edward Norris, a quartermaster, aided by Mrs. Thomas, wife of a mining man of Victoria, B. C. who proved herself a heroine.

Toiling Over Mountain Trails. Captain Frederick Warner came into Santa Monica among the last of the shipwrecked. Some of these toiled afoot over the 14 miles of rough mountain trails. Others, all women who had been freighted into helplessness by footsore men, Captain Warner described the burning of the ship and the rescue of the passengers.

GOVERNOR KITCHIN



Mentioned as Democratic Presidential Possibility.

William Walton Kitchin, present governor of North Carolina, is taking an active part in the "reorganization" work of his party. Governor Kitchin is being mentioned in the same breath as Governor Harmon of Ohio and Governor Marshall of Indiana in founding a new democratic organization. Governor Kitchin first came before the public when he was elected congressman. He is a lawyer by profession. He was born near Scotland Neck, N. C., October 9, 1856. He graduated from Wake Forest college in 1884. As editor of the Scotland Neck Democrat he became an influential factor in party organization. He studied law while running the newspaper and was admitted to the bar in 1887. His home is at Roxboro, where he practiced until elected governor.

JAMES H. BRADY



Governor of Idaho, who is recognized as one of the leading citizens of the northwest. Mr. Brady is expected to seek a second term. Strong rivals are being groomed for the position.

NOURMAHAL SAFE AT SAN JUAN ON SUNDAY

ASTOR'S YACHT DROPPED HER ANCHOR IN PORTO RICAN PORT LAST MONDAY.

New York, Nov. 21.—News from Willenstad today that Colonel John Jacob Astor's yacht Nourmahal was safe at San Juan, P. R., on November 15, coming on the heels of last night's alarming report that the vessel sighted north of Cuba might be the Astor yacht, was welcome to his friends and relatives here, who had experienced unusual anxiety since the West Indian region was cut off from communication by the hurricane two weeks ago.

The lapse of two weeks without word from Colonel Astor had wrought up newspaper agencies, maritime news exchanges, wireless telegraph companies, cable companies, ship captains and even the United States government, which had dispatched three revenue cutters to search for the Nourmahal.

SEARCH WAS WIDESPREAD.

It was in answer to instructions sent broadcast to Associated Press correspondents in and around the West Indian region information came from Willenstad today that the Caracas, a Red D liner, had arrived there and reported the Nourmahal safe at San Juan on November 15.

When Colonel Astor sailed from New York it was with the particular purpose, he said, of avoiding "meddlesome persons." In that purpose the storm and interruption of cable service certainly carried out his wishes, for it is not known here whether he has received cablegrams advising him that Mrs. Astor obtained her divorce.

The yacht carried Colonel Astor, his son, Vincent, who was 19 years old last week, Vincent's tutor, Hans von Kaltenborn, and a crew of 45 men and officers.

WIRELESS TELLS THE STORY.

Savannah, Ga., Nov. 21.—The wireless operator here stated tonight that at 5 o'clock today he caught this message from a ship at sea: "Yacht Nourmahal safe at San Juan."

Astor Still at San Juan. Washington, Nov. 21.—A wireless message reached the United States revenue cutter service tonight stating that John Jacob Astor's yacht, the Nourmahal, had been discovered riding in safety inside the harbor of San Juan, P. R., Captain Worth G. Ross, in command of the service, was so certain that it was genuine that he sent a wireless dispatch to the revenue cutter Yamacraw, searching in West Indian waters for the missing yacht, to return at once. The Yamacraw is now on its way to Charleston, S. C.

HOPE FADING AWAY AT CHERRY

TWENTY SAVED, NINETY-TWO DEAD, ONE HUNDRED NINETY-EIGHT MISSING.

BELLS TOLL ALL THE DAY

Blackdamp May Finally Prevent Rescue of Miners Still Alive—Brave Men Volunteer, But Are Not Allowed to Descend—More Pathetic Letters—Priests Hurry to Pitmouth.

Cherry, Ill., Nov. 21.—Twenty saved, 92 known dead and 198 missing was the record at the St. Paul mine tonight. Ten dead were brought to the surface today and 35 more dead were located in the second level, but were not brought up on account of the blackdamp. What had promised to be Cherry's real day of thanksgiving ended in a night of hope deferred or despair. Tonight no living man or boy had been added to the list of the 29 rescued yesterday. All day the tolling of church bells resounded in Cherry and Spring Valley. Eighteen bodies were interred. At the mine a dozen confined victims remained awaiting removal, while a score of caskets were piled nearby for bodies which are to come.

Services for the dead were held outside the churches, into which Corner Malm deemed it inadvisable that the bodies be taken. From the still unfilled graves in which the Roman Catholic dead were placed the priest hurried to the mine entrance, where with a second priest he waited to administer the last rites for the dying should his services be needed.

Mayor Connolly telegraphed President Taft last night that 20 men had been rescued and that 150 were believed to be alive. Each hour that passes now is looked upon by the watchers as making the chance of escape less.

Hope Fading Away. "The men brought up could not have lived more than a few hours longer," said one despairing woman. "If they don't come up today they'll come up dead."

The rescuers worked as if this was their belief. The fire in the second level was forced back and only in the afternoon the workers could pass it. Blackdamp was the obstacle that proved insurmountable. Through it the bodies of 37 men could be seen. Preparations for taking out these bodies were pushed when the morbid throng about the mine had thinned. In the main level the work of the rescuers went on unceasingly. Relays of eager miners succeeded those whose strength failed. Those who staggered from the pit mouth were surrounded instantly and a babel of questions hurled at them.

"We can see the bodies. There are piles of them. They are dead, boys," was the reply of the first out, and those who followed gave no more cheering answers. "But they could be living back there, could be alive. Tom, couldn't they?" came a voice from the group about one man.

"No chance," began the miner; then he paused as he saw the trembling hands of the old man had pressed his side. "Why, sure, some of them may come up soon," was his quick reply. "Don't you worry, the boy will come up soon."

Volunteers Held Back. Blackdamp was present where the bodies lay in a group. "Klondike," who had worked among the dead in many mine disasters, "Blackdamp was the cause of the disaster," said he, who also holds blackdamp in much contempt and others are said to have volunteered to remove the bodies to clear a passage for a further search for any who may remain alive in the further reaches of the galleries. Conservative counsel prevailed and the hauling of the bodies was delayed until the morning gas had been sucked out by the big ventilating fan.

Among those who, after yesterday's return to the living of men long thought dead, clung throughout today to the belief that additional rescues of living men were probable, is Richard Newsum, president of the Illinois Board of Mine Inspectors. "Scotchmen are the most resourceful miners in the world," said he, "and there are 22 of them down there dead or living. I can see no reason why they should not have found some refuge, just as did those who came up yesterday. But eight days have passed and we must hurry if they are not to perish of thirst and starvation. Everything possible to hurry on the work of exploration is being done."

It was reported tonight that labor leaders who have been making an investigation of the disaster have called a meeting for tomorrow. Several letters written in their underground prison by the 29 miners rescued alive yesterday came to light today, one of the most pathetic was written by John Lormier to his wife, Sadie.

"He just laughs and says he will go back to the mine when he is well, although I'd be willing, after what has happened, to support him myself, if he would only get safer work," said Mrs. Lormier. "Heaven knows he's been a good man and that three years we've been married. Never stopped."

Lead Miners to Strike. Lead, S. D., Nov. 21.—Union employees of the Homestake mine voted tonight to ask permission of their parent bodies to strike against the order that no union men are to be employed after January 1, 1910. Practically all workers are members of the Western Federation of Miners or the American Federation of Labor. The meeting was attended by 2,000 men.

L. T. LABEAUME GIVES UP JOB OF SECRETARY. Philadelphia, Nov. 21.—Active preparations are being made at the Philadelphia navy yard for the sailing of the cruisers Dixie and Prairie. The latter is expected to sail for Panama on Thanksgiving day with 400 marines. Rumors were current at the yard today that both vessels are scheduled for Nicaragua, but the authorities could not confirm these reports.

Rear Admiral Harris said that the present sailing orders of the Dixie are for Boston and those of the Prairie, he said, "are, as far as we know, for Colon, but, of course, a change in the intentions of the department may be announced at any time." Preparations are also being made to prepare the battleships in the yards for their cruise, which is expected to begin about December 1.