

INJUNCTION NOT SUSPENDED

Only The Clause Which Forbids Payment Of Dividends.

NORTHERN SECURITIES WIN.

St. Paul, Minn., April 22.—Circuit Court Judge Sanborn handed down the following decision granting the request of the attorneys for the Northern Securities company to be permitted to pay Great Northern and Northern Pacific dividends to the Northern Securities company.

The defendants in this case have the right under the acts of congress to appeal from the decree of the circuit court to the supreme court. They have claimed that right all along. Ordinarily those who have the right to review a judgment or decree of the circuit court also have the right, upon giving a proper bond, to supersede the effect of the judgment or decree during the pendency of the appeal. But where, as in the case at bar, the decree awards an injunction the ordinary supersedeas stays proceedings but does not raise the injunction.

To enable the courts to prevent unnecessary loss or injury to the parties to litigation in such cases the supreme court provided by rule 93 that when an appeal is allowed from a final decree granting an injunction a judge who took part in the decision may make an order suspending the injunction during the pendency of the appeal upon such terms as to bond or otherwise, as he may consider proper, for the security of the opposite party. It is the customary practice for the courts to exercise this power whenever their action will not injuriously affect the rights of the party who has secured the injunction. In this case that party is the United States. The main purpose and effect of the decree are to prevent the Northern Securities company from controlling and operating the Great Northern and Northern Pacific railroads and to accomplish this end it enjoins that company from exercising any control over their operation and from acquiring or voting any of the stock of the railroad companies, and it also enjoins the railroad companies from paying the Northern Securities company dividends on their stock. This is not an application to suspend this injunction. The defendants ask only that the part of the injunction which forbids the payment of the dividends be suspended during the pendency of the appeal.

Street Car Barn Consumed.

Wichita, April 21.—Shortly after midnight and after all cars had entered the street car barn, the barn took fire from some unknown cause and was burned down. There were eight summer cars on the south track, each fully equipped and nearly ready to start for the summer's business. All of these were burned or damaged to such an extent that they cannot be used this year. These cars are worth about three thousand dollars each. There were five other summer cars, but the motors had been taken off and the damage to them will not be so very heavy. Every car in the barn was damaged beyond use. Supt. Morrison stated that the total damage would amount to something over thirty thousand dollars.

Graber Succeeds Cable.

Topoka, April 17.—The official announcement is made of the appointment of J. M. Graber to succeed H. S. Cable as general superintendent of the Rock Island road at this point. Mr. Graber was formerly assistant general superintendent of the eastern division of the Great Northern road with headquarters at St. Paul.

Action On Union Label.

Helena, Mont., April 16.—The first victory has been won by the eastern book publishing firms who are trying to have abolished the union label on the text books used in the state. In the supreme court the application to have declared unconstitutional that part of the law calling for the union label on the books was heard. The point is made by the applicant for the injunction that all printers are not given a fair show if the label part of the law holds.

Fair Play To All.

New Orleans, April 18.—The National Association of Manufacturers, just before final adjournment, vigorously applauded the sentiment urged by a delegate to present a united opposition to what he termed the "anarchistic and socialistic element which controls many of the labor unions," but declaring that the association must admit the right and justice of organized labor properly conducted. "Let this be our motto," he said: "Fair play for us all, employer and employe."

Telephone Companies' Reports.

Topoka, April 22.—A number of telephone companies have failed to comply with the law requiring statements to the railroad assessors. It is required that all of the statements be sent in by April 20. The penalty for non-compliance with the law is rather severe. If the statement is not in by April 20, a fine of \$500 may be assessed against the delinquent with \$100 for every day of delay after April 20. It is probable that proceedings will be commenced against some of the companies.

TEXAS CATTLE BARRED.

Federal Inspector Instructed not to Inspect Cattle for Kansas.

Fort Worth, Texas, April 21.—The refusal of the Kansas live stock sanitary board to admit Texas cattle to that state from north of the Texas line has created a furore among stockmen here and elsewhere, who have about 50,000 head of cattle ready to go into Kansas pastures. Cattle with a clear certificate of inspection from the federal inspector are refused admission to that state. John D. Pennington, live stock inspector of the Erisco, wired Governor Bailey, of Kansas, to rule on whether, after Texas cattle above the line had passed the government inspection, if they would be admitted by the Kansas authorities, subject to state inspection and the payment of the 2 cents per head inspection fees. Thousands of cattle are being held waiting admission. Dr. Klise, at the Fort Worth stock yards, has been instructed by the federal officials to not inspect cattle for Kansas.

Boxers Suppressed.

Washington, April 22.—Minister Conger reports to the state department from Peking under date of March 12 that an attempt was made in the district of Yantien, about 100 miles west of Peking, to reorganize the Boxer movement, but it was promptly suppressed by the energetic action of the viceroys, the famous Yuan Shih Hi, who stood like a rock against the Boxers in 1900. Several Boxers are to be beheaded and their heads exhibited where the organization started. Mr. Conger says only such prompt and severe measures will prevent similar organizations in other localities.

Employees Must Be Told.

Denver, Colo., April 17.—Employers who fail to explain to men taking the places of others who may be out on a strike, the annoyance or violence to which they supersede, are liable for damages in case injury is done. This is the opinion of the court of appeals just handed down in the case of William Holtshouser, who, while in the employ of the Denver Gas & Electric company, was shot by striking employees of the company. He declared that he was hired without being told that there was a strike at the plant.

Mr. Knox Inexorable.

Washington, April 21.—The department of Justice gives out the following: "The attorney general has consistently and unalterably held that the decree enjoins the violation of a penal statute, and that to mitigate or suspend it would amount to a license to continue to violate law. His instructions reflect upon its face, the positiveness and earnestness with which this view will be maintained before the court, and the reported statement by counsel for defendants is beyond all the facts and properties of the case."

Episcopal Cathedral.

Salina, Kans., April 22.—A meeting will be held in Salina for the purpose of devising a plan for securing financial aid in erecting an Episcopal cathedral in this city for the diocese of Salina. An organization will be formed and a charter secured as soon as possible. The cathedral may cost in the neighborhood of \$100,000, and a deanery, a bishop's residence and a hospital will eventually follow its construction.

Resurvey Along State Line.

Wellington, Kans., April 22.—The county surveyors of this (Sumner county) and Grant county, O. T., are making a resurvey of the state line between the two counties, under orders of their respective boards of county commissioners. So many of the corner stones and monuments were removed by the cattlemen and later by Payne's boomers that it is impossible in many places to determine where the line is.

Snake Indians Protest.

Stillwell, I. T., April 18.—The Snake Indians of the Going Snake district in Eastern Indian Territory, an entirely different outfit than those who broke out two years ago, are now holding their Great Snake dance and protesting against the work of the Dawes commission in breaking up tribal relations. To emphasize their protest they hung the Dawes commission in effigy, buried and damned it. The Indians were put up to do the job by white men who are holding grazing leases.

Bob Ruggles Tries It.

Leavenworth, Kans., April 20.—For years a discussion has been going on as to whether a man can lie on a railroad track and allow a train to pass over him without being dragged and injured. R. M. Ruggles, a Kansas City newspaper man, accomplished this remarkable feat after attempting to board a Missouri Pacific passenger train at this place. He was thrown under the train and there he remained until three cars had passed over him. He was only slightly bruised.

Work on Panhandle Line.

Wellington, April 22.—A resurvey of the Santa Fe Panhandle extension has been completed from Amarillo, Texas, to this point. It will follow the present roadbed for the most part, but curves will be straightened and heavy grades eliminated. An entirely new route has been chosen across the Cimarron and North Canadian in Woodward county, Okla., to avoid the steep grades and sharp curves of "Turkey Hill." The road will be rebuilt so as to be fit for heavy traffic.

"AND THEY TOLD US THE ROAD WAS CLEAR."



NORTHERN SECURITIES CO.

Guilty Of Violating The Declared Policy Of The Nation.

TELEGRAPHIC INSTRUCTIONS.

Washington, April 20.—Referring to the application at St. Paul in behalf of the Northern Securities company, the department of justice has made public the following telegraphic instructions of the attorney general sent to the United States attorney at St. Paul on the 14th instant:

"It is likely defendants in Northern Securities case will forthwith, and possibly without notice appeal to the circuit court or judge thereof for modification of decree pending appeal, or for order making appeal operate as supersedeas. You are directed to watch this matter closely, and earnestly oppose any such application, on the ground that this is not an ordinary case of equity jurisdiction between private parties, but special and enlarged statutory remedy in equity to enforce violation of a penal law.

The decree finds the defendants guilty of violating the declared public policy of the nation. For that reason the government opposes any suspension or modification of the judgment of the court. The modification proposed would in effect be an indulgence to continue to violate a law of the United States. As the suspension of the operation of law is not the exercise of a judicial function, it is inconceivable that equity rule 3 contemplates suspension or modification upon terms that will secure such rights of an opposite party as could be protected by a bond of indemnity. This is not such a case. The principal relief granted by this decree is the injunction; to suspend it would produce the same effect as a certificate of division in the circuit court and deprive the decree of its force and meaning."

Salter Sues United States.

Guthrie, Ok., April 18.—L. A. Salter, editor of the Carmen Headlight, has commenced a suit at Wichita, Kansas, against the United States and the Osage tribe of Indians to recover \$6,000 alleged to have been due his father, deceased, as receiver of the government land office at Independence, Kas. It is claimed the elder Salter sold various tracts of land for the government, for the disposing of which no fees were specified and none have ever been paid.

Still In The Park.

Cinnabar, Mont., April 20.—President Roosevelt left Fort Yellowstone for Norris, to spend the remainder of his stay in the park. The geysers are in that neighborhood. If he has time he will visit the Falls of the Yellowstone. He has decided that he can't accede to the request of the labor organizations to refrain from riding on the Union Pacific road because of a strike on that line. His itinerary was arranged months ago and he can't disappoint thousands.

Twenty-Two Children.

Atholton, Kas., April 22.—In Osborne county there were two funerals, separated by only a few days, the dead being husband and wife. William Wakeman was born in England in 1830 and was married to Emma Samblar when he was 19 years old and she 15. Within the next thirty years 22 children came. They emigrated to the United States in 1890. Mr. Wakeman was reared a Catholic, but in his old age he became a Baptist and preached often to country congregations.

FIVE MINUTES OF WIND.

Tornado Visits a Kansas Town Creating Great Havoc.

Topoka, April 22.—Word has just reached here of a tornado at St. Paul, Neosho county, which destroyed a great amount of property and injured five people, four of whom cannot recover. Mrs. David Chamberlain and three members of a German family named Longham, will die, it is thought. David Chamberlain has bruises of a severe character, while several other persons sustained minor injuries.

The three-story brick school building was entirely destroyed and the homes of David Chamberlain, Mr. Longham and Mrs. Melluse were blown away. Many houses were also unroofed. The depot platform was carried from the townsite. The tornado jumped a building occasionally taking a house here and a barn there. The storm lasted about five minutes.

The Irrigation Case.

Topoka, April 21.—Governor Bailey thinks that Kansas will have considerable trouble pushing the Arkansas river irrigation suit against Colorado on account of the small amount appropriated by the last legislature to cover the costs of the litigation. The talk of dropping this suit is gotten up at the instigation of those who are not directly interested in the case. The state took the case out of the hands of the Arkansas river valley citizens and now Governor Bailey is under obligations to carry it forward.

Vrooman's Co-Operative Stores.

Enterprise, Kans., April 20.—The Vrooman co-operative store here and the one at Herington, the only two in the county, have quit business. The one here has been sold out and the one at Herington has passed into the hands of a local co-operative company. Cyrus Corning, who managed the store here and ran the Star has gone to Topoka and the paper, which was a Socialist organ, has quit.

Annual School Meetings.

Topoka, April 18.—The sex of the teacher to be employed is under the new law left with the district board. While a binding contract cannot be made until after the school meeting, this provision makes it possible for a board to re-engage a teacher who has done satisfactory work at the end of the school year.

The compensation of the teacher and the length of the term are still left with the annual meeting. The date of the school meeting also been changed.

Bachelors Disband.

Pittsburg, Pa., April 20.—All the holdings of the Economites, in the Swickley valley have been sold to a syndicate, the consideration being \$2,500,000. The senior trustee, John F. Dues, of the Harmony Society, as the organization is called, was the moving spirit in the sale. Only about a half dozen members of the society are living and the sale of the land means the practical winding up of the Economites after an existence of over 100 years.

Use Oleomargarine.

Muskogee, I. T., April 22.—"This is great oleomargarine country," said W. S. Irvin, deputy United States revenue collector for Indian Territory. "More oleo is consumed here than in the states in proportion to population. People are too busy with big deals in the territory to make butter. There are practically no creameries and only a few dairies. As a result, country butter is scarce and oleo must be used. The government gets a big revenue out of the oleo sales in this country."

BEEF MERGER WEAKENING.

The Springers Are Keen On The Trail Of The Mergerites.

ACTION WILL BE PRESSED.

Kansas City, April 21.—Not much has been heard of the merger lately. The men back of it have fallen out among themselves, and unless some big promoter takes hold of it there is little likelihood of its consummation.

Boston.—According to a private letter from an insider at Washington, it is time for the beef trust to put on the brakes in its plans for a merger of all the provision interest in the country. It is stated that the packing combine is the next illegal combine slated for prosecution by the attorney general. News has been received from western cattle growers, through President J. W. Springer of the Live Stock association, that furnishes a way for Attorney General Knox to get at the trust if the information is reliable, and it undoubtedly is. Every sentence of the court decision which signs a death warrant for the Northern Securities company will be applied with greater force to the merger.

The formation of the \$3,000,000 merger now under way is regarded as a slap in the face of the administration and supported by information from the cattle growers, war will be started against the combine as soon as its plans are completed.

The proposition of President J. W. Springer was in case the combine went through to dot the continent with rival packing houses, to consume the beef grown, and to refuse all dealings with the merged plants.

Judge W. M. Springer, general attorney for the association, is in close touch with the government on these matters, and he is keen on the scent of the mergerites. It is certain that the cattlemen will press action by Attorney General Knox to the last degree.

Katy Demands Land.

Muskogee, I. T., April 18.—Attorneys for the M. K. & T. railroad went to Atoka and served notice on the land office officials there that their company expected every other section of land for ten miles on each side of the railroad through the Choctaw and Chickasaw nations. The road claims that it was offered that much land by the government as a bonus for building through this country. It has a suit pending in the United States court now for the land.

Cold And Snow In Europe.

London, April 20.—Such cold and snow falls as were experienced in the United Kingdom during the past week were unprecedented in twenty years. Nine degrees of frost were registered in the Thames valley, and snow storms were again reported in various parts of the country.

The same conditions prevail on the continent. It snowed in Paris, Lillie, Lyons, St. Etienne and elsewhere. There was a great storm at Marseilles, and considerable damage was done.

Senator Stone Protests.

Kansas City, April 22.—United States Senator William J. Stone, addressing the Missouri Democratic Press association, made an elaborate explanation of his connection with baking powder legislation and enforcement of the state pure food laws, and bitterly denounced the daily papers of the state which, he declared, had "hounded" him outrageously.

Senator Stone declared that he had not sought improperly to influence anti-trust legislation at any time.

MARKETS CORRECTED DAILY

Kansas City.			
NATIVE STEERS	4 05	3 85	3 80
HOGS—Choice to heavy	7 05	6 75	6 70
WHEAT—No. 3 hard	1 10	1 05	1 05
CORN—No. 3 mixed	50 1/2	50 1/2	50 1/2
SOY—No. 3 mixed	20 1/2	20 1/2	20 1/2
SAV—Choice Timothy	12 50	12 50	12 50
Choice Prairie	—	—	0 00
BUTTER	—	—	—
EGGS	—	—	12 1/2

Chicago Live Stock.			
GOOD TO PRIME	5 00	4 80	4 75
STOCKERS & FEEDERS	4 10	4 00	4 00
TEXAS FED STEERS	4 10	4 00	4 00
HOGS	7 10	7 00	7 00

Chicago Grain.			
WHEAT—No. 3 Hard	1 12	1 10	1 10
CORN—No. 3	44	44	44 1/2
OATS—No. 3	30 1/2	30 1/2	30 1/2

St. Louis Live Stock.			
BEEVES	4 00	3 80	3 80
STOCKERS & FEEDERS	3 25	3 25	3 25
TEXAS STEERS	3 40	3 40	3 40

Cotton.			
LIVERPOOL	10 1/2	10 1/2	10 1/2
NEW YORK	10 1/2	10 1/2	10 1/2
GALVESTON	—	—	10 1/2

Wichita Grain.					
Open	High	Low	Close	Close	Close
WHEAT	May	July	Sept	Oct	Nov
78 1/2	79	78 1/2	77 1/2	78 1/2	78 1/2
72 1/2	73 1/2	72 1/2	72 1/2	72 1/2	72 1/2
60 1/2	60 1/2	60 1/2	60 1/2	60 1/2	60 1/2
CORN	May	July	Sept	Oct	Nov
44 1/2	45 1/2	44 1/2	44 1/2	44 1/2	44 1/2
40 1/2	41 1/2	40 1/2	40 1/2	40 1/2	40 1/2
OATS	May	July	Sept	Oct	Nov
35 1/2	36 1/2	35 1/2	35 1/2	35 1/2	35 1/2
31 1/2	32 1/2	31 1/2	31 1/2	31 1/2	31 1/2

Wichita Live Stock.			
HOGS	6 75	6 50	6 50
CATTLE—STOCKERS	—	—	4 00
COGS	—	—	3 25
HEIFERS	—	—	3 00
STEEPS	—	—	2 40

LATEST NEWS IN BRIEF.

The Santa Fe has placed orders in Germany for 10,000 tons of 60-pound steel rails for delivery at San Francisco in May or June.

The famine in Kwangsi province, China, is killing tens of thousands of persons, and women there are selling themselves into slavery to escape starvation.

Enough applications are in Albany now for permission to build and operate power plants to take water from Niagara river to reduce the flow over the falls at least one fifth.

The people of Chile are enthusiastic concerning the apparent approval which is given by the United States government to the proposed construction of the projected pan-American railroad.

A table of Mr. Carnegie's gifts for libraries and educational purposes, just published, show the amount he has given in the United States is over \$2,000,000 and in Great Britain about \$15,000,000.

The "Mother Lode" mine at Sutter Creek, Cal., may be closed on account of a strike. A formal notice was issued to the sheriff that if the non-union miners were not protected he would be held responsible for all damages.

The Chicago drainage canal is carrying a great volume of water downwards towards the Mississippi, diverting it from the falls. The Canadian government is granting franchises to companies to use the water as fast as on this side.

Judge Hook has appointed receivers for the Home Riverside coal mining company of Leavenworth, Kansas, upon application of the holders of the bonds of the company, who allege that the interest on its bonds and stocks stands unpaid.

Union paper makers in the Fox river valley have declared a strike. Ten mills and 1,000 employes are idle. Print paper and fibre mills are the only ones affected. The men demand a 65-hour week and no Sunday night or Sunday work.

The transport Sumner, Captain Gothrop, has sailed from San Francisco for a trip around the world. She goes first to Honolulu, thence to Manila, where she takes on the Fifth regiment and sails with them for New York through the Suez canal.

Rebels are still active about San Domingo City. Several fights have occurred within a few days and more are expected. There is not gained any important advantage for either side.

The Missouri Pacific railway is to construct feeders in Nebraska and to extend its main lines into the Dakota wheat fields and also to extend in a straight line to Denver through Grand Island.

Missouri legislators are having a like experience with St. Louis aldermen. Many indictments are being found.

Captain Penning's troops who are operating against the Moros in Mindanao, have been attacked by cholera.

The navy department has contracted with the Continental Creamery Co. of Topoka for 400,000 pounds of butter for warships, to be delivered at the New York navy yard. The price is 23 cents a pound.

The Philippine government will expend half of the gift of \$3,000,000 by congress in restocking farms. Two thousand carabos will be purchased and sold to planters at cost.

The government is moving soldiers from the eastern stations to the west coast. The Missouri Pacific took three trainloads of soldiers from Kansas City to Pueblo, on April 17 and 18.

Chicago's police pension fund is bankrupt and widows and orphans are being turned away without their just dues.

All of the railroads in Texas have applied to the railroad commission for an increase in freight rates. Their request is based on increased operating expenses.