

GOVERNMENT GAINS THE DECISION

Supreme Court Hands Down the Opinion That Northern Securities Company is Illegal Concern.

Justice Harlan Delivers Opinion and is Supported by Four Associates.

THE OTHER JUSTICES DISSENT

Court Room is Crowded With Spectators to Hear Final Decision, and No Surprise is Shown at Result.

Washington, March 14.—In the United States supreme court today 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 justices dissented from five, constituting a 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 of opinion proceeding on the theory that congress has the right under the constitution to control interstate commerce, no matter by whom conducted, while the minority, or dissenting opinion, was based on the theory in the present case. The court was crowded with spectators, and the atmosphere was one of intense interest.

When the members of the court filed into the chamber they were met by an expectant crowd which filled every seat both on the inside and outside of the bar. There was no surprise manifested when, promptly on assembling, Justice Harlan began the delivery of the opinion. The fact that he had been selected for a preparation of the document, at once led most people to conclude that the decision would uphold the Sherman anti-trust and sustain the contention of the government.

Very soon after Justice Harlan had concluded his presentation of the case it became evident that the court had divided, and as the other opinions were announced it developed 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 decision all the more marked and interesting. This was Justice Brewer, who, while he concurred in the decision announced in the independent opinion, his view was that the previous anti-trust decision 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 opinions of Justices Harlan and White were long, while those of Justices Brewer and Holmes were comparatively brief. The fact was noted by several persons that argument in the case was begun December 14, just three months previous to the decision. For so important a case this is considered very brief interim between the arguments and the decision.

The case decided today was brought by the United States against the Northern Securities Company, the Great Northern Railroad Company, James J. Hill and William P. Clough, D. Willis James, John S. Kennedy, J. Pierpont Morgan, Robert Bacon, Geo. F. Baker and Daniel Lamont, citizens of New York.

Its general object was to enforce, 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."

SOUND LAW GOOD SENSE.

Attorney General Knox Approves Very Much the Court's Decision.

Washington, March 14.—Attorney-General Knox, being asked concerning the merger decision, said:

"My views of the decision cannot be better expressed than in the language of one of the best known railroad presidents of the United States upon the occasion of the decision in favor of the government. He said: 'The decision is sound law, good sense and for the advantage of all legal interests and for the country's welfare, and it voices the judgment of probably nine-tenths of the most conservative business men in the country.'"

Both Sides Claim Credit.

Washington, March 14.—Legislation for the District of Columbia and the postoffice appropriation bill occupied the attention of the house today. Rural free delivery service received the most attention, and credit for the establishment of this service was claimed by speakers of both parties and both sides declared their friendship for it.

RUSSIANS BLOCK ENTRANCE AT PORT ARTHUR BY SINKING STEAMERS

Four Vessels Placed in Proper Positions and Sent to the Bottom, Leaving Only Small Channel Available to Get Out.

Unconfirmed Report Has It That Vice Admiral Makaroff Assumes Offensive by Placing Fleet on Outside, With Steam Up and Ready for Action—Orders Indicate That There is an Abundance of Coal.

London, March 14.—The correspondent of the Daily Mail, at New Chwang, says that after the removal of the battleship Retvizan, four Russian steamers, the Harbin, the Hallar, the Ningunta and the Sungari, were anchored at the mouth of the entrance of Port Arthur in proper position and sunk, leaving only a small channel available. Vice-Admiral Makaroff having previously ordered the whole fleet to remain outside with steam up, economy in coal being unnecessary.

This dispatch, which is prominently displayed by the Daily News, by which the correspondent says is "on Russian information," is, if true, news of the first importance, confirming the idea that Vice-Admiral Makaroff will adopt the offensive. The story must, however, be viewed cautiously, the only approach to confirmation from any other quarter being in a dispatch from the correspondent of the Daily Telegraph at Yinkow, which merely says:

"Vice-Admiral Makaroff has issued orders to the effect that the saving of coal is unnecessary, but that big gun ammunition in the forts must not be wasted."

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

It may be remarked that British newspapers all regard Vice-Admiral Togo's report that he has laid mines at Port Arthur, is mere bluff and they say that such a feat would be impossible under fire.

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

FALL INTO AMBUCADE.

Japanese Lose One Man in Small Land Encounter.

St. Petersburg, March 14.—General Zilinsky telegraphs as follows under yesterday's date:

"On March 7 our patrol discovered four of the enemy's post on Chong Chengang river and a troop of cavalry, acting as scouts near Patetchen, northwest of Anju. A Japanese cavalry patrol fell into an ambuscade prepared by our patrol and were dispersed, losing one man. On the night of March 11 the enemy's ships explored Helena bay and the shore opposite with searchlights."

FIRE PREVENTS RESCUE.

Japanese Fail to Save All the Wounded Russians.

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 today. Captain Shojiro Asia, commanding the flotilla of torpedo boat destroyers, states that the Japanese would have been able to have rescued many more of the enemy, but 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 of the crew jumped overboard and perished in the sea. Three of the rescued Russians were

engineers and the fourth is a torpedo operator. Two of the captives were slightly wounded. They were all placed on board of a Japanese battleship and were given food and medicine.

SAILOR SLAYS CAPTAIN.

Japanese Knocks Down Russian and Kicks Him Overboard.

Tokio, March 15.—A steamer bearing 10 wounded and the bodies of nine seamen who were killed in the battle off Port Arthur on the 10th, has reached Sasebo. The survivors unite in praising the desperately heroic attack on the Russians and tell the story of personal encounter between a Japanese sailor and the captain of the Russian destroyer Steregutchi.

When the Japanese closed on the Russians a sailor sprang aboard the enemy's vessel and met her commander emerging from the cabin. The sailor and captain sprang at one another, but the seaman was the quicker of the two and felled the Russian by striking him on the head with a cutlass. The Russian endeavored to rise, but the sailor kicked him overboard. The Japanese say there were 22 dead on the two Russian destroyers.

HAVE LITTLE TO SAY.

J. J. Hill and Morgan Are Mute Concerning Decision.

New York, March 14.—J. J. Hill declined to discuss the merger decision, except to say:

"There is nothing to be said at this time. The properties of the Northern Securities Company are still there. They are as good as gold as ever." When asked whether he would move for a rehearing, Hill said:

"No I don't think we care enough for a rehearing to ask for it."

At the office of J. P. Morgan & Co. no expression regarding the decision could be had.

Decision Affects Stock Market.

New York, March 14.—The long expected decision in the Northern Securities case caused a feverish and halting in the stock market today. Fluctuations were constant and irregular, and the tone of the business was much increased. Action of the market seems to show there was no great speculative account open on the decision. The announcement of the actual decision caused a sharp break, but prices subsequently rallied to the highest of the day, which was well above Saturday's level.

TAKES SHOT AT BURGLAR.

Thief Gets Away With Cash in Spite of Shot Gun.

Oswego, Ore., March 14.—At an early hour Sunday morning the postoffice at Oswego was burglarized, but the burglar came near being killed by the postmaster, who discovered him in the act of robbing the till.

The postoffice is located in the store building occupied by G. W. Prosser, who is also the postmaster. About 3 o'clock Mr. Prosser was awakened by a noise in the store. He armed himself with a shotgun and with a companion went to the building. When they entered the door the burglar was engaged in robbing the till. The window through which he had entered was open and he made a dash for it. The postmaster fired two shots at the fleeing burglar, but without apparent effect, and he escaped into the darkness of the night.

Sheriff John R. Shaver was promptly notified of the burglary and kept a close watch at the suspension bridge,

thinking that the burglar might go to Oregon City. At daybreak the officer visited the scene of the burglary, but the burglar had made good his escape and left few clues of any value. He is described as a short, heavy man, weighing in the neighborhood of 160 pounds, and wearing a dark suit of clothes.

The amount taken from the postoffice is small, there being only \$5 in pennies and some stamps missing. He also took several dollars' worth of trade checks, but it is not probable that he will attempt to use these, as they would inevitably lead to his identification.

HAPLESS WOMAN BURNS.

Alone and Crippled She is Consumed By the Flames.

Oregon City, Ore., March 14.—Terrible was the suffering of Miss Rosine Smith, who was burned to death at the home of Gus Brady, about three miles south of this city, last night. Helpless, the woman, who had been a cripple for years, slowly roasted to a crisp and her torture can never be imagined.

Gus Brady and family, who are relatives of the cripple, had left her alone during the evening while paying a visit to some neighbors, and in some manner she set fire to her clothing. Only by most miraculous circumstances did the flames fail to spread to the furniture and set fire to the entire structure.

When found, the woolen wearing apparel was still smoldering and the body was a heap of black and charred flesh. The coroner was called and upon investigation he found that no one was to blame for the awful accident and so decided to hold no inquest.

The unfortunate woman was well along in years.

LEVEE AT ST. JAMES.

King Edward Holds Second Court Function of Season.

London, March 14.—King Edward held the second levee of the season in the throne room of St. James' palace at noon today. Large crowds lined the streets through which the king drove in state. The diplomatic corps was strongly represented, including Ambassador Choate and other members of the United States embassy. The attendance of cabinet ministers, naval and military officers, peers and members of the house of commons was also larger than usual. The Americans presented by Mr. Choate were Walter Neef, of Chicago, superintendent of European agencies of the Associated Press, and Herman Kinnicutt and Louis C. Hay, of New York.

MORMONS ARE OPPOSED TO SMITH

Will Organize New Party for the Purpose of Undoing Power Vested in President of Church.

Angry Because of Testimony Submitted Before the Investigation Committee.

ANNOYED BY THE ADMISSIONS

Resolution Drawn Up Fencoung Head of Mormonism for Making Utterances—Will Circulate Same.

Salt Lake, March 14.—Mormons who are indignant at the testimony of President Joseph F. Smith and the admissions made before the Smoot investigation committee, met here tonight with the avowed purpose of forming a new party. A committee of 25 citizens was appointed to frame a plan for political action and a mass meeting will be held next week to ratify action and perfect organization.

A protest against the statements of President Smith was unanimously adopted and was at once signed by about 200 citizens. A protest will be at once forwarded to Chairman Burrows, of the investigation committee, and copies will be circulated for further signature in Utah and adjoining states.

Trying to Start Ice Gorge.

Wilkesbarre, Pa., March 14.—Efforts to start the big ice gorge in the Susquehanna river, above the city, were made today by dynamiting. The railroad companies have hundreds of men at work clearing the railroad tracks and cutting roadways through the heavy ice, which in many places is 15 feet thick.

Peculiar Freight Wreck.

Kalspell, Mont., March 14.—One laborer was killed and 15 injured in a freight wreck at Lucerna. The train had been divided at the base of a mountain, and the first division, to which a laborer's car had been attached, broke loose when the first section was near the top and crashed into the section section.

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