

CLAIMS TO BE A LEGAL CONCERN

Standard Oil Replies to Government Suit.

BRIEF FILED IN COURT

Keynote of the defense is the so called preservation of the "Rights of Individual Citizens of the United States"—History of the Company Gone into at Great Length by the Attorneys Responsible for Document.

Washington, March 9.—The Standard Oil company has filed in the supreme court of the United States a brief in opposition to the attempt of the government to dissolve the corporation as violating the Sherman anti-trust law. The document comes as a prelude to oral argument Monday and is the work of D. T. Watson, John M. Freeman and Ernest C. Irwin. The brief for the government has not yet been filed.

The keynote of the defense is the so called preservation of the "rights of individual citizens of the United States." The issue, according to the paper filed, is the charge made in the petition, denied in the answer and reasserted in the replication, that the seven individual defendants, John D. Rockefeller, William R. Rockefeller, John D. Archbold, Oliver H. Payne, Henry M. Flagler, Charles M. Pratt and Henry M. Rogers, combined and conspired, and continued to combine and conspire at the time the petition was filed, to restrain interstate trade in oil and to gain a monopoly of the traffic.

The brief asserts that the circuit court of the United States for the Eastern district of Missouri, whose adverse decree the defendants seek to overturn, held that solely because these individual joint owners of a group of non-competitive properties engaged for forty years in private trade, instead of continuing to hold through trustees controlled by the seven defendants, changed in 1899, as the brief says, "the method of holding their properties by conveying them to the Standard Oil Company of New Jersey and that such change was a violation of the Sherman anti-trust act."

Assert Business is Lawful. This decree is complained of as being unjust to the men who, according to the brief, "were a lawful group, lawfully doing business," and who, after what is described as a mere conveyance and solely by reason thereof, became a "group of lawless conspirators," it is charged.

The claim that the seven individuals are engaged in lawful business is emphasized. "The Standard Oil business as it existed in 1906 and still exists," says the brief, "was the natural development and outgrowth of the business begun in 1862 and steadily pursued by the Rockefellers and others. By untiring energy, with infinite skill, with abundant capital and the steady reinvestment of early profits these men and their associates created out of an entirely new, unique and unprecedented production of crude oil the new, universally used and cheapest illuminant the world has ever known.

"By creative skill they secured from refuse oil valuable by-products. They invented the huge reservoirs for storing oil—the combined pipe line system which gathers up and carries the natural products—the tank cars would carry the refined products. They created the export trade in oil, transporting it in ships of their own construction and selling it in Asia, India, Japan, China, Russia and all Europe. They devised the trading stations—the tank delivery wagons—and used every means to cheapen the product and the quality. From 1902 to 1903 (forty-four years) the work went on. They took the risk of the failure in production, of destruction by fire and tempest, besides all the ordinary risks of trade." They met all emergencies with competent skill and sufficient funds.

OLEO PROBE COMES NEXT

District Attorney Sims Ready to Begin Investigation.

Chicago, March 9.—United States District Attorney Edward W. Sims and his assistant, James H. Wilkerson, who have been in Washington conferring with Attorney General Wickersham regarding the inquiry now being made by the federal situation in Chicago, have returned.

Mr. Sims immediately upon reaching his office called for Assistant District Attorney Robert Childs, who has had charge of the investigation into the oleomargarine industry in this city. The two talked over plans for further inquiry, which probably will be started by the grand jury in a day or two.

Stranded Vessel a Wreck. Gallipolis, O., March 9.—The river packet Virginia, which stranded during the high water at Willow Grove, W. Va., forty miles above here, has broken in two and will be a complete loss. The steamer went into a cornfield during a heavy fog and when the water receded was left high and dry. The boat was owned by the Pittsburgh and Cincinnati Packet company and was valued at \$40,000.

MINISTER AND ATTACHES SAFE

Colombians Attack American Legation at Bogota.

RIOTING LASTS SOME TIME

Begins as Result of Quarrel Between Manager of an American Owned Street Railway and Police Officer and Winds Up When Mob Stones Building Occupied by United States Diplomatic Force.

Bogota, Colombia, March 9.—A quarrel between the manager of an American owned street railway line and a police officer was followed by a riot, during which a mob attempted to wreck the street cars. Traffic was stopped and the manager placed under arrest.

The rioting continued for some time and reached the block in which the American legation is situated. The police gathered in force, but the mob, after wreaking vengeance on the rolling stock of the company, attacked the United States legation, stoning the building. The diplomats within were guarded and, though there were further disturbances during the night, the authorities appear to be able to afford protection to the Americans.

Elliott Northcott is the American minister at Bogota and Paxton Hibben is the secretary. All at the legation were said to be safe. Mr. Northcott came here last August from West Virginia and was formerly judge of the district court for the Southern district of that state.

VICTIM OF TUBERCULOSIS

"Jake" Schaefer, Noted Billiardist, Dead at Denver.

Denver, March 9.—"Jake" Schaefer, the noted billiard player, died here of tuberculosis.

Schaefer was perhaps the greatest billiard player in the history of the "gentleman's game." He repeatedly held the world's championship at 18.1 and 18.2 ball line billiards. He was particularly noted for his gameness and nerve.

Schaefer was born in Milwaukee in 1855. Soon afterward his family moved to Leavenworth, where he learned his first billiards. His stepfather, named Berg, kept a billiard hall and it was there Schaefer learned the rudiments of the game.

LONG BATTLE WITH FLAMES

Crew of Vessel Reaches Port in Exhausted Condition.

New York, March 9.—After having fought unsuccessfully for five days a fire in her coal bunkers the freight steamer Maude, from Argentina, arrived in port with the crew exhausted. The blaze was discovered March 2 while the steamship was in West Indian waters. The speed of the vessel was increased and the crew tried to extinguish the flames, but the fire had started at the bottom of a bunker and could not be reached. The fire burned itself out when all of the coal in one division of the vessel had been consumed.

The Maude sustained no serious damage.

BALLINGER WILL BE UPHELD

Congressman Sherwood Guesses at Verdict of Committee.

Washington, March 9.—"The joint congressional committee now investigating the Ballinger-Pinchot controversy will render a Scotch verdict," predicts Representative Sherwood of Ohio. "Ballinger will be retained in the cabinet because the Guggenheim interests are back of him and the Guggenheim money is needed in the Rocky Mountain states.

"When Ballinger is whitewashed the president will stand by him and keep him in his cabinet."

Ends Life on Eve of Marriage.

Louisville, Ky., March 9.—On the eve of his going to Philadelphia to marry Miss Virginia Harrison, William L. Bentley, a young physician, was found dead with two bullet wounds in his head. There were two empty cartridges in a revolver found near his body and, although Bentley is believed to have committed suicide, the coroner is making an investigation.

Murder Charge Against Woman.

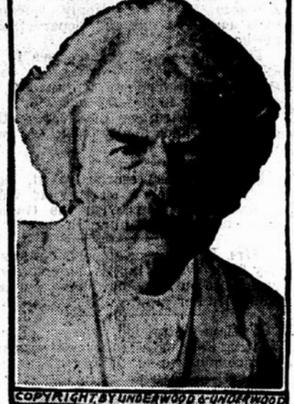
Minneapolis, March 9.—W. C. Lear, aged thirty-two, a bartender, who was shot Monday by Mrs. Lena Dale in the Alberta hotel, is dead. Lear was shot by Mrs. Dale during a quarrel in a room of the hotel. The woman is under arrest with a charge of murder lodged against her. Lear died accusing her of the crime.

German Warship Damaged.

Kiel, Prussia, March 9.—The recently completed battleship Posen, one of the four Dreadnoughts about to be added to the German navy, was damaged by fire and her first trip, which had been set for Saturday, will be delayed several weeks while repairs are being made.

SAMUEL L. CLEMENS.

Humorist Lion of Colony of Tourists in Bermuda.



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MARK TWAIN DOING NICELY

Says He is Not Ill Enough to Excite an Undertaker.

Hamilton, Bermuda, March 5.—Samuel L. Clemens (Mark Twain), whose health has been the cause of alarm to his friends, made this characteristic statement:

"I am able to say that while I am not ruggedly well, I am not ill enough to excite an undertaker."

Since coming to Bermuda several weeks ago to recuperate the veteran humorist has been the lion of the colony of tourists. Wearing his favorite flannel suits, he is a familiar figure.

INQUIRY IS DEMANDED

Sensational Charges Against Merchant Marine League.

Washington, March 4.—Sensational charges alleging that officers of the Merchant Marine league of Cleveland, O., along with their former Governor Herrick, have conspired and federated with a view to securing the enactment of ship subsidy legislation by corrupt means are contained in a resolution presented to the house by Representative Halvor Steenerson of Minnesota. The Steenerson resolution, which was submitted in the open house, provides for the appointment of a special committee of seven members to inquire into the charges. It was referred to the house committee on the judiciary.

The Steenerson measure is a lengthy document. It recites that the officers and other members of the Merchant Marine league are engaged in issuing pamphlets, periodicals and other printed matter devoted to the advancement and agitation of legislation for appropriations by congress for ocean mail service and subsidy payments generally. Further, that an effort is being made improperly to influence members of congress in connection with this legislation.

In pursuance of this conspiracy the resolution recites funds are being collected in various states of the Union from interested persons.

Physicians at the hospital declare the banker will probably recover, but will be disfigured for life. He is suffering from severe cuts about the face, arms and legs, supposed to have been inflicted with a knife by Cudahy.

SENSATION AT KANSAS CITY

Millionaire Banker is Assaulted by Wealthy Packer.

Kansas City, March 8.—With J. S. Lillis, president of the Western Exchange bank, in a serious condition in St. Mary's hospital and John P. Cudahy, son of Michael Cudahy, the millionaire packer, secreted in the home of a friend after attacking Lillis and being released on \$100 bond, social and financial circles are expecting sensational allegations to be made in the event Lillis' injuries should prove fatal.

Physicians at the hospital declare the banker will probably recover, but will be disfigured for life. He is suffering from severe cuts about the face, arms and legs, supposed to have been inflicted with a knife by Cudahy. Lillis was found in the parlor of the Cudahy home. He was half nude and bleeding from numerous jagged wounds, while Cudahy and his chauffeur stood over his prostrate form. Cudahy told the police Lillis had ruined his home.

LOUIS JAMES DIES SUDDENLY

Well Known Actor Expires at Helena, Mont.

Helena, Mont., March 6.—Louis James' long career as an actor was ended by death here, following an attack of heart failure just before the curtain went up for a performance of "Henry VIII."

Twelve hours later he attempted to leave his bed, when he toppled over and expired almost immediately. His wife and Ed Decker, manager of the James company, were at his bedside.

Germany Enters Pole Race.

Berlin, March 6.—The German Geographical society has decided to send out a South Polar discovery expedition and so contest with the United States and Great Britain in the race through the Antarctic.

THOUSANDS IDLE

Extensive Labor Demonstration at Philadelphia.

MANY UNIONS ARE ON STRIKE

Quit Work in Sympathy With Street Car Employees.

Philadelphia, March 8.—If the computation of the Philadelphia police department is correct—and the officials declare it to be based on a careful and complete canvass of the city—less than 20,000 workers have responded to the call for a general tieup of the city's industries in support of the striking conductors and motormen of the Philadelphia Rapid Transit company.

As against this came the reiterated declaration of the leaders of the general strike movement that at least 125,000 men were out in obedience to the general strike call, and that there were practical assurances that 25,000 more would join the ranks of the strikers. No detailed figures were furnished.

The day was the most peaceful, not only since the calling of the general strike, but since the walking out of the carmen more than two weeks ago. A minor demonstration following a big meeting of workmen in Labor Lyceum was attended by some disorder and stoning of cars, but the police speedily quelled the disturbance. Word that the order for federal troops had been canceled indicated that the authorities believe the worst of the trouble was over.

STRIKE MAY BE STATEWIDE

Convention at Newcastle May Order Men Out.

Newcastle, Pa., March 8.—Rumors that the general strike in Philadelphia in sympathy with the street car men was likely to become statewide were put up to President Elmer E. Greenwalt of the Pennsylvania State Federation of Labor for confirmation. President Greenwalt came here to arrange for the annual meeting of the state federation.

"The convention here will have complete authority to call a statewide strike if it sees fit," said President Greenwalt, "but as to the likelihood of such action I cannot commit myself."

"The convention will represent 300,000 organized workmen of this state, a majority of whom are employed in Philadelphia and Pittsburgh. There are about 100,000 in Pittsburgh. The situation in Philadelphia is extremely critical. One great American revolution was started here and it might be no strange thing if another one did so—but one of ballots instead of bullets."

PINCHOT IS CROSS-EXAMINED

Admits His Knowledge of Ballinger's Acts is Limited.

Washington, March 5.—The Ballinger-Pinchot investigation dragged slowly along through two sessions. Mr. Vertrees, counsel for Secretary Ballinger, continued his cross-examination of Gifford Pinchot.

He elicited some interesting facts from the former forester, but for the most part the day was taken up largely with wrangles between the attorney and the witness and sometimes between Mr. Vertrees and counsel for the other side. Mr. Pinchot complained to the committee that it was difficult to explain forest service matters to a man so little informed on the subject as Mr. Vertrees appeared to be.

Mr. Pinchot admitted his first hand knowledge of Mr. Ballinger's acts was limited, but he reiterated that the secretary of the interior had deceived the president concerning the Cunningham coal cases and had made a statement to the president which was "obviously untrue."

CONGRESSMEN THREATENED

Must Get Busy and Do Their Duty or Be Blown Up.

Washington, March 6.—An anonymous letter was received by members of congress threatening them and their property with dynamite unless the members get busy and do their duty. The letter is signed by "The Committee" and bears the postmark of the Inley Park station, Chicago.

The writer begins by saying that members are aware that the prices of the necessities of life are beyond the reach of those who are compelled to labor for a living.

"You are also aware," he continues, "that this state of affairs was brought on by the trusts and the illegal combinations and you are aware these can only exist in this country through the legislation of congress and through the governors of the states. Every man sent to congress or elected to high office is paid by the trusts and corporations to do their will."

Will Keep Their Wood Pulp.

Montreal, March 6.—According to Premier Gouin the order prohibiting the exportation of pulp wood will be ratified at the legislative assembly of Quebec, which meets March 15, and will become operative Sept. 1.

CITATION FOR HEARING ON PETITION FOR ADMINISTRATION.

ESTATE OF SIMON COLLISON

State of Minnesota, County of Morrison.

In the Matter of the Estate of Simon Collison, Decedent.

The State of Minnesota to all persons interested in the granting of administration of the estate of said decedent. The petition of E. J. Collison having been filed in this court, representing the Simon Collison, then a resident of the County of Morrison, State of Minnesota, on the 22nd day of September 1910, and praying that letters of administration of his estate be granted to E. J. Collison and that the court having fixed the time and place for hearing said petition, and that you are required to show cause, if any you have, before this court at the Probate Court Rooms in the Court House in the City of Little Falls in the County of Morrison, State of Minnesota, on the 12th day of March, 1911, at 10 o'clock a. m., why said petition should not be granted.

Witness, the Judge of said Court, and Seal of said Court, this 7th day of Feb. 1911.

(Seal) E. F. SHAW, Probate Judge.

MORTGAGE FORECLOSURE SALE.

Default having been made in the payment of the sum of thirty (\$30.00) dollars, which is claimed to be due and is due at the date of this notice upon a certain mortgage, duly executed and delivered by Lewis Rader and Helen E. Rader, his wife, mortgagees, to Frank A. Nelson, as mortgagee, bearing date the 13th day of November 1907, and with a power of sale therein contained, duly recorded in the certified Register of Deeds in and for the County of Morrison and State of Minnesota on the 13th day of November 1907, at 11:30 o'clock A. M., in Book 29 of Mortgages, on page 166.

And whereas, the said Frank A. Nelson, mortgagee and holder of said mortgage, has duly elected and does hereby elect to declare the whole principal sum of said mortgage due and payable at the date of this notice, under the terms and conditions of said mortgage and the power of sale therein contained; and whereas pursuant to said election, there is actually due and claimed to be due and payable at the date of this notice the sum of three hundred and thirty (\$330.00) dollars, with interest thereon at the rate of eight per cent per annum from the 15th day of February 1910, and whereas the said power of sale has become operative, and no action or proceeding having been instituted at law or otherwise, to recover the debt secured by said mortgage, or any part thereof.

Now Therefore, Notice is hereby given that by virtue of the power of sale contained in said mortgage and pursuant to the statute in such case made and provided, the said mortgage will be foreclosed by a sale of the premises described in and conveyed by said mortgage, to-wit: The north half of the southeast quarter of section twenty-eight in township forty-one of range thirty-one in Morrison County, and State of Minnesota, with the hereditaments and appurtenances, which sale will be made by the sheriff of Morrison County, Minnesota, at the north front door of the Court House in the City of Little Falls, in said County and State of Minnesota, on the 14th day of April 1911, at 10 o'clock A. M. of that day at public vendue, to the highest bidder for cash, to pay said debt of three hundred and thirty dollars and interest thereon and the taxes, if any, on said premises, and twenty-five dollars attorney's fees and costs hereof, and by said mortgage in case of foreclosure, and the disbursements allowed by law; subject to redemption at any time within one year from the day of sale as provided by law.

Dated February 15, A. D. 1911.

FRANK A. NELSON, Mortgagee.

N. N. BERGHEIM, Attorney.

APPLICATION FOR LIQUOR LICENSE

State of Minnesota, County of Morrison, ss.

Notice is hereby given that an application has been made in writing to the council of said Village of Pierz to be filed in my office, praying for license to sell intoxicating liquors for the term commencing on the 15th day of March, A. D. 1911, and terminating on the 14th day of March, A. D. 1911, by the following persons, and at the following places, as stated in said application, respectively to-wit:

By Frank Faust in the west room on the first floor of his building located in the village of Pierz, lot three (3), Block one (1), County of Morrison and State of Minnesota.

Said application will be heard and determined by said village council of the Village of Pierz at the Village Hall in Morrison County, and State of Minnesota, on Monday, the 14th day of March, 1911, at 8 o'clock P. M. of that day.

Witness my hand and seal of Village of Pierz this 26th day of Feb. 1911.

FRANK GRELL, Recorder.

ORDER LIMITING TIME TO FILE CLAIMS, AND FOR HEARING THEREON

ESTATE OF ANTON OLSON

State of Minnesota, County of Morrison.

In the Matter of the Estate of Anton Olson, Decedent.

Letters testamentary on this day having been granted to Otilie Olson.

It is Ordered, That the time within which all creditors of the above named decedent, having claims against the estate in this court, be, and the same hereby is, limited to six months from and after the date hereof, to file their claims, and that the said claims be filed on or before the 14th day of Sep. 1911, at 10 o'clock a. m. in the Probate Court Rooms at the Court House at Little Falls in said County, and the same hereby is, and is appointed and fixed the time and place for hearing upon the examination, adjustment and allowance of such claims as shall be presented within the time aforesaid.

Let notice hereof be given by the publication of this order in the Little Falls Herald as provided by law.

Dated March 3rd, 1911.

(Seal) E. F. SHAW, Judge of Probate.

Not at All Superfluous.

A Northumberland (Eng.) widow, claiming money for the loss of her husband under the workmen's compensation act, seems not to belong to the superfluous class. The judge before whom the case was brought announced that he would hear it in a private room. The newspaper men were shut out. The judge subsequently explained to the reporters that he thought it undesirable to advertise to the public the fact that a nice looking widow had received a considerable sum of money. The reporters argued that the widow might think she had a grievance at being deprived of advertisement.

"Perhaps so," replied the judge, "but men might want her money."

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Special attention to shippers Chernikovski Bros. 70 Bdw. E. Little Falls, Minn.

CITATION FOR HEARING ON PETITION FOR DETERMINATION OF DESCENT OF LAND.

STATE OF MINNESOTA, County of Morrison.

In the Matter of the Estate of Robert Thomas, Decedent.

The State of Minnesota to all persons interested in the determination of the descent of the real estate of said decedent.

The petition of Fred Keelr having been filed in this court, representing that said decedent died more than five years prior to the filing thereof, leaving certain real estate in said petition described, and that no will of said decedent has been proved nor administration of his estate granted in this State, and praying that the descent of said real estate be determined by this court.

Therefore, You, and Each of You, are hereby cited and required to show cause, if any you have, before this court at the Probate Court Room in the Court House in the City of Little Falls, in the County of Morrison, State of Minnesota, on the 19th day of March, 1911, at 10 o'clock A. M., why said petition should not be granted.

Witness, the Judge of said Court, and the seal thereof, this 19th day of February 1911.

(Court Seal) E. F. SHAW, Probate Judge.

ORDER LIMITING TIME TO FILE CLAIMS, AND FOR HEARING THEREON

ESTATE OF MARY JORDON BUSHEY

State of Minnesota, County of Morrison.

In the matter of the estate of Mary Jordan Bushey, decedent.

Letters testamentary on this day having been granted to F. W. Lyon.

It is Ordered, that the time within which all creditors of the above named decedent may present claims against her estate in this court, be, and the same hereby is, limited to three months from and after the date hereof, to file their claims, and that the said claims be filed on or before the 21st day of May, 1911, at 10 o'clock a. m., in the Probate Court Rooms at the Court House at Little Falls in said County, and the same hereby is, and is appointed and fixed the time and place for hearing upon and the examination, adjustment and allowance of such claims as shall be presented within the time aforesaid.

Let notice hereof be given by the publication of this order in the Little Falls Herald as provided by law.

Dated February, 9, 1911.

(Seal) E. F. SHAW, Judge of Probate.

CITATION FOR HEARING ON FINAL ACCOUNT AND FOR DISTRIBUTION.

State of Minnesota, County of Morrison.

In the Matter of the Estate of Edmund J. Kosnagel, decedent.

The State of Minnesota to all persons interested in the final account and distribution of the estate of said decedent: The representative of the above named decedent, having filed a final account and final account of the administration of the estate of said decedent, together with his petition praying for the adjustment and allowance of such account and for distribution of the residue of said estate to the persons therein entitled;

Therefore, You, and Each of You, are hereby cited and required to show cause, if any you have, before this court at the Probate Court Rooms in the Court House in the City of Little Falls, in the County of Morrison, State of Minnesota, on the 12th day of March, 1911, at 2 o'clock P. M., why said petition should not be granted.

Witness, the Judge of said Court, and the Seal of said Court, this 14th day of February, 1911.

(Seal) E. F. SHAW, Probate Judge.

E. P. Adams, Attorney for Petitioner 118 St.

CITATION FOR HEARING ON PETITION FOR PROBATE OF WILL

ESTATE OF NICKOLAUS FRIEZINGER

State of Minnesota, County of Morrison.

In the Matter of the Estate of Nickolaus Friezinger, Decedent.

The State of Minnesota to all persons interested in the allowance of said petition of the will of said decedent: The petition of Mary Lentz being duly filed in this court representing the Nickolaus Friezinger then a resident of the County of Morrison, State of Minnesota, died on the 8th day of February, 1910, leaving a last will and testament which is presented in this court with said petition, and praying that said instrument be allowed as the last will and testament of said decedent, and that letters of administration with the will annexed be issued thereon to P. W. Blake.

Now, Therefore, you, and each of you, are hereby cited and required to show cause, if any you have, before this court, at the Probate Court Rooms in the Court House in the City of Little Falls, in the County of Morrison, State of Minnesota, on the 12th day of March, 1911, at 10 o'clock a. m., why the prayer of said petition should not be granted.

Witness the Honorable, E. F. Shaw, Judge of said court, and the seal of said court, this 16th day of February, 1911.

(Seal) E. F. SHAW, Judge.

S. C. VASALY, Attorney for Petitioner.

NOTICE OF CANCELLATION OF CONTRACT.

To Lars Hanson, Little Falls, Minnesota.

Whereas, a certain contract in writing made and entered into between John Johnson, as party of the first part, and Lars Hanson, as party of the second part, dated the 5th day of December, A. D. 1892, under and by the terms of which the said party of the first part, John Johnson, agreed to sell to the said party of the second part, upon payment by him of a certain sum of money, and the performance by him of certain conditions, the following described real estate, to-wit: Commencing at a point fifty feet north of the southwest corner of Block Sixty-two in Thayer's Addition to Little Falls, Minnesota; thence running north twenty-five feet; thence running east one hundred and twenty feet; thence running south twenty-five feet; thence running west one hundred and twenty feet to the place of beginning making lot 22x120 feet.