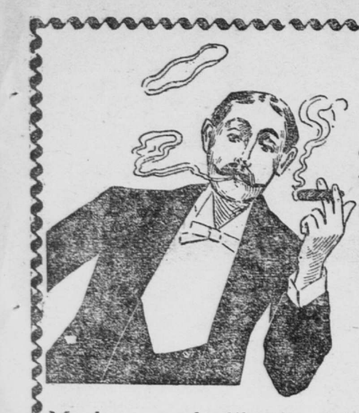

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RYAN BEAT BONNER

PENNSYLVANIAN WAS CLEARLY OUTCLASSED BY THE SYRACUSE BONER

BONNER STAYED THE LIMIT

His Gameness and Perfect Condition Saved Him From the Ignominy of Quitting—Ryan Was Never in Difficulty, and Might Have Given His Opponent a Knockout by Taking Chances.

NEW YORK, Oct. 24.—Tommy Ryan, of Syracuse, met Jack Bonner, of Summit Hill, Pa., in a twenty-round bout at middle weight, before the Greater New York Athletic club tonight, and, although the contest went the limit of twenty rounds, Ryan was never in difficulty, and clearly outclassed his opponent. Ryan won by a very big margin, and showed himself to be far the cleverest man, as well as giving his opponent the benefit of a palpable let-up toward the finish.

During the last three rounds Bonner's condition was almost hopeless, and it looked as if one good blow would end the fight. Ryan was evidently looking for an opportunity of sending Bonner into dreamland with a clean swing, but while he had opportunities at short arm work for ending the bout, he took no chances, as there was still enough vitality left in the Pennsylvanian to drop him in case he left the opening.

Bonner's strength was fast waning from the twelfth round, but his careful training and wonderful recuperative powers stood him in wonderful stead. His gameness was more than remarkable, and the manner in which he stood up against his terrific punishment evoked the plaudits of the spectators, who cheered the big fellow generously.

HAMLINE BEAT CARLETON.

Northfield Boys Could Not Score Against the Methodists.

Hamline defeated Carleton yesterday by the score of 10 to 0. The game was well played, but was not characterized by especially brilliant play. Judson and McKenzie each made a fifty-yard run, Judson scoring a touchdown. Carleton won the toss and chose north goal. Hamline kicked the ball out of bounds twice and Carleton took the ball. Robertson kicked off and Coleman taking the ball made a beautiful run, carrying the skin to the fifty-yard line. Drill, Coleman and Elford carried the ball down to the thirty-yard line by repeated gains. McKenzie went around left end for ten yards. Coleman jumped through Carleton's center for eight yards, and Judson ran around right end for six yards. Then Carleton, taking a brace, took the ball on downs, and by the good work of their halves and Goodhue carried the skin to Hamline's twenty-yard line, losing it on downs. Drill and Elford carried the skin seven yards and Wallace three yards. The halfs and Elford brought the ball again to Carleton's five-yard line, when time was called. Score, 0 to 0.

Robertson kicked off for Carleton in the second half. Martin carried it to the thirty-yard line. Coleman again made a great gain of twenty-five yards through center. Judson and Drill each made five yards around right end. Otho and Kingston made three and four yards. Judson then carried the pigskin over the line for a touch-down. He missed goal. Score, 5 to 0 in favor of Hamline.

Robertson kicked outside twice, and then Judson, kicking the ball for Hamline, sent it down to Carleton's five-yard line, where it was downed. Rosworth and Goodhue made good gains around left end. Robertson tried in vain to go through Hamline's center, but ran up against a stone wall in Richardson. Couper made a few yards around left end. Hamline received the ball on downs and Judson made a run of thirty yards, but was called back by Referee Heag, who declared off-side play on Hamline.

Carleton retained the ball for two plays only, when Hamline received it on downs. Elford and Kingston smashed the line for short gains. The ball was on the 50-yard line. Judson, receiving the ball, smashed through the line and, making a run of 50 yards, scored a touchdown. He missed goal, however. Score, 10 to 0, favor Hamline.

Robertson kicked off to McKenzie, who carried the ball straight down the field for 50 yards. Colman and Atha made small gains and the ball was on Carleton's 10-yard line. Hamline failed to make the required five yards and Carleton received the skin.

Goodhue and Bosworth made five yards. Time called. Score, 10 to 0, favor Hamline.

Goodhue and McCarthy played a star game for Carleton. Judson, Coleman and Atho made the best line smashes for Hamline.

The teams lined up as follows:

Goodhue	L. E.	Judson, capt.
Anderson	L. T.	Elford
Hitchcock	L. G.	Wallace
Current	C.	Richardson
Youngberg	R. G.	Burns
Goldsberry	R. T.	Kingston
Tiffany	R. E.	McKenzie
McCarthy	Q.	Martin
Robertson, capt	F.	Coleman
Couper	R. H.	Atha
Bosworth	L. H.	F. Drill

Umpire, Dr. C. D. Montgomery; referee, Mr. Heag; timekeeper, Runitz.

Toledo Asks Admission.

MILWAUKEE, Wis., Oct. 24.—Manager Strobel, of the Toledo Ball club, has renewed his application for admission to the Western league. It will be considered at an adjourned meeting of the league, to be held in Chicago next Saturday afternoon. The magnates still cling to the belief that Buffalo will be admitted.

WINTER RACING.

Horse Owners and Bookmakers Migrating Southward and Westward.

CHICAGO, Oct. 24.—Already the fall exodus of horsemen has set in coastward. Every train for the far West carried a party of them. Willie Sink Jr., and Charley Boots have shipped their horses for San Francisco. Boots went with eight and Sink with five. In the latter lot are Formero, Rio Chico and Alvarado II. Boots has not many of much account, his best horse, The Roman, having been sold to Tom Ryan for $5,000 a couple of weeks ago. He is said to have suspiciously bad legs. Barney Schreiber went to St. Louis Saturday night, but his horses, fourteen in all, were sent to the coast, where the big German will race and make books all winter. Jockey "Skeets" Martin left Sunday night for the coast. On the same train was the crew operated by George Rose, including Henry Flitner, Sam Shane and J. Otis Evans. They will have charge of the field book at Oakland this winter, the same being under the management of Mr. Rose. The latter will remain here for several days fixing up some business affairs and may not reach San Francisco until the second week of the meeting. Harry Froelich and his crew and "Dutch Fred" and party left for the coast Saturday night. Few of the prominent bookmakers will remain in this neighborhood, as all that is left now is the proposed meeting at one of the Indiana tracks. It has been far from a profitable season for most of them. "Hops" Laudeman is a self-confessed big loser and estimates that since the close of Washington park meeting the bookmakers are out at least $250,000. It would be hard to find a single exception to the rule of losers. Jim O'Leary, Condon's partner, is said to be $40,000 to the bad. The Applegates are almost as bad and to a friend a few days ago Marcus Cartwright said $25,000 would about cover what he has lost on local tracks this season. Barney Schreiber and George Rose are also behind to the game, and such conservative layers as Sam Summerfield and a few others are not much better than even. The Oakland meeting will open Saturday and run for two weeks. Then the Corrigan track at Ingleside will have a fortnight, and thus the two places will alternate until next spring. The Crescent City Jockey Club of New Orleans opens its gates Nov. 24 and will race for more than 100 days.

RING GOSSIP.

Sharkey Getting Into Fine Trim for His Go With Corbett.

NEW YORK, Oct. 24.—Tom Sharkey is training for his coming match with James J. Corbett at Bay Ridge. The sailor is quartered down at Nielson Murck's hotel, at Fifty-first street and Fifth avenue, where he has big Bob Armstrong, of Chicago, and Jack McCormack, the Philadelphia wrestler, assisting him in his work. Sharkey has become quite a familiar figure to those who team and wheel along the Ocean boulevard. At all hours of the day one may see the big heavy weight trudging along the roads, well muffled up and wearing a tight-fitting blue sweater and a bike cap. He takes his work easily, and no matter what other people think, Tom doesn't look for a setback when he goes against the ex-champion on Nov. 22. His short period of training has already put him in good condition. His eyes fairdly sparkle with health, and his skin is smooth and free from blemish. Nothing in the line of exertion seems to tire him, and those who have seen him say he is a glutton for work. He puts in a daily routine of sparring, wrestling, running, wheeling and weight lifting, and is still fresh at the finish. Sharkey intends to let up a little in his work, but will continue to spar with Armstrong and take long rides on his wheel until within three weeks of his bout, when he will settle down to real business. Sharkey has improved much since he fought Maher in this city over a year ago. There is more style about his sparring than there used to be. He has made somewhat of a study of ducking, and he continues to get under most of the solid smashes that the burly Bob Armstrong sends at him. He expects to show something to the ex-champion at his own game when they come together. Sharkey was in town last night, and was a spectator at the Lenox fight.

Jimmy Colvill, of Boston, who refereed the Maher-Sharkey bout at the Old Palace club house, has been agreed upon to act in the same capacity for the Sullivan-Dixon bout.

The twenty-five round contest between George Monroe and Tim Callahan, which was scheduled to come off at the Greenwood club, Nov. 5, has been put off to the 12th.

CZAR MOTT'S EDICT.

Another Batch of Offending Cyclists Are Punished.

BALTIMORE, Md., Oct. 24.—According to Chairman Mott's weekly bulletin Tom Eck, the veteran trainer, is suspended indefinitely. A number of reasons are assigned, among them being the charges that he officiated at unsanctioned meets and handicapped them and that he is indebted to various persons as a result of racing matters.

The Garfield park track, Chicago, has been restored to good standing. It was blacklisted some time ago for an alleged attack on cyclists at a racing meet by park policemen.

The suspension of Maj. Taylor expired Saturday. W. H. Pickens and Lee Richardson of the Southern Cycle Racing association, are ruled off L. A. W. tracks in every capacity for alleged claims.

Will J. Coburn, J. McKenna, J. Matheson, R. E. Gannon, S. E. Arthur, Willie Nunn, Dr. Patton, F. A. Kage, Ed Beard, Ed Pott, H. L. Albert, Clarence Givens, Al Woody, Al Channe, Tony Kammer, John Taylor, Will Hatch, Dave Coburn, D. A. Dougherty, St. Louis, Mo., are ruled off all L. A. W. tracks in every capacity for officiating at unsanctioned races.

L. D. Cabanne, St. Louis, is fined $50 and suspended until fine is paid for competing in unsanctioned races at St. Louis Oct. 15 and 16. Charles Ferguson, Robert Harmon, H. H. Hough, Charles Gignouz, Arnold Jeuhne, A. Bechestobill, L. O. Gilliam, St. Louis, Mo., are fined $25 and suspended until paid for competing in unsanctioned races at St. Louis Oct. 15 and 16.

WATTS IS CHAMPION.

Now Premier in the Colored Middleweight Division.

LOUISVILLE, Oct. 24.—"Jim" Watts, of Louisville, and "Jim" Janey, of Baltimore, tonight fought before the Louisville Athletic club for what they consider the colored middleweight championship, and Watts won the battle in the seventh round. The fighting was fierce, but all in Watt's favor, Janey swinging wildly and being unable to land a single telling blow. Watts jabbed his opponent at will, ripped him up the stomach and hooked him frequently in the head. In the seventh, when Janey was practically out and hanging helplessly to the ropes, Al Herford, his manager, rushed into the ring to register a complaint. For this interference the referee awarded the fight to Watts, although Janey was then a beaten man.

TOD SLOAN ATTACKED.

British Press Resents His Criticism of Racing Judges.

LONDON, Oct. 24.—The newspapers which have hitherto been almost unanimous in their praise of Tod Sloan, the American jockey, today denounce his imputation of unfairness upon the part of the Sandown park judges. The Sun says:

"The best that can be wished for Sloan is that he will promptly carry out his expressed intention to betake himself with his followers out of the country. He has already received more grace than would have been extended to other jockeys."

Continuing, the Sun recommends the withdrawal of his license and calls Lord William Beresford's attention to the fact that in its opinion, Sloan is unworthy to ride the Prince of Wales' horse in the race for the Cambridgeshire stakes.

HARVARD ATHLETES.

Results in the Games Held on the Holmes Field Grounds.

CAMBRIDGE, Mass., Oct. 24.—The combined 'varsity and freshmen track and field games of the Harvard Athletic association were held on Holmes' field this afternoon, and, with the exception of one or two well-contested heats, there were few interesting performances, although the conditions were good. No records were broken. Two events, the 100-yard dash and the half-mile dash, were run scratch for freshmen only. The rest were all 'varsity handicaps. Some of the best men, including Capt. Rocke, were not entered. Summary:

120 yards hurdle—R. A. Ferguson, 100, owe six yards. Time, 18 seconds.

100 yards Freshmen scratch—Final heat, M. H. Butler. Time, 13 seconds.

440 yards, running—G. J. Holliday, 40 yards. Time, 48 4-5 seconds.

880 yards scratch—B. Boynton. Time, 2:25.

One mile run—H. W. Foote, 50 yards. Time, 4:51 2-5.

880 yards run—S. J. Swan, 1901, 70 yards. Time, 1:56 1-5.

150 yards dash, final heat—A. M. Butler, 1902, 5 yards. Time, 15 1-5 seconds.

220 yard hurdle—W. G. Morse, 1899, scratch. Time, 26 1-5 seconds.

Throwing 16-pound hammer—H. G. Brown, 1901—10 feet—126 feet.

Running broad jump—J. A. L. Blake, 1902, one foot six inches—21 feet 4½ inches.

Running high jump—R. A. Ferguson, 1901—5 inches—six feet ¾ inch.

Puttir 16-pound shot—R. Garland, 1899—3 inches—38 feet, 6½ inches.

Pole vaulting—H. A. Carleton, 1902—6 inches—9 feet, 5½ inches.

WILL TRY IT SUNDAY.

Century Road Club Will Try Another Hastings Run.

Owing to the weather, which has left the roads in a very bad state, the Century Road club run to Hastings has been postponed until next Sunday. It is hoped that the weather will have become settled by that time.

The souvenir badges for the Hastings run are in the window of the Boston, and are a work of art, showing the bridge at Hastings over the river.

Those who have not received invitations will be supplied by applying to A. Mathels, the local centurion of the C. R. C., 131 College avenue.

Latonia Races.

CINCINNATI, O., Oct. 24.—Dr. Graves, the favorite in the firth race today at Latonia, ran away a half-mile while the field was at the post, and finished last in the race. Elsie M was ordered scratched by the judges in the opening race because they had notification to the effect that she was owned by parties ruled off on the outlaw tracks in the East. There was a big improvement in the weather today, but the track was in bad shape. Summaries:

First race, six and a half furlongs—Chat of Me won, Ennomia second, Cortalis third. Time, 1:30.

Second race, five furlongs—Miss Josephine won, Schanken second, Becky Ban third. Time, 1:08¾.

Third race, one mile and seventy yards—Osric II. won, Domsie second, Gomez third. Time, 1:58¾.

Fourth race, six furlongs—Purity won, Randasso second, Sorrow third. Time, 1:22¼.

Fifth race, six furlongs—Asman won, Garden second, Flying Wonder third. Time, [illegible]

Sixth race, six furlongs—Tom Collins won, The Star of Bethlehem second, Maddalo third. Time, 1:21.

Aqueduct Races.

NEW YORK, Oct. 24.—A big crowd went down to Acqueduct today to the last meeting of 1898 in New York. Sumaries:

First race, five and a half furlongs—Tabouret won, Zanone second, South Africa third. Time, 1:08½.

Second race, one mile and forty yards—Gala Day won, Ruby Lips second, Morlin third. Time, 1:45 1-5.

Third race, five furlongs—Tyrian won, Tenith second, Sol third. Time, 1:03.

Fourth race, one mile and a sixteenth—Charentus won, Blue Away second, Nosey third. Time, 1:48½.

Fifth race, five furlongs—Effervescent won, Federal second, Tyrshena third. Time, 1:02¾.

Sixth race, one mile and forty yards—Charagrace won, Dalgreti second, Premier third. Time, 1:46 1-5.

Carney Is Ahead.

Carney beat Capen 300 to 179 in the first night's play of the intercity tourney, at Carney's rooms, on Fifth street. The scores were:

Carney, 1, 3, 1, 7, 6, 0, 0, 17, 11, 4, 2, 10, 11, 2, 14, 20, 4, 0, 0, 23, 14, 19, 0, 3, 5, 11, 6, 5, 28, 2, 8, 0, 0, 1, 11, 5, 4, 1, 50, 16, 5, 7, 3, 5—300. Average, 6 2-3; high run, 28.

Capen—0, 1, 3, 0, 13, 0, 1, 0, 0, 3, 3, 1, 13, 0, 1, 1, 4, 5, 12, 3, 1, 0, 5, 11, 3, 2, 16, 0, 14, 2, 0, 20, 6, 5, 1, 0, 14, 5, 4, 1, 1, 0, 14, 0, 0,—179. Average, 4.

U. S. Court of Appeals.

In the United States circuit court of appeals yesterday the following opinions were announced:

Donald Grant vs. Henry B. Lowe. Appeal from United States circuit court, District of Minnesota. Affirmed with costs. Opinion by Thayer, circuit judge.

Board of County Commissioners of Seward County vs. Aetna Life Insurance company, and

Board of County Commissioners of Haskell County vs. National Life Insurance Company, and

Board of County Commissioners of Mead County vs. Aetna Life Insurance Company, and

Board of County Comissioners of Pratt County vs. Society for Savings. In error to United States circuit court, District of Kansas. Affirmed with costs. Opinions in each case by Sanborn, circuit judge.

Adjourned to Monday, Oct. 31.

They Ate Wild Ducks.

P. J. Giesen, William Hamm and Henry Bulger returned last Sunday from a ten days' hunting trip at Elbow lake. The party during their absence captured some 465 ducks, which they brought back home and distributed among their friends. P. J. Giesen, who is president of the Mozart club, reserved for his own use fifty-two of the ducks, which were prepared for the spread which occurred at the club rooms of the Raths-Keller last night. Mr. Giesen invited his friends, as well as all the male members of the Mozart club, for last night. The bill of fare was a good one, made up for the feast as follows:

Cream of tomato soup; olives and celery; pickled eels in jelly; roast red-head duck; Rhine wine; beer.

Andrew Heckler acted as chairman. Several short addresses were made by members of the company, and the Mozart male chorus sang several selections during the evening.

Through Cars to California.

Parties contemplating a visit to California should not fail to consider the advantages offered by the Minneapolis & St. Louis Railroad running through Tourist Cars to Los Angeles via Denver, Ogden and Sacramento every Thursday. An experienced Tourist Conductor accompanies all parties to look after their comfort and pleasure. For full information regarding rates and berth reservations call at 396 Robert street. E. P. Rutherford, C. T. A.

Daughter Arrested, Too.

Mary Tucker was arrested by Officer Zimmerman last evening for interfering in the arrest of her father, Mike Tucker, who was taken into custody on a warrant charging the theft of logs from the river. When the officer took Tucker, at his home on Water street, near Robert, the daughter is said to have tried to release her parent. The girl was released on bail. Father and daughter will be arraigned before Judge Hine today.

Wheat $2 a Bushel.

Some farmers are holding their wheat because they think the price will go to $2 a bushel. The price, however, may go down instead of up, and thus great losses will follow delay in selling. In all matters delays are dangerous, particularly so in sickness. At the first sign of biliousness, dyspepsia, indigestion or constipaton cure yourself with Hostetter's Stomach Bitters. Don't wait for your condition to improve itself, for it is apt to get worse still.

Monitors Want a Game.

The Monitor football team would like to arrange Sunday games with teams whose average weights are 115 pounds. P. T. P., 125 East Ninth street.

Boyle Has Come Back.

Patrick Boyle, the missing soldier from Fort Snelling, called at the police station last evening for his clothes.

If you are a Judge you will, if you have not already done so, pronounce this whiskey of the greatest merit, and *pure*. It is of superior drinking qualities being a mellow and rich stimulant having a refined bouquet.

If you are not one you'll take the word of the largest, oldest-established liquor firm in the Northwest, who cannot afford to speak of other than the truth!

Purchase Pickwick Pure Rye Whiskey

Sold by Druggists, Dealers and GEO. BENZ & SONS, St. Paul and Minneapolis

CASTORIA.

Bears the Signature of Chas. H. Fletcher. The Kind You Have Always Bought

BEATEN AND ROBBED

JOSEPH TEMPLE'S WARM RECEPTION ON A VISIT TO ST. PAUL

THIEVES SECURED OVER $30

They Got Him Into a Hack and Took Him to a Lonely Spot on the West Side of the River—Police Have a Hack Driver Under Suspicion of Complicity in the Affair.

Joseph Temple, a stranger, returning with his savings from the Dakota wheat fields on the way to Chicago, was held up by two men in West St. Paul shortly after 8 o'clock last evening and severely beaten while resisting the robbers, who finally got away with $30. Temple was so viciously pounded about the face that he could scarcely see when taken tot he Ducas street station after the robbery. His cheeks are bruised and swollen so that his eyes are almost obscured. Owing to the fight which he made he saved a portion of the money he had with him.

According to his story, Temple arrived in the city yesterday afternoon. He purchased a ticket to Chicago, intending to leave on an evening train, in the meantime spending his time in looking about the city in the vicinity of the depot. At about 7:30 o'clock he says he dropped into a Sibley street saloon, where he had several drinks with two strangers. One of the men, Temple says, asked him if he would not like to take a short ride about the city before his train left, and he said he would. Then the stranger took him outside, he says, and put him in a hack. The second stranger, Temple says, got into the hack with him, while the other mounted the box and drove away. After driving some distance, Temple says the hack was headed across the Wabasha street bridge and started up Water street on the West side. When about four blocks up the river, Temple says, the hack stopped, and the driver got down and opened the door. At this instant the man inside with him grappled him about the body and threw him out of the hack. Both the driver and the man who had ridden inside with him, Temple says, then commenced a vicious assault upon him. Temple is quite a husky young fellow and tried as best he could to defend himself. He says he knocked one of his assailants down, but that the fellow got up and both men went at him more savagely. They finally knocked him down, Temple says, and while one of them held him the other began searching his pockets. Realizing himself fully overcome by the robbers, Temple began calling for help, and after they had secured $30 from one of his pockets the thieves jumped on the hack and drove quickly back toward the city. Temple's cries attracted several residents of the neighborhood, who afterward told the police that they saw the men driving off in the hack.

Officer Ryder reached the scene of the hold-up after Temple had been taken into a neighboring house. He took Temple to the Ducas station, where Detective Murnane interviewed him and got a description of the robbers. The police claim to know who the hackdriver is and have issued orders for his arrest.

Templè had $50 and his ticket in an inside vest pocket, which was overlooked by the thieves. Several dollars in silver in his trousers' pocket also escaped the robbers when they were frightened away by his calls for help. Temple had $87 when he reached the city, but as he spent some of the money he does not know exactly how much the robbers got, though he says he thinks the amount was $30. Temple is held on the charge of drunkenness.

Ed Godbout, of 164 Fillmore avenue, was arrested at 1 o'clock this morning by Sergeant Ryan, on suspicion of complicity in the robbery. Godbout's story, as given by the police, is that Temple owed him money and paid him $1. Godbout is only nineteen years of age.

MEANS LOW RATES

Continued From First Page.

more than responsible. They may easily, and at any time, by increased. It is the combination of these large and powerful corporations, covering vast sections of territory and influencing trade throughout the whole extent thereof, and acting as one body in all the matters over which the combination extends, so far as the combination operates upon and restrains interstate commerce, congress has power to legislate and to prohibit. The prohibition of such contracts may, in the judgment of congress, be one of the reasonable necessities for the proper regulation of commerce, and congress is the judge of such necessity and propriety, unless, in case of a possible perversion of the principle the courts may be applied to for relief.

CONSTITUTIONAL RIGHTS.

Referring to the claims of counsel regarding the general constitutional right of the citizen to make contracts and the extent of individual liberty under the fourteenth amendment, the opinion says:

The citizen may have the right to make a proper (that is, a lawful) contract, one which is also essential and necessary in carrying out his lawful purpose. The question which arises here is whether the contract is a proper or lawful one. We presume it will not be contended that the right of the citizen to pursue any livelihood or vocation includes every means of livelihood, whether lawful or unlawful. Notwithstanding the general liberty of contract which is possessed by the citizen under the constitution we find that there are more kinds of contracts, which, while not in themselves immoral, or mala in se, may yet be prohibited by the constitution of the United States or in certain cases by congress.

The question is, for us, one of power, only, and not of policy. We think the power exists in congress and the statute is therefore valid.

Justice Peckham deals finally with the plea advanced that the court should retrace its steps because of "the widespread alarm with which the trans-Missouri decision was received and the serious consequences which have resulted or may soon result." After reviewing the care taken in reaching the former decision, the opinion says:

And now, for the third time, the same arguments are employed and the court is again asked to recant its former opinion and to decide the same question in direct opposition to the conclusion arrived at in the trans-Missouri case. As we have twice already deliberately and earnestly considered the same arguments which are now for a third time pressed upon our attention, it could hardly be expected that our opinion should now change from that already expressed. We have listened to the same arguments because of the eminence of the counsel engaged, their earnestness and zeal, their evident belief in the correctness of their position and, most important of all, the grave nature of the question involved, called upon the court to again give to those arguments respectful attention.

Referring the counsel's claim that "the only resort open to railroads to save themselves from ruinous competition is that of agreements among themselves to check and control it, Justice Peckham says:

The natural, direct and immediate effect of competition is to lower rates, and to thereby increase the demand for commodities, the supplying of which increases commerce, and an agreement whose first and direct effect is to prevent this plan of competition, restrains instead of promoting trade and commerce. Whether in the absence of an agreement as to rates the consequences described by counsel will in fact follow, is matter of very great uncertainty. Railroads may, and often do, continue in existence and engage in their lawful traffic at some profit, although they are competing railroads and are without combination on rates.

RAILROADS HAVE RECOURSE.

It is not only possible but probable that good sense and integrity of purpose would prevail among the managers, and while having no agreement and entering into no combination by which the whole railroad interest, as herein represented, should act as one combined and consolidated body, the managers of each road might yet make such reasonable charges for the business done for it as the facts might justify. An agreement of the nature of this one, which directly and effectually stifles competition, must be regarded under the statute as in restraint of trade, notwithstanding there are possibilities that a restraint of trade may also follow competition that may be indulged in until the weaker roads are completely destroyed and the survivor thereafter raises rates and maintains them. Coming to the conclusion we do in regard to the various questions herein discussed, we think it unnecessary to further allude to the other reasons which have been advanced for a revision of the trans-Missouri case.

The judgments of the lower courts, favorable to the Joint Traffic association, are reversed and the case remanded to the circuit court of the United States for the Southern district of New York, with directions to take such further proceedings therein as may be in conformity with this opinion.

The opinion, which was very brief, was concurred in by Chief Justice Fuller and Justices Harlan, Brewer, Brown and Peckham. Four justices dissented, namely, Justices Field, Gray, Shiras and White. Justice McKenna took no part in the case, as the prosecution of the Joint Traffic association was begun while he was attorney general. After Justice Peckham had announced the opinion, Justice Harlan verbally expressed with some evidences of satisfaction his concurrence, on the same ground, he said, as that set forth in the Trans-Missouri case.

No dissenting opinion was filed, it being merely announced that the judges named dissented.

RELATED OPINIONS.

By coincidence two other opinions relating to the anti-trust law were handed down today by Justice Peckham. In the case of the United States against Henry Hopkins and others the government sought to restrain the Kansas City Live Stock Exchange from carrying on its business, on the ground that it was an association in restraint of trade, and therefore illegal under the anti-trust law. The association is carried on at the Kansas City stock yards, partly in Kansas and partly in Missouri. Its members receive shipments of cattle from Nebraska, Colorado, Kansas, Missouri, Iowa, Texas and the territories, selling them to the big packing houses, particularly in Chicago, St. Louis and New York. The lower court ruled against the exchange on the ground that it was a combination in restraint of trade. Justice Peckham's opinion, in which all the court except Justice Harlan concurred, reverses the lower court and upholds the legality of the association. The opinion states that the Kansas City exchange is merely a local market for interstate shipments, and that it cannot be termed an interstate exchange. Because the cattle comes from various states it does not follow, the opinion states, that all persons performing any service connected with it are engaged in an interstate association. It is pointed out that a person receiving shipments from another state does not thereby engage in interstate commerce. The opinion says:

We think that it would be an entirely novel view of the case if all stock exchanges throughout the country were to be considered interstate associations, because they sell goods from states different to where the exchange is located.

The other was the United States against J. S. Anderson and others, involving Kansas City, as it is known as the Traders Live Stock exchange. In this case, as in the other, the court upholds the association upon the ground that it is purely local and not engaged in interstate traffic within the meaning of the anti-trust law.

BRANDED AS A RING.

Justice Harlan announced his dissent from the opinion of the court in these two cases. After quoting the anti-trust law, Justice Harlan said he could not resist the conclusion that at Kansas City there existed a ring, or syndicate, or combination, or association, the palpable effect being to bring to itself all the live stock business, centering it and then transferring it East. Under this association the entire live stock business of the West was to come into its hands, or else it was kept out of the market. He quoted an appropriate opinion of the lower court to the effect that outside parties attempting to enter the live stock field were compelled to abandon the undertaking. It appeared from the testimony that any person or partnership attempting to carry on business independent of the association was invited to apply for membership, and if he failed to do so his name was blacklisted. This admonition was strictly obeyed, and such person was boycotted. The outcome was inevitable, the combined obligations of 300 men could produce but one result. The plain purpose of the exchange, Justice Harlan said, was to control and monopolize the entire business of selling live stock at the Kansas City live stock yards. If this combination did not rest upon the principle of a boycott, then Justice Harlan said he was unable to grasp the principle of a boycott. Let it be supposed that there were combinations of this kind in oil, in sugar, in salt, in lumber, in coal, and the other great staples, then the whole business of the country would fall into the hands of a few rings and syndicates, which would control all the business of the country. Justice Harlan said that if this particular combination was not one in restraint of trade, then it was impossible to find one.

Soldier Stabbed in the Back.

SAN FRANCISCO, Oct. 24.—Richard Chetwood, of Company I, First Tennessee, was stabbed in the back this morning while in a saloon. Chetwood was on the provost guard and was trying to arrest an unknown Tennessee private when the latter stabbed him with a bayonet. Chetwood's condition is critical.

Insurance License Revoked.

LANSING, Mich., Oct. 24.—State Insurance Commissioner Campbell today revoked the license of the Liverpool, London and Globe Insurance company. This action was taken after an investigation of charges made by Detroit merchants and manufacturers, that the stock fire insurance companies are violating the Michigan anti-compact law. This law does not apply to Michigan companies, but only to outside ones.

Briton Weds an American Girl.

NEW YORK, Oct. 24.—Miss Marie H. Churchill, daughter of Mr. and Mrs. John Churchill, of this city, was married to Harold Baring, of London, at 4:30 o'clock this afternoon. The ceremony was performed in St. Thomas' church, on Fifth avenue, and was attended by a large number of New York's fashionable people.

Gail Borden

Eagle Brand

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NEW YORK CONDENSED MILK CO. N.Y.

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Of the best in Household Supplies, including Carpets, Stoves, Furniture and Crockery, was being sold at tempting prices at

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TIE BETWEEN THE CITIES

THIRTEENTH AUXILIARY ASSOCIATION MAY PROVE A BOND

Action Taken Last Night Looking to the Consolidation of the Auxiliaries in Twin Cities.

There was a warm time in the rooms of the Minneapolis Commercial club last night. The organizations of Minneapolis and St. Paul interested in the welfare of the Thirteenth Minnesota regiment at Manila held a joint meeting for the purpose of discussing a plan whereby one organization should be effected. The purpose of the meeting was accomplished to the extent of taking the first steps toward consolidation, but there were some of the 100 present who did not care anything about organizations, Christmas presents or anything else. They wanted their boys back, and there were many of these who roundly roasted anyone who dared to intimate that the volunteers should remain until the government saw fit to muster them out.

Judge A. M. Harrison was chosen chairman, but confessed his ignorance as to the purpose of the meeting. Thomas Cochran, of St. Paul, explained that when the Thirteenth Minnesota Auxiliary association was organized in St. Paul it was intended that it should include upon its membership roll the names of all friends of members of the Thirteenth wherever they resided.

"If our boys stood shoulder to shoulder on the day they took Manila," Mr. Cochran asked, "why cannot we here at home stand shoulder to shoulder? If a Minneapolis boy was on the firing line with my boy, then that Minneapolis boy is a very dear friend of mine."

Upon motion a committee was appointed, consisting of C. S. Bunker, Thomas Cochran, J. P. Barlow, Chester Simmons and H. P. Herring, to consider and report to the meeting a plan of consolidation. After an hour's absence the committee presented a report favoring consolidation and submitting a constitution and by-laws, this report to be submitted to both the Minneapolis and St. Paul organizations at their next meetings and to be there considered and acted upon. The recommendation of the committee further provided for the election of officers on the third Tuesday in November. The report was adopted.

While the committee was in session J. G. Donnelly, of St. Paul, stated that he had attended the meeting because he had been told that an effort was to be made to have the Thirteenth mustered out. He had a boy in the regiment and he believed he was being starved to death, and he wanted him home.

Maj. Espy replied, stating that he believed that the boys should remain until their country was through with them. He was willing that his son should stay until that time.

WAR INQUIRY BOARD

Will Probably Leave Anniston for Huntsville Today.

ANNISTON, Ala., Oct. 24.—The war investigating commission met from 9 o'clock until 5:30 o'clock and examined several witnesses. It is now expected that the commission will leave for Huntsville tomorrow night.

Maj. David Vickers, who was inspector general for the Second division of the Third corps at Chickamauga, attributed the troubles in that camp to the shallowness of the sinks. He said also that some of the regimental officers insisted on making poor selections of camp sites, and in one instance a Mississippi colonel who had put his men in a swamp had insisted upon remaining, on the ground that the Mississippians had a natural affinity for swamps. Nevertheless his men were taken sick. Maj. Vickers also complained that the drinking water was poor. He thought the camp site unfit for so large an army, but as far as food went the privates were far better off than the officers. He said that at one time the beds of some patients were on the floor, and in some cases some of them were on the ground. Asked as to the competency of the surgeons at the hospital, he said there was one man in the hospital whose proneness to profanity unfitted him for the service. This man was Maj. Hubbard, surgeon of the Ninth New York. "His profanity was of such a villainous character," said Maj. Vickers, "as to nearly make me sick, and I know it could not have had a very pleasing effect upon patients."

Lieut. Col. Bisbee, in command of the First infantry, told the story of the transportation of his regiment to Santiago briefly; described the fighting about Santiago; spoke of his experience in Cuba, of the return to Montauk Point and of the stay at that place and the transfer South. Asked if the landing at Santiago could have been accomplished if opposed, he replied: "The facilities were so poor that I think not—at least, I should say, if I had been on shore, no enemy would have been permitted to land. I cannot say how it was with the Spaniards." He said there was considerable difficulty in getting food while in front of Santiago, "but we had enough." He said: "If there had been more to eat, the men would have probably been sicker." He expressed the opinion that the only deprivation had been in not having proper food for the sick. He thought the rations contained too much fat meat for the climate. Col. Bisbee stated that himself and sixteen men were the only members of his regiment who had not been ill at some time during the Santiago campaign. It had been impossible to secure medical supplies, said the witness.

WAS TWEED'S ESQUIRE.

SCATHING ARRAIGNMENT OF ELIHU ROOT BY CROKER

Tells the Tammany Executive Committee How Attorney Root Was Ranged on the Side of Tweed.

NEW YORK, Oct. 24.—The executive committee of Tammany Hall held a long and important meeting this afternoon, the feature of which was an address by Richard Croker on the Bar Association of New York City and upon the candidacy of Joseph Daly for a supreme court justiceship. Mr. Croker went back to the Tweed regime, and said:

"Underneath the surface of all this manufactured clamor lies the fact that this is an attempt of Tweed's lawyer to re-elte Tweed's judge, and in this connection it should be remembered that Mr. Root was not only counsel for Tweed, but is the private counsel for Mr. Roosevelt, the Republican candidate for governor. It may have been forgotten that during the Tweed reign and collapse Elihu Root was ranged on the side of Tweed and his ring. In the very year in which Tweed elevated Daly to the bench my position was disclosed by Tweed's action legislating myself and my associates out of power. I mention this fact to remind you that this eminent reformer, who is now so solicitous about the purity of the bench, was not quite so scrupulous in 1873, at which time he served with Tweed to the extent of insulting the distinguished justice who presided at the time, and escaped punishment only on account of incompetence."

Crowds Heard Mr. Lodge.

NEW YORK, Oct. 24.—There were few seats to spare tonight at the mass meeting in Cooper Union hall under the auspices of the Republican Club of the City of New York. The speaker was Senator Henry Cabot Lodge, of Massachusetts.

An Oft-Murdered Emperor.

SHANGHAI, Oct. 24.—It is reported among influential Chinese that the emperor was made away with yesterday.

To Succeed Sargent.

WASHINGTON