

CIFIC IS ON

mit that it is absolutely necessary for us so long as the Northern Securities company and the others refused to apply, to present our application to this court and ask its brief respecting the distribution of the stock that it has under its control. We submit that in the method that they have proposed, that they have adopted here, following the decisions of the supreme court of the United States and in defiance of the sending down of the mandate, that they intended as effectually, well, I won't say that they intended, it is not necessary to say that.

say that the method that they propose results as effectually in the perpetuation of the common control of these two lines as was ever accomplished by the Northern Securities company.

At the conclusion of Judge Lovett's able argument, J. Hamilton Lewis, representing the Continental Securities company, entered objections on the part of his clients to the court considering the petition on the grounds that

Since the thing for which the original action had been brought had been disposed of, the action is disposed of on the theory that the object aimed at is at an end. An original action would be necessary to distribute the assets of the company and that must be taken in the courts of the home of the corporation. New Jersey.

The court adjourned until this morning at 10 o'clock, as the attorneys for the Securities company insisted on the right to close their case at the same sitting that the attorneys for the petitioner closed. Judge Young and John G. Johnson will speak for the defendants and William D. Guthrie for the petitioners.

QUARREL OF BREWERS WORSE AND WORSE

Fahrig's Allegations Against the Trust

Will Be Repeated in Court.

CHICAGO, April 12. — After four years' effort Frank Fahrig, of Chicago has won from the appellate court a decision that the story of the alleged brewery trust in Chicago and Milwaukee must be told in court. Judge Baker two years ago dismissed Fahrig's bill against the Milwaukee and Chicago Breweries Company of London, in

which Fahrig charged that \$2,500,000 was fraudulently spent in controlling the brewing business of Milwaukee and Chicago. The appellate court holds that although the English company was not properly served with summons in the case, its alleged Ameri-

company, must respond to Fahrig's accusations. Rudolph Brand, president of the American company, and George W. Kellner and Frederick S. Winston, directors, must also answer Fahrig's suit.

The appellate court declares that the stock of the American company, although held by the English company is held only in trust for Fahrig and others and that the courts here have jurisdiction because of having jurisdiction over the company's assets.

Fahrig, who says he invested in shares of the English company and then found that he was denied access to the books of the breweries operating under the company's control, started suit for accounting. He declared the organization of the English breweries

the officers of the United States company had diverted the company's funds until his stockholdings had lost 95 per

**HOBSON MAY CONTEST
CHOICE OF BANKHEAD**

Manager of the Santiago Hero's Campaign Hints of Fraud.

BIRMINGHAM, Ala., April 12.—Full

All of the present Alabama congressmen have been renominated and J. Thomas H. Flynn, secretary of state, will probably succeed the late

Charles E. Thompson as representative from the First district. Early returns indicate that a large number of delegates elected to the state convention will be in favor of an uninstructed delegation to the national Democratic convention.

The closest congressional election was that between Congressman J. P. Bankhead and Richard P. Hobson in the Sixth district. Present returns show that Bankhead will be nominated by a majority of from 400 to 500.

Hobson campaign committee, said to-night that he was watching the returns closely with a view to contesting the nomination of Bankhead on the ground of fraud.

CARDINAL SATOLLI WILL VISIT AMERICA

In One Respect His Trip Will be With-

ROME, April 12.—Cardinal Satolli, with the permission of the pope, is going to the United States privately and without a mission, arriving probably

In June. As prefect of the congregation of studies the cardinal will visit the Catholic university at Washington, and he will also make a trip to the St. Louis exposition. Several friends of the cardinal who have invited him to their homes expect that his visit will

Cardinal Satolli's visit to the United States is considered most important, there being no record in recent times of a cardinal immediately attached to the papal court going abroad without being accredited an ablegate.

Devery Is After a "Wad."

NEW YORK, April 12.—Former Chief of Police William S. Devery, through his counsel, today filed a formal demand on Police Commissioner

McAdoo for \$35,000, which he alleges is due him as damages for breach of contract on the part of the city. He sues the commissioner as trustee of the police pension fund.

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