

STANDARD OIL OF NEW JERSEY JUDGED ILLEGAL

Case Will Be Appealed

United States Circuit Court of Eastern District of Missouri Hands Down Decision And Rendered Its Dissolution.

J. D. ROCKEFELLER SILENT

St. Paul, Minn., Nov. 20.—In an opinion, written by Judge Walter H. Sanborn, of St. Paul, and concurred in by Judges Vandeventer, Hook and Adams with a special concurring opinion by Judge Hook, the United States Circuit Court for the Eastern District of Missouri today handed down an opinion declaring the Standard Oil Company of New Jersey an illegal combination operating in restraint of trade and ordered its dissolution.

In this decision the government of the United States wins a sweeping victory and according to Frank B. Kellogg of this city, who was the government's special prosecuting attorney, the government has won every point for which it contended.

Case Will Be Appealed.

The case will be appealed direct to the United States Supreme Court as the judges who signed today's decree are in effect the judges of the United States Circuit Court of Appeals although they were sitting for the purpose of trying this case as the Circuit Court for the Eastern District of Missouri.

The decree of the court dissolving the Standard Oil trust becomes effective in thirty days when no doubt a stay will be granted for the purpose of an appeal.

When the decree takes effect, unless a stay is granted, an injunction will issue restraining the Standard Oil Company from a further continuance of its business under its present formation.

It appears from the concurring opinion, written by Judge Hook, that the company cannot do business under any form without stifling competition, for, he says, on this subject, that it is thought that with the end of the combination the monopoly will naturally disappear, but should it not do so, and the members of the combination retire from it except one who might perpetuate the monopoly by the aggregation of the physical properties and instrumentalities, it would constitute a violation of the decree of the court.

"Beneficial Corporation" Plea, Had No Weight.

In the trial of the case the point was made that the Standard Oil Company was a beneficial corporation in that it, by reason of economy in operation, it reduced the price of its products. This, Judge Hook says, can have no weight.

The suit terminated by today's decision was begun by direction of the Attorney General of the United States in St. Louis, November 15, 1906. Frank B. Kellogg, of St. Paul, was appointed special prosecutor, assisted by Charles B. Morrison, of Chicago; Frank H. Poole and J. H. Graves, of the Department of Justice, and W. H. Higgins, of Minneapolis, and Cordenio A. Severance, of St. Paul.

The Standard Oil Company presented a formidable array of legal talent led by John G. Millburn, of New York. Their defense was that the present organization of the Standard Oil Corporation was the result of the natural growth of a great industry and that no statute had been violated.

John D. is Silent.

Cleveland, Ohio, Nov. 20.—"I have no comment to make," declared John D. Rockefeller when asked today to disband the decision of Judge W. H. Sanford of St. Paul, ordering the dissolution of the Standard Oil Company.

SIX ADDITIONS.

Six persons connected themselves with the First Presbyterian Church Sunday morning as a result of the recent union meeting. Large congregations greeted the pastor at both services and the sermons delivered were thoughtful and logical. Rev. Mr. Seagriff is doing a great work for the Master in this community.

MORE HOPEFUL OF RECOVERY.

The physicians attending Mr. Benjie Jarvis, who was accidentally shot near Bladenville last week and who was operated on at the Fowle Me-

INFANTS BAPTIZED.

Four infants were baptized at the First Methodist Church Sunday.

Improvements to the interior of his grocery store, Market street. The office is being rearranged.

Management is to be congratulated on the scheduled show. Remember the orchestra plays as usual.

Prayed at County Home.

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TWENTY MEN BROUGHT TO THE SURFACE

Fire Is Spreading

After Being Entombed For a Week 20 Men Are Brought to the Surface Alive. Hope is Others Are Yet Living.

LIST MAY BE INCREASED

Cherry, Ill., Nov. 20.—The gamut of hope was run here today when 20 miners, entombed in the St. Paul mine for a week, almost to the hour, were brought to the surface alive.

The story of their sufferings and the heroism of their resourceful leaders is one of the most thrilling in all the black history of mining disasters.

Dawn broke with the bearers of stretchers moving from the pit mouth, to the tent which served as a morgue with bodies swollen and scorched almost beyond human semblance. Forty of them had been brought up and most of them identified when the marvelous report shot through the prostrate community. They've found them alive—they've found them alive.

In a moment the morgue was deserted; scarcely to be revived while the crowd, fairly insane with the great hope which had sprung like a miraculous flame from the ashes of despair, rushed to the pit.

All thought was of the men who were alive. It took six hours to bring the survivors to the surface. Meanwhile a report spread that seventy or more men were alive in a far reach of the mine, cut off from escape by a bank of black damp between their barricade and the main shaft.

But two oxygen helmets remained at the mine, the others having been started back to Pittsburgh today, and with this scant equipment two experts began a new exploration. At 9 p. m. they emerged, their oxygen tanks being exhausted and reported no success.

"There are other resourceful leaders among the missing and they like Waite, Clelland and others, may have led their men to comparative safety," said State Attorney M. L. Eckert tonight. "The search is now for the living."

Less optimistic notes were sounded by others, but the women, with hope born afresh, refused to believe anything but the best and haunted the mine far into the night, seizing frantically at every straw of encouragement offered.

At midnight a small fire broke out in the mine, cutting off the rescue work. Fire apparatus had to be lowered and a stream of water was turned into the mine. It is feared if the fire is not extinguished shortly many of the men supposed to be alive will perish. Up to midnight only 20 men have been brought to the surface. The fire appears to be spreading and the heat grew more intense.

R. E. Maxwell, a mining engineer in the rescue party, was overcome and had to be hurriedly brought to the surface.

STRIKE IN SOUTHERN SHOPS AT SALISBURY.

Salisbury, N. C., Nov. 20.—One hundred and fifty machinists and thirty apprentices walked out of the Southern Railway shops at Spencer this afternoon. The strikers contend that the foreman of the round-house is unnecessarily severe, and after presenting their grievance to the officials, and insisting upon his discharge, without a satisfactory answer, walked out. The Spencer shops are among the largest and most important on the Southern system.

EXCELLENT SERMONS.

The Rev. A. McCullen, presiding elder of the Washington district, filled the pulpit at the Methodist Church Sunday morning and evening to the delight of that congregation. Both discourses were heard with pleasure and profit. Mr. McCullen ranks among the first as a pulpiteer in the State and his appointments for this station are always hailed with delight by the entire community.

BISHOP STRANGE COMING.

Rev. Robert Strange, D. D., bishop of the diocese of East Carolina, will visit St. Peter's Episcopal Church, this city, the first Sunday in December. At the evening services the rite of confirmation will be administered.

IMPROVING STORE.

Improvements to the interior of his grocery store, Market street. The office is being rearranged.

Management is to be congratulated on the scheduled show. Remember the orchestra plays as usual.

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THE BOARD OF STEWARDS PASS RESOLUTIONS

Pastor's Work Praised

Resolutions Before the Methodist Church Congregation at Last Night's Service—Mr. Plyler is Commended.

WISH HIM RETURNED

Whereas, we the board of stewards of Washington station M. E. Church, South, realizing that during the last conference year our Church has made signal progress along all lines, that its membership has materially increased, and we feel that there is now a stronger bond of love, sympathy and cooperation existing among our members and

Whereas, we feel that this happy result has been brought about by the earnest, faithful efforts of our beloved pastor, who during the past year has labored so zealously for the upbuilding of our church, and in implanting the religion of our Lord Jesus Christ into the hearts of men, now, therefore, be it

Resolved, That we hereby tender to our beloved pastor, M. T. Plyler, our sincere thanks and appreciation for his unselfish and devoted service to our church and people during the past year, and for the great good he has wrought in our midst. And we earnestly pray that God's richest blessings may rest upon him and his, that his life may be long, and that he may be instrumental in leading many more precious souls into the fold of Christ. We earnestly hope the annual conference may see fit to return him.

INTERESTING SERVICES.

The meeting of the Young Men's Christian League was well attended Sunday afternoon. The speaker, Mr. J. B. Latham, was indispensed and made short talks. Young Men speaking were Rev. J. A. Sullivan, Prof. N. C. Newbold, Mr. E. L. Dawson and Mr. M. B. McKelvey. The quartet was furnished by the choir of the First Methodist Church.

HALCYON CLUB DANCE.

Tonight the Halcyon Club gave their second dance at the Elk's Home and a good crowd is expected to attend. There are several visiting ladies in town, and quite a number of young men have arrived to attend.

Woo's Afire Near City

News was received by the Daily News this afternoon just before press time that the woods land surrounding the home of County Commissioner R. H. Warren, situated about one mile and a half from this city, had caught on fire and that his home and other houses on the premises were in danger. The woods caught from a being spark. The woods are still on fire. By hard work the residence of Mr. Warren has escaped. The loss has not as yet been approximated. Quite a number of citizens from here went out to assist in subduing the flames.

CARD OF APPRECIATION.

Having sold my interest in the jewelry business of A. G. Smither & Co. to A. G. Smither of said firm, I desire to express my appreciation of the generous patronage with which the public has favored us. My withdrawal from the firm in no way impairs its efficiency, and I trust the present firm may continue to receive a liberal share of the public's favor.

Very respectfully, E. L. SMITHER.

NICE SUM REALIZED.

The benefit performance at the Gem last Friday night realized a neat sum for the Episcopal Church. It is hard to specially commend one number on the program; all were excellent and brought out much applause. The swinging song was very pretty, and the recitation "That Old Sweetheart of Mine," proved a taking novelty. The program was most pleasing and the music added greatly to the enjoyment of the evening. The ladies who worked for the affair thank everyone who gave their help.

AT THE GEM TONIGHT.

The Gem will no doubt be visited by a record breaking crowd tonight as the program is one of the best yet produced there. In addition to the fine program billed, the management will present a box of Huyler's candy to the boy or girl holding the lucky number.

The Franks of a Miscellaneous Boy, comedy, and the Moon Street Magic, hand-colored, are pictures sure to amuse and please. The Voice of the Violin, a love affair, is a drama filled with scenes that everyone in Washington should see. An Acadian Elo-

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EXECUTION OF AMERICANS IS NOW CONFIRMED

Nicaragua's Statement

Official News of the Killing of Leroy Cannon and Leonard Grace Received by The Department of State.

DID NOT EXCEED POWERS

Washington, Nov. 22.—Official confirmation of the execution in Nicaragua of the two Americans, Leroy Cannon and Leonard Grace, was received by the State Department this morning.

A statement was issued by the Nicaraguan legation here today, that information had been received from the Nicaraguan government to the effect that Leroy Cannon and Leonard Grace, the two Americans, who were executed by the Zelayan government, had been given a full hearing before a military court martial previous to their execution. This statement was issued by Sener Hazora, who, although he has not been received by the American government, has taken charge of the legation. The statement is as follows:

"The Nicaraguan government informs the legation that Leroy Cannon and Leonard Grace, two well-known adventurers, were taken prisoner at Rio San Juan and pleaded guilty of looting mines, in order to blow up two vessels carrying government troops. In fact, they were found in flagrant. They were tried by a military court, given a full hearing, and sentenced to death in accordance with the military laws. This legation is waiting for the certified documents of the process which will show that Cannon participated in several revolutions against Honduras and Nicaragua and proves that they were tried in a legal way and that the sentence was justified.

"The legation, while deploring this incident, feels confident that when the facts are better known, it will be seen that the military court did not exceed its powers and that the relation between the two countries will not suffer.

"The notes published by the legation to executions by the Nicaraguan government emanate from revolutionary forces and are absolutely false. It is a well known fact to us that there is no cause to fear, disloyalty amongst the government troops and supporters and, at the bulk of the country is with President Zelaya. Meanwhile the forces of the revolution, which broke out six days ago, have not been able to advance beyond Bluefields, the only port that they hold, and have no followers in any other part of the country."

FULFORD BOUND OVER TO COURT

His Counsel Waives Examination And Default Committed to Jail.

The case of State vs. David W. Fulford was tried before Mayor C. H. Sterling Saturday afternoon at 4 o'clock for attempted burglary of the residence of Mr. Thomas Davis. The defendant was represented by Mr. Stephen C. Bragaw. The examination was waived and Fulford was placed under a \$500 justified bond for his personal appearance at the next term of court in December. Failing to give the bond he was committed to jail.

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PUBLIC SCHOOLS TO CELEBRATE THANKSGIVING

S. C. Bragaw Orator

Usual Thanksgiving Exercises of the Children Will Take Place Wednesday Morning in School Auditorium.

COLLECTION FOR THE POOR

The children of the Washington Public Schools will have their usual Thanksgiving exercises Wednesday, November 24, at 11:15 o'clock. Heretofore this interesting occasion has taken place in the opera house, but this year it will be held in the school auditorium.

The entire school will be led by the kindergarten department. They will march down Second street to Market street; thence down Market to Main and up Main to Bridge street, thence back to the school building where the exercises are scheduled to take place at 12:30. There will be songs by the school, recitations by several of the pupils, and an address by Hon. Stephen C. Bragaw.

The children will bring their offerings for charity when they go to school Wednesday morning, and as has been their custom, will deposit their gifts on the rostrum in the auditorium at the close of the exercises.

A committee appointed by Mrs. Whitney will have charge of the distribution of the gifts brought by the children. A collection will be taken to purchase the necessities of life for the poor in the city. The public is cordially invited to attend.

CORN IS NOW KING.

Corn is king, even with the price of cotton soaring to such dizzy heights that this year's crop, although smaller than some of its predecessors, will come near to breaking records in the amount of money stored in circulation. One must think and talk in big figures when the corn crop is under consideration, for all other American crops are dwarfed by comparison with the greater acreage of corn.

According to the preliminary report of the crop-reporting board of the Department of Agriculture, as printed in yesterday's Oregonian, the 1909 yield of corn in the United States is 2,767,316,000 bushels. As the price is hovering around 60 cents per bushel, the actual value of this single crop is more than \$1,660,000,000, or nearly \$1,660,000,000.

The latest estimate of the department is about 175,000,000 bushels greater than the figures indicated by the Getchler report, but they are far short of the early estimates, which ran as high as 2,000,000,000 bushels. That this enormous crop of corn can be easily taken care of in the markets at home and abroad is shown by the movement of the preceding crops. That of 1908 was 2,668,000,000 bushels, and in the poor crop year of 1907 the yield dropped to 2,592,000,000. The crop of 1906 was 2,927,000,000 bushels, so that the average for the three years preceding 1903 was 2,729,000,000 bushels, or but 36,000,000 bushels less than the 1909 crop. This shortage, as compared with the average supply for the preceding three years, is a mere bagatelle, and it is strange that the announcement of the department's figures should have caused weakness in the market.

There is a steady increase in the consumption of corn, and each year finds an increasing quantity diverted to uses which are of very recent inception. Not very many years ago corn was so cheap that it was used for fuel in Kansas, but the ease with which the markets at home and abroad have assimilated an average of 2,729,000,000 bushels per year for the last three years points conclusively to the fact that corn will never again be available at a price that will warrant its use for fuel. Unless there is a weakening in the price of other grains, some consumption will take up all of this mammoth corn crop, and leave us again with bare bins, as was the case when the 1909 crop began moving to market. King cotton is all right in his small kingdom in the South, but as a prodigal distributor of wealth, corn is king by an overwhelming majority.

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SALARIES OF GOMPERS ET AL TO BE CONTINUED

Work Nearly Complete

American Federation of Labor Endorse Attitude of Gompers and Voted to Continue Salary if He is Jailed by Court.

TO RECEIVE \$5,000 A YEAR

Toronto, Ont., Nov. 22.—The American Federation of Labor at its convention here today, in addition to endorsing the attitude taken by President Gompers in the Bagley's Store and Hanco Company injunction proceedings, voted to continue the salaries of Gompers and Secretary Frank Morrison, and to compensate Vice President John Mitchell, who is not a salaried officer, during their terms of imprisonment, if it is eventually decided that they must go to jail for contempt of court. They will be paid at the rate of \$5,000 per year.

A resolution of thanks for the hospitality extended by Toronto was adopted. It was a paragraph declaring "that the freedom of speech which we have exercised without judicial restraint, based on superintendental and self-declared authority, has been more in conformity with the fundamental principles of a free and self-governing people, free speech and free press, than is possible at present in the United States."

It was decided that the reports and utterances during the convention concerning the injunction proceedings should be compiled for distribution as a handy textbook for the trades unions of the country.

The convention endorsed the principles of old age pensions and approved a bill of Representative Whitson, providing for the organization in the War Department of an army corps to be known as the old Age Home Guard of the United States Army.

ONE PERSON BAPTIZED.

There was one person baptized at the First Baptist Church Sunday evening after the sermon.

STREET BONDS BRING A PREMIUM OF \$820.—NOW

FOR IMPROVED STREETS

The board of city aldermen met today at 7 p. m. at the city hall to open the different bids for the \$25,000 bond issue for street improvements. There were five in all. The board accepted the bid of Messrs. May, Mayer, bankers, of Cincinnati, Ohio, who were the highest. Their bid was \$820 premium and they enclosed a certified check for \$250 as evidence of their good faith. In 1904 when the bonds were sold for street improvements the premium offered was only \$275, this time \$820. Messrs. May, Mayer and Mayer were wired the board's acceptance this afternoon. The bonds are due 12 years from their date.

BAD EGGS BARRED.

How They Spot the Careless Farmers in Denmark. Although the average person has little chance to guard against bad eggs in the United States, in Denmark they apparently have solved the bad egg problem. In that country there are syndicates which control the egg industry and it is their duty to keep tabs on the farmers who are in the habit of shipping bad eggs to the market. The headquarters of this egg syndicate, of course, is Copenhagen, and the members of it are the farmers themselves. The members of this egg syndicate throughout the country are provided with rubber stamps which bear the serial number of the member's certificate as well as a number for the egg. Each egg is thus stamped with the farmer's name on it, with indelible ink. No eggs are accepted that do not bear a stamp. So this stamp is a guarantee of quality. When the eggs are examined in Copenhagen, if they are found to be bad the shipper receives notice and is compelled to pay a fine averaging about one dollar of our money. If he makes many shipments of bad eggs he is very quickly expelled from the syndicate; thus all bad and not perfectly fresh eggs are either sold to the village grocer or used at home. It has been found that this system works admirably in keeping the open market stocked with eggs that are guaranteed to be in good condition. It is likewise stated by officers of the syndicate that very few of the members have ever been delinquent with their fines.

THE BEST IN HIM.

A man is specially and divinely fortunate, not when his conditions are easy, but when they evoke the very best that is in him, provoking him to nobleness and stinging him to strength.—Marta.

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KILLED BECAUSE HE REFUSED TO SHUT MOUTH

Murderer Under Arrest

Wood Rogers Shot And Instantly Killed by Earl Caldwell Saturday Afternoon. Roger Has Excellent Character.

MURDER AT LINCOLNTON

Lincolnton, Nov. 20.—Wood Rogers, son of Mr. William Rogers, a respected carpenter of this place, was shot and instantly killed about 2:30 o'clock this afternoon by Earl Caldwell, aged about 19, just outside of Lincolnton. Caldwell, Rogers and his brother had been hunting and were returning. Alphonse Rogers, brother of the one killed, was walking a few steps in front of the others and he states that he heard his brother tell Caldwell to shut his mouth, Caldwell answering that he would not do so. He then heard the click of a gun being cocked and turned around. Caldwell was holding the end of his gun barrel against the left side of his brother. Caldwell fired and Rogers fell dead with hardly a gasp. The gun used was a 16-gauge. Rogers was a young man of peaceable disposition. Caldwell is little known here. Mrs. Caldwell, the mother of Earl, is almost completely prostrated with grief. The boy was taken into custody pending the coroner's inquest.

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