

IS REASSIGNED FOR ARGUMENT

Supreme Court Will Again Hear Argument in Famous Tobacco and Oil Cases.

CAUSED BY DEATH OF JUSTICE BREWER

It is Believed That Court Was Evenly Divided, and Was Loath to Give Decision.

Washington, April 11.—The United States Supreme court today reassigned for argument the cases of the United States against the American Tobacco company and the Standard Oil company.

The re-arguments of these cases comes as a direct result of the death of Justice Brewer. The noted jurist died just a few days after the Standard Oil case had been argued.

How the court was divided in regard to the decision in these cases is still as much a mystery this afternoon as before the assignment of the cases for re-argument. It is believed, however, that the court was evenly divided, or almost so, and that it probably was loath to give to the country a decision not supported by a majority of the full court.

Prices Were Effected.

New York, April 11.—The United States Supreme court's order for re-argument of the Standard Oil and American Tobacco cases surprised the financial district, where the news was greeted with a sharp upturn in prices.

Today's action, it is generally regarded, puts Judge Sanborn and Judge Vandeventer, members of the Circuit court which passed on the Standard Oil case and are mentioned for the vacancies, out of the class of possibilities. The president will be urged to fill the vacancies before the senate adjourns this summer, so the cases may be re-argued early next October.

DECISION AGAINST PULLMAN COMPANY

Commerce Commission Says It Is Unreasonable to Charge Equally for Upper-Lower Berths.

Washington, April 11.—The interstate commerce commission holds it to be "unjust and unreasonable" for the Pullman company to charge equally for the upper and lower berths in the sleeping cars.

While this ruling of the commission orders reductions in rates which were specifically complained of, it is regarded as the parting wedge of readjustment of the sleeping car rates wherever they exceeded the average which the commission holds, should carry a rate of not more than \$1.50 for a lower berth and \$1.10 for an upper.

Big Earnings of Company.

The report, written by Commissioner Franklin H. Lane, in brief, and does not disclose the exhaustive examination which was made of the Pullman company's affairs. But the record shows the commission's investigation of the sleeping car company's contracts, general system of charges and earnings revealed annual dividends of nearly \$50,000,000 from 1899 to 1908 exclusive.

BRAIN OF YOUNG THIEF ABNORMAL, MOTHER SAYS

Boy Robber Arrested in Savannah Is Son of a Woman Physician of Richmond.

Richmond, April 11.—Dr. Emily E. C. Runyan, mother of the youthful "Rafters" William Runyan, who after arrest in Savannah confessed that he stole for the love of excitement, was deeply distressed when news of her son's misdoings was communicated to her.

THAT MEETING HAS OCCURRED

Col. Roosevelt and Gifford Pinchot Confer in Seclusion of Forest Near Porto Maurizo.

MR. TAFT SENDS TELEGRAM TO THE ITALIAN MAYOR

Replying to One from That Official, Telling of the Great Welcome Given Roosevelt.

Porto Maurizo, April 11.—Col. Roosevelt's widely heralded meeting with Gifford Pinchot, the deposed forester of the United States, occurred on the veranda of Miss Carew's villa, overlooking Maurizo bay, this morning.

Mr. Pinchot came direct from Copenhagen. He appeared to derive considerable satisfaction out of the manner in which he had concealed his identity when he went aboard the steamer President Grant at New York. It is apparent that Roosevelt will have several interviews with Pinchot.

Message from Mr. Taft.

Replying to a message sent to President Taft the mayor of Porto Maurizo received the following message from President Taft:

"I received your courteous telegram announcing former President Roosevelt's arrival and that he was received with enthusiasm by the whole population and your city was proud to welcome him. In reply, I assure you and your countrymen the American people are very grateful for and greatly appreciate the reception which the Italians, from the sovereign to the humblest subject, have accorded our most distinguished citizen."

SUIT BROUGHT BY BEATRICE BALDWIN

Daughter of "Lucky" Baldwin Is After Part of Estate Valued at Twenty Million Dollars.

Boston, April 11.—Basing her claim on the allegation that she is the legitimate daughter and rightful heir, Beatrice A. Baldwin, sixteen years old, has begun suit in Los Angeles for one-third of the \$20,000,000 estate of the late E. J. (Lucky) Baldwin, the well known turfman.

Mrs. Turnbull, mother of the claimant, alleges that she and Baldwin contracted a common law marriage, which is binding under the California code, and that the claimant was born of that marriage.

MISSISSIPPI OFFICIALS ENGAGED IN A FIGHT

One Knocked Unconscious by the Other—Probably Quarreled Over Bribery Case.

Jackson, Miss., April 11.—About the time the senate today resumed probing into the bribery scandal an uproar was heard in the house side of the capitol. Those who reached that side first found Representative Frank Burkett and Director of History Dunbar Rowland engaged in a rough and tumble fight. Burkett, a very large man, was being vigorously pumelled.

Will Be Married.

Richmond, April 11.—Miss Frances Priton Gibson, daughter of the Episcopal Bishop of Virginia, will be married in June to Rev. Edmund Lee Woodward, medical missionary at Anking, China, according to an announcement made today.

THE WEATHER.

Forecast until 8 p. m. Tuesday for Asheville and vicinity: Rain tonight or Tuesday; warmer tonight.

Burns Wins on Points.

Sidney, N. S. W., April 11.—Tommy Burns won on points from Bill Lang, heavyweight champion of Australia in the twelfth round for the Australian title today.

She's Kidnapped, Father Believes



She is 20 Years Old and an Actress and Has Disappeared from New Jersey Home.

White Plains, N. Y., April 9.—Whether the art of kidnapping has reached such perfection that it has become possible to kidnap an actress 20 years old is a question which has been submitted to the unsophisticated White Plains police.

The constabulary were told by A. L. Smith, who lives at the Hotel Elberon here, that he thinks his daughter Marie, who is an actress, has been kidnapped. When last seen she was wearing a blue tailor made suit and a big black hat with an ostrich plume. She had told friends she intended to return to the stage.

LIQUOR ELECTION IN BRYAN'S TOWN

Election Today Follows Fiercest Municipal Campaign in Nebraska History.

Lincoln, Neb., April 11.—Before tomorrow morning the people of Lincoln, the largest city in Nebraska under prohibition, will know whether their city is to continue "dry" or return to the "wet" column.

The engagement was strongly opposed by Mrs. Margaret Swope, but Miss Frances was determined to marry Hyde and even the fact that several breach of promise suits were filed against him, which did not reflect credit upon his character, did not change her determination. She became the wife of Dr. Hyde and, after a while, truce was declared and a fairly cordial entente established between the Swope family and Dr. Hyde.

The door of the Swope home was opened to the young doctor last summer and soon thereafter began a chain of events which caused the death of three persons and came near wiping out the entire Swope family. The first victim was James Moss Hunton, a cousin and trusted confidant of Col. Swope. He died October 1, 1909, and apoplexy was given as the cause of his death.

In the month of December a perfect epidemic of typhoid fever broke out in the Swope household. On December 1, Miss Margaret Swope, a niece of Col. Swope, came down with typhoid fever. Two days later Christian Swope, her brother, developed symptoms of the disease and on December 8, he died in independence, after having taken a capsule given to him by direction of Dr. Hyde.

Col. Thomas H. Swope, a millionaire real estate and mine owner, who gave Swope Park to Kansas City, died suddenly on October 3, 1909, shortly after having taken a capsule at the direction of Dr. Hyde. Drs. Hektoen and Haynes of Chicago, two eminent experts, who made an analysis of the viscera of Col. Swope found strychnine in his stomach and liver.

TO DISPOSE OF HAINS CASE BILL PASSED BY SENATE

Secretary of War Authorized to Drop from Rolls Officer Who Has Served Prison Terms.

Washington, April 11.—The senate today passed a bill authorizing the secretary of war to drop from the army rolls any officer who may serve a term of four months or more in prison.

DR. B. C. HYDE IS ARRAIGNED

Intense Interest in Trial of Man Accused of Murder of Aged Millionaire, Colonel Swope.

NUMEROUS INDICTMENTS CHARGE USE OF POISON

It Will Be Contended That He Tried to Kill Several More People Than He Did Kill.

Kansas City, April 11.—Dr. B. C. Hyde appeared in the Criminal court today to answer the charge of murdering Col. Thomas H. Swope, millionaire philanthropist, and uncle of the physician's wife.

Intense interest is manifested here and throughout the state in the impending hearing today. Dr. Hyde will have to face a series of eleven indictments, two of them charging him with murder in the first degree, one with manslaughter and eight with attempted murder. The case, which has features of unusual and highly sensational interest, promises to be the "cause celebre" of this section of the state.

The most serious charges under the indictment which the grand jury found against Dr. B. C. Hyde on March 5, of this year, are that he caused the death of Col. Thos. H. Swope and Christian Swope by giving them strychnine. The indictment for manslaughter is based upon the charge that Dr. Hyde caused the death of James Moss Hunton, a cousin of the late Col. Swope, by bleeding him. Perhaps not quite so serious, but for more sensational are the remaining eight indictments which charge Dr. Hyde with having attempted to murder Margaret Swope, Stella Swope, Sarah Swope, Lucy Lee Swope, Nora Bell Dickson, Georgia F. Compton, Mildred Fox and Leonora Copridge by inoculating them with typhoid fever germs.

Son of Baptist Minister.

Dr. Bennett-Clayton Hyde, the defendant, is the son of a Baptist minister, now retired, at Lexington, Mo. He was graduated from the Westworth Military academy at Lexington, and went to Kansas City in the early 90's, and studied medicine. A short time after he had been licensed to practice Dr. Hyde was appointed police surgeon by Mayor Webster Davis. Before he had served a year he was removed for unprofessional conduct. When in October, 1898, several unusually bold grave robberies were committed, Dr. Hyde's name became connected with the matter, but no sufficient proofs were found against him. It was three or four years later that the announcement was made of Dr. Hyde's engagement to Miss Frances Swope, daughter of Mrs. Margaret Swope of Independence and niece of the late Col. Thomas H. Swope.

The engagement was strongly opposed by Mrs. Margaret Swope, but Miss Frances was determined to marry Hyde and even the fact that several breach of promise suits were filed against him, which did not reflect credit upon his character, did not change her determination. She became the wife of Dr. Hyde and, after a while, truce was declared and a fairly cordial entente established between the Swope family and Dr. Hyde.

The door of the Swope home was opened to the young doctor last summer and soon thereafter began a chain of events which caused the death of three persons and came near wiping out the entire Swope family. The first victim was James Moss Hunton, a cousin and trusted confidant of Col. Swope. He died October 1, 1909, and apoplexy was given as the cause of his death. Subsequent investigation developed the fact, however, that death was not caused by apoplexy and the state will attempt to show that Dr. Hyde was in some way responsible for the death of Mr. Hunton.

Col. Thomas H. Swope, a millionaire real estate and mine owner, who gave Swope Park to Kansas City, died suddenly on October 3, 1909, shortly after having taken a capsule at the direction of Dr. Hyde. Drs. Hektoen and Haynes of Chicago, two eminent experts, who made an analysis of the viscera of Col. Swope found strychnine in his stomach and liver.

Eleven Passengers Injured.

Des Moines, April 11.—Eleven passengers were injured, one perhaps fatally, when a motor train on the Rock Island, near Garrison, crashed into a freight train early today.

Weston Resumes His Journey.

Toledo, O., April 11.—Edward Payson Weston, the pedestrian resumer, left his walk from Los Angeles to New York this morning.

Hals' Fat Dutch Frau Is Sold for \$137,000



Portrait of a Woman by Frans Hals, reproduced by permission of the American Art Association.

The Highest Price Ever Paid for a Canvas at Auction in This Country—Forty-Nine Paintings in the Yerkes Art Collection Brought \$595,250—One Turner, \$129,000.

New York, April 11.—Greater already than any public sale of artistic property ever held in the United States, the selling of the treasures of the late Charles T. Yerkes has gone beyond \$1,527,400. Forty-nine paintings were disposed of in Mendelssohn hall, No. 113 West Forty-third street, under the auspices of the American Art association, for \$595,250, among which was the "Portrait of a Woman," by Frans Hals, which brought \$137,000, the largest sum ever paid for any canvas at auction in this country.

The Hals picture was bought by dealers, who refused to say whom they represented.

The Fifth avenue home and gallery of Charles T. Yerkes went under the hammer today at an upset price of \$1,400,000.

MR. SMITH IS AGAIN FAVORED

Claude Kitchen's Pennsylvania Friend Has Now Been Assigned to Duty in Mexico.

Washington, April 11.—William P. Kent of Virginia, who resigned the post as consul general to Guatemala, to make a losing fight for the governor of Virginia on the republican ticket last fall, was today nominated by the president to be consul at St. John, New Brunswick, Canada. The president also named A. Donaldson Smith of North Carolina, consul at Aguas Calientes, Mexico.

CANNON AGAIN DEFIES INSURGENT COLLEAGUES

"Unless You Fire Me, I'll Be Speaker Until March 4, Next," He Says.

Washington, April 11.—Speaker Cannon has again defied "insurgents" by depose him from the speakership, declaring in a speech on the floor of the house that "unless republicans who do not approve of the personality of the speaker have the courage to join the solid minority, I remain speaker until March 4, next."

Money for His Motor Car Refused. A collision between republican "insurgents" and democrats against the provision in the legislative bill appropriating \$25,000 for the maintenance of Speaker Cannon's automobile resulted in reflecting that part of the conference report by the house.

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LEAGUE SEASON IS OPENED TODAY

Chattanooga a Member of Southern League, Charleston Having Been Dropped.

Macon, Ga., April 11.—The South Atlantic baseball league opened today. Chattanooga is now a member of the Southern league, Charleston having been dropped to make the circuit more compact. The opening games will be played as follows: Columbus at Macon. Columbia at Augusta. Jacksonville at Savannah.

TONG WAR IS RENEWED; FOUR CHINESE KILLED

Big Police Guard Poured into New York's Chinatown to Keep the Peace Today.

New York, April 11.—A big police guard was poured into Chinatown today to prevent last night's renewal of tong war from spreading, and further disasters. Two men are dead here and two in Philadelphia as a result of the clash among feudists.

Chung Fook was shot three times in the chest while standing on a street corner and died before he could be carried to a hospital. Chen Hen was arrested.

Chu Moy Yen, a wealthy and benevolent merchant, who was formerly Chinese agent in New York for the Northern Pacific railroad, was shot three times in both thighs by an assailant who escaped. He will recover. No arrests have been made.

Three White Men Walked into the Tuxedo, a Chinese Restaurant, in the Afternoon and Tried to Carry off the Cash Register.

The proprietor and two Chinese waiters saved the money at the expense of broken heads. The would-be robbers were arrested.

13TH CENSUS STARTS FRIDAY

Director Durand Thinks 90,000,000 or More Folks Will Be Found—It Costs \$5,500,000.

THE APPROXIMATE RESULT WILL BE KNOWN ERE FALL

The Exact Figures as to Population Will Be Made up Some Time in Next September.

Washington, April 11.—April 15 a host of seventy thousand interrogators, men and women, white and colored, will be turned loose in pursuit of the people of the United States. On that day Uncle Sam will begin the numbering of his children in preparation for the thirteenth census. He estimates that he has a family of about 90,000,000 men, women and children, and he already has employed and will then put to work a body of enumerators considerably greater than the standing army.

Some Dislike to Begin on Friday.

The law provides that the enumeration shall begin on the 15th, but it is not so peremptory about the commencing time as about the closing time, and already intimations have been received that in some instances the work may be postponed until Saturday. This is due to the fact that the 15th falls on Friday, and among the 70,000 name takers there are some who are superstitious as to this day of the week.

The enumeration will cover all of the 47 states and two territories of the Union proper and also Hawaii and Porto Rico, Alaska, the Philippine Islands and Guam will not be included, as special arrangements are made for numbering the people of those dependencies.

Must Be Finished in a Month.

Under the statutes governing the work, the entire enumeration must be completed within a month, and in the cities the work is limited to 15 days. It is expected that some of the returns from the cities will be received as early as the first week in June, but the exact population of the entire country will not be determined before some time in September. The census officials will, however, know within a few thousand of the number long before the close of the summer months. They will be able to reach a substantially accurate conclusion by their payrolls, but this will be more or less speculative, and the figures will not be given out.

Durand Counts on 90,000,000.

Director E. Dana Durand is counting upon a roll of not fewer than 90,000,000 names. This estimate is based upon calculations of his experts, and makes allowance for an increase according to the tendencies shown in the last three previous censuses. Between 1870 and 1880 the increase in the population was 30 per cent.; between 1880 and 1890, 25 per cent.; between 1890 and 1900, 21 per cent. If the decrease should continue at the same ratio there would be a falling off this year of the rate of gain to 17 per cent. The immigration figures for the past decade have been greater, however, than for any of the previous ten-year periods. Making allowance for this augmentation from outside it is calculated that the increases for the past ten years will be about 15 per cent, and, as in round numbers, the figure for 1900 was 76,000,000, it is now calculated that there will prove to have been an addition of about 14,000,000 souls.

"Race Suicide" Question.

Much interest is felt as to the showing regarding the purely native increase. The enumerations between 1870 and 1900 show a startling tendency towards "race suicide," and it is Mr. Durand's fond hope that the reports of his 70,000 subordinates may be able to check this apparent decline. Many of the figures that he is, he does not, however, permit his optimism to shade his facts, and until the actual returns show something better, he will hold to his ninety-million estimate.

Some Innovations.

There will be some innovations in the next census, and they are expected to improve the reports. For instance, the country farmer is to be afforded an opportunity to consider in advance the statements he shall make as to the conditions prevailing with reference to his holdings. In both cases sheets are to be passed around before the official calls of the enumerators of the sheets themselves will be especially scrutinized. The inquiry will comprise three principal branches: Population, agriculture, and mining and manufacturing. The questions will cover the acreage, the value and the product of farms, including an especial enumeration of their households. The value of animals, as it will the capital invested, the value of products, and

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