

RIFT APPEARS IN PERFECT HARMONY AMONG DEMOCRATS

House Members Fly Into Passion at What They Term Unwarranted Authority

COMMITTEE ON RULES CAUSE OF THE TROUBLE

It Recommends Some Investigating Committees Not Named in Caucus

WASHINGTON, May 16.—Charges that democratic members of the house committee on rules were seeking to usurp functions of a caucus by nominating the members of committees which will investigate the so-called steel and sugar trusts created today the most serious break that has occurred in the democratic ranks of the house since the opening of congress.

Two lists of names, one being the proposed steel trust committee and the other the sugar trust committee, were submitted by Mr. Henry in the form of privileged resolutions, which he asked the house to adopt.

Many Democrats Opposed

Immediately questioned by democrats who had not been consulted as to the authority by which the rules committee offered these names, Mr. Henry said that about 150 democrats had approved the democratic list and republican members were named by minority leader Mann.

The steel trust investigating committee was approved before the democrats woke up to the full effect of the situation. The resultant fight fell on the sugar trust committee; and a continuation of the struggle finally was averted by the action of democratic leader Underwood in adjourning the house while the resolution was still pending.

Mr. Henry denied that there had been any assumption of authority, or

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OPINION OF HARLAN DISSENTING FROM COURT OUTSPOKEN

Regarding the Standard Oil Decision Says Most Alarming Tendency of Country is Toward Legislation by the Courts

WASHINGTON, May 16.—The Standard Oil decision occupied the cabinet almost exclusively at today's session, and President Taft having read it over twice, also discussed its purport with some of his callers. The attitude of the president himself, that he should defer to the Supreme court and accept their law as his law, was reflected by the cabinet. There is a disposition among cabinet members to await the decision of the Supreme court in the Tobacco case. That decision is expected May 29, and until then no policy will be outlined by the administration to strengthen the anti-trust law or solve a problem that yesterday's decision seems to have made even more vexatious than ever before.

No Special Message Proposed. To visitors tonight President Taft declared that he had no present intention of sending a special message to congress proposing additional anti-trust legislation.

While the president would not discuss the decision generally his speeches on the subject and his special message of Jan. 7, 1910, left no doubt as to his views. He had hoped not so much for a decree dissolving the Standard Oil, it is said, as for a clear interpretation of the anti-trust act under which the department of justice could proceed in the future.

However he may regard the interpretation of the law as it may be applied in future cases, the president believes that the upholding of the anti-trust law generally by the court will be very useful to accomplish the end which congress desires.

There is no intention upon the part of the administration to check the activities of the department of justice. Trusts found violating the anti-trust act will be proceeded against as in the past. The president thinks that conviction in most cases generally in certain where the evidence produced shows an attempt to create a monopoly.

No Criminal Prosecution.

Although the matter had been considered, it seemed probable tonight that there would be no attempt to proceed criminally against the directors of the Standard Oil.

At this time the president is not determined whether he will press the federal incorporation bill which he recommended to the consideration of congress more than a year ago.

He told callers tonight that he still believes in the merits of that bill.

As a whole the cabinet is more likely to favor a federal incorporation law than an amendment to the Sherman act.

Justice Harlan's dissenting opinion, delivered orally and without notes, was available in its entirety for the first time today and received a most careful consideration.

Opinion of Justice Harlan.

"As to all the chief justice has said about the illegal combination of this oil company and its coming within the anti-trust act, I cordially concur," said Justice Harlan at the outset.

"There are, however, some things in this opinion, and that are to result from this opinion, which I think may very well alarm thoughtful men, or many thoughtful men; and I am unwilling to let them pass with any idea that I approve them."

Justice Harlan referred to the anti-trust act of 1890 as being passed at a time of great unrest regarding aggregation of capital and referred to the Supreme court decisions in the trans-Missouri and joint traffic cases, saying that no view was pressed in this case that was not brought out in those two cases, under which he supposed millions of dollars of property have changed hands, and that efforts unsuccessful had been made at every congress to set the Sherman anti-trust law amended. The trans-Missouri case, he pointed out, involved construction as to the scope and meaning of that anti-trust law.

"Who was here to instruct the court on that occasion? We hear a good deal about the 'lamp of reason.' We hear that the time has come when we shall hold on the light of reason and look at this act as if the men of that day, fresh after the passage of the act were meeting about in darkness and did not know what they were doing or saying."

He named the members of the court at that time, and later referring to the Sherman act, said:

Court Reverses Itself. "Prosecutions have been instituted, and I suppose men have been convicted and sent to jail under the anti-trust act, upon the construction that this court has given to it."

"The court, in the opinion in this case, says that this act of congress means and embraces only unreasonable restraint of trade—in flat contradiction to what this court has said in

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Out of a Clear Sky



ALL SORTS OF OPINIONS EXPRESSED UPON DECISION OF SUPREME COURT

Decision Narrows the Meaning of the Statute and This May Result in Further Legislation by Congress—Democrats and Insurgents Are Not so Well Pleased—Contrary to Expressed Views of President Taft

WASHINGTON, May 16.—Government Washington in all its branches—legislative, executive and judicial—gave over the greater part of today to a discussion of the Supreme court's disposition of the Standard Oil case.

Administration Gratified. While there was much gratification in administration circles over the order for the dissolution of the giant corporation, which had been declared "an unreasonable" combination and monopoly in restraint of trade, there unquestionably was also some misgiving as to the interpretation of the anti-trust law given by the court in its decision.

President Taft, who a little more than a year ago, in a special message to congress declared that under Supreme court precedents there could be no such thing as "reasonable" and "unreasonable" restraints of trade, or in other words, "good trusts" and "bad trusts," was said today to have been rather keenly disappointed that the court should have seen fit to reverse itself in this important matter.

President Taft's message was freely quoted about the capital today and the seeming similarity of his views as to the scope of the anti-trust law to the view expressed by Associate Justice Harlan in his dissenting opinion of yesterday attracted renewed attention to Justice Harlan's position as outlined in his statement to the court.

Justice Harlan Dissented.

Justice Harlan held that his brother judges had no right to usurp the functions of the legislative branch of the government by writing into the statute a differentiation between "reasonable" and "unreasonable."

Chief Justice White, seems to have laid down, President Taft in his message written more than a year ago, said:

Distinction Not Practicable. "The public, and especially the business public ought to rid themselves of the idea that such a distinction is practicable or can be introduced into the statute. Certainly under the present anti-trust law no such distinction exists."

Replying upon the former opinions of the Supreme court in the so-called trans-Missouri and joint traffic cases, the president said:

"The Supreme court in several of its decisions has declined to read into the statute the word 'unreasonable' before 'restraint of trade,' on the ground that the statute applies to all restraints and does not intend to leave to the court the discretion to determine what is a reasonable restraint of trade."

The apparent reversal in the Standard Oil case of the court's decisions on these former occasions formed the basis of much of the discussion and speculation indulged in here today. Although the president's ideas as to the "rule of reason" seem to be divergent from those of the majority opinion and to coincide more closely with the dissenting views of Justice Harlan, Mr. Taft was quoted by callers today as saying:

"I defer to the decision of the Supreme court; I am willing to take my law from it."

Democrats Are Disappointed.

Democratic senators and representatives were disappointed that the court should have seen fit to reverse itself in this important matter.

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FIFTY MILLION IN BONDS ARE OFFERED THE PUBLIC BY SECRETARY MACVEAGH

For First Time the Small Investor Will Be Given Chance to Buy.

FOR PANAMA CANAL

WASHINGTON, May 16.—Secretary MacVeagh today invited popular subscription to a \$50,000,000 issue of government bonds, to reimburse the treasury general fund for expenditure on account of the Panama canal. Treasury officials expect the loan will be largely over-subscribed and in distributing the new securities the government's announced intention is to give preference to smaller bidders. The new securities will bear three per cent interest, payable quarterly; will be free from all national, state and municipal taxation and will be in denominations of \$100, \$500 and \$1,000. They will be dated June 1, 1911 and will be payable in 50 years.

By provision of law, the new bonds will not be available to national banks as the basis of circulation. Inasmuch as they are the first the United States ever has issued with such a restriction, much interest is attached to the price they will bring. According to law they cannot be sold at less than par.

Inasmuch as the postal savings bank law fixes the par value of a postal bank bond bearing two and one half per cent interest at \$100, it is agreed that the three per cent Panama canal bonds must bring more than par. How much more, is conjecture. The estimates range from slightly above par to 103.

Checks and postal orders will be accepted for the new bonds, something which never has been done before. Although the issue is designated for private bankers, national banks which bid for the bonds will be allowed to deposit them as security for government deposits.

SUPREME COURT LANGUAGE BEACON LIGHT OF HOPE TO INDICTED MEAT PACKERS

Their Attorneys Immediately File Petition for Rehearing of Demurrers

"IN LIGHT OF REASON"

CHICAGO, May 16.—On the grounds that the federal Supreme court's Standard Oil decision overruled United States District Judge Carpenter's decision of May 12 in the beef packers' case, attorneys for the packers today filed a motion for permission to appear tomorrow and re-argue the demurrers which Judge Carpenter overruled. The motion was filed by Attorneys Levy Mayer and John S. Miller. The whole case again is hung on the question of what is "reasonable" and what is unreasonable restraint of trade. It was the Supreme court's dictum that in effect the word "unreasonable" must be read into the Sherman anti-trust act, that gave the beef attorneys their excuse for the request to reopen the demurrer argument. The attorneys included that argument in their demurrers in what they said is almost the identical language of the Supreme court's Standard Oil decision but the court held against this reasoning. They now appear to ask the court to admit it erred.

It was learned on authority, that the word "unreasonable" or to be more exact, the Supreme court's phrase, "in the light of reason," would bear the burden of argument for rehearing.

EDUCATIONAL CONFERENCE.

JACKSONVILLE, Fla., May 16.—The Southern Baptist educational conference will convene in Jacksonville at 10.30 tomorrow morning Robert G. Patrick, president of the organization, having called the meeting. The conference is composed of the leading educators of the South and various educational matters will be discussed. The establishment of a Baptist institution here as a result of the conference is not an improbability. It is stated.

RIOTING IN PACHUCA IS SUPPRESSED BY REBELS AFTER RAGING ALL NIGHT

Federal Force in City Sixty Miles From Capital Joined Rebels.

TWENTY ARE SHOT

PACHUCA, Hidalgo, Mex., May 16.—Pachuca, capital of Hidalgo, which last night was in the hands of rioters, who looted stores and saloons, was quiet tonight under the guardianship of Gabriel Hernandez and 150 rebel soldiers who marched in this morning. The federal garrison of 80 rurales joined the rebel forces without firing a shot and marched around the plaza with their new comrades, keeping step to the blast of a cornet and shouting "Viva Madero" with great enthusiasm. Gen. Hernandez stated that his scouts had captured 20 fugitives in the hills and executed them. No one within the city was killed. Pachuca is 50 miles from Mexico City, and its occupation by a rebel force is regarded as significant in the light of a statement from Ambrose Figueroa that he is preparing to march on Mexico City. A detachment of federal soldiers was started from Mexico City for Pachuca this morning but the train was stopped at Tula by orders from the war office. It is thought that the government wished to avoid bloodshed because of the excellent chance to restore peace by diplomatic measures.

Rioting started last night when Hernandez ordered the federal governor to leave the city. A force of boys began breaking windows. Many men and a considerable number of women joined in the demonstration.

WHAT BRYAN THINKS.

TORONTO, Ont., May 16.—W. J. Bryan, here on a lecture tour, said today regarding the Standard Oil decision: "This decision is likely to make the trust question more of an issue than it has been in recent years. While on the face of it the decision seems a victory for the government it virtually amends the anti-trust law by constraining it to prohibit not all restraint of trade but only such restraint as the courts after each lengthy litigation may decide to be unreasonable."

OHIO LEGISLATORS WERE THOUSAND PERSONS MADE SHELTERLESS BY FLAMES

Offered Their Votes for What They Could Get and Now Are Indicted.

CHATTANOOGA, Tenn., May 16.—As a result of a fire which raged for several hours tonight at Hale's Bar, where the big lock and dam are being constructed, twenty houses and two large "bull pens," places which housed hundreds of the employes on the work, have been destroyed and a thousand persons are sleeping out on the hillside with no shelter. These employes lost all their goods and are left destitute and homeless. The hospital and hotel were saved though badly damaged.

The buildings destroyed were of cheap construction and the loss will not exceed \$40,000. The fire may delay operations until the burned houses can be rebuilt.

CHARGED WITH ARSON

LENOIR, N. C., May 16.—Post office Inspector Leonard arrived here today with an officer in whose custody was Robert Glass Brooks, native of this county and formerly clerk in the local postoffice, charged with setting fire to the Lenoir postoffice several weeks ago. Glass Brooks, against whom the government claims it has convincing evidence, was arrested yesterday at Chase City, Va.

FRENCH CRUISER HERE

CHARLESTON, S. C., May 16.—En voyage to Newport, R. I., whence she will proceed to New Foundland, the French cruiser D'Estrees, Captain Trouillet, from Brest, France, came into this harbor today. She was saluted by the guns of Fort Moultrie as she steamed through the channel. Official visits will be exchanged tomorrow probably. The D'Estrees will leave Sunday.

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Sleep on Hillside When Fire Destroys Cheap Shacks in Construction Camp.

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LAVISH USE OF MONEY IN ELECTIONS SHOULD STOP

West Virginia Governor Sends Legislature Special Message on Subject.

CHARLESTON, W. Va., May 16.—"That candidates for office have been spending large sums of money illegally and corruptly cannot be denied. I know that we cannot legislate into the people but we can have laws that will disfranchise those who corrupt the electorate and no man should be permitted to be the beneficiary of a crime committed by him against society." So declared Governor Wm. E. Glasscock in a special message to the legislature which convened in special session today in which he pleaded for the enactment of a corrupt practices act which will safeguard the ballot boxes of this state. He charged that elections and primaries have been corrupted by lavish use of money. The governor included certain data with reference to the status of the Virginia debt litigation, the recent opinion of the Supreme court of the United States, the request of the Virginia debt commission for a conference between the two states and his reply to that request.

MOROCCANS FIGHTING FRENCH

REL AIOUN, Morocco, May 16.—The section of the French relief column under Lieut. Colonel Bauvois engaged the rebels at Merada on Sunday and 200 wounded. Other parts of the French column were fiercely attacked by the other tribes. The French drove off the enemy at the point of the bayonet. The column is proceeding to Fez to the aid of the besieged sultan and French forces at the capital.

ELOQUENCE GREETS GATHERING OF THE OLD CONFEDERATES

Cause of the South is Everlastingly Right Declares Dr. Cave in Speech

SPIRIT OF FRATERNITY KEYNOTE OF THE NATION

At Same Time He Declares His Love for State is Higher Than for Country

LITTLE ROCK, Ark., May 16.—Greetings from President Taft, to which a message in kind will be sent in response tomorrow, the annual oration delivered by Dr. R. C. Cave, of St. Louis, the address of welcome and the naming of the committee made up today's proceedings of the reunion of United Confederate veterans.

The address of General James F. Smith, commanding the Arkansas division, opening the convention, was brief. He referred to the events of the war of 1861-65, the days of reconstruction, the organization of the veterans and the 51 years' history of that organization.

After the invocation by the Rev. R. Lin Cave, chaplain general, the United Confederate choir led by Mrs. J. Griff Edwards, of Portsmouth, Va., sang southern songs.

Governor Donaghy, of Arkansas, welcomed the delegates on behalf of the state. Dr. H. H. Harrison, of the United Sons of Confederate Veterans, delivered an address of welcome in the course of which the assembly to frequent cheers by his promise to the veterans that their descendants would keep alive the memories of the war.

Other speakers included Prof. J. M. Jordan, in behalf of the Arkansas veterans; Mayor Charles E. Taylor, of Little Rock, for the city; and Colonel George L. Busham, commander of Order R. Weaver, state veterans, Little Rock.

Gen. Gordon's Response. To these addresses through which ran the spirit of pride and desire to accord honor to the old soldiers, the reply was made by the commander-in-chief, General Dan W. Gordon, who praised the city for its hospitality and the manner in which its offering had been accomplished, though attended, according to the speaker, by personal inconvenience to whole families.

The appointment of committees and announcements completed the first session and after a recess of two hours, the convention reconvened to hear the annual oration. Quoting the scriptures and Shakespeare as well as other poets, appealing to history, as well as to the constitution of the United States, citing such authorities as Daniel Webster and setting forth what he termed "the principles on which the union was formed by the fathers was founded," Dr. Cave, finally declared:

"I hold that the responsibility for the war, with all the blood and treasure that it cost, and all the desolation and ruin that it wrought, justly rests upon Abraham Lincoln and his advisers." After paying a tribute to the

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LABOR LEADERS MAY YET HAVE TO ANSWER CHARGE OF CONTEMPT OF COURT

Justice Wright of District Court Immediately Reopens Labor Case.

MAY FINE THEM.

WASHINGTON, May 16.—Less than 24 hours after the decision of the Supreme court of the United States yesterday which revoked the jail sentences of Samuel Gompers, John Mitchell and Frank Morrison, president, vice-president and secretary, respectively of the American Federation of Labor in litigation against the Bucks Stove and Range company of St. Louis, Justice Wright of the District Supreme court today began proceedings anew for alleged contempt against the labor officials which the Supreme court held yesterday was punishable by fine only. Speaking of the action of Justice Wright today, President Gompers said: "Justice Wright can go as far as he will. He will find we are not running away—not even from him." Justice Wright, who imposed the sentences upon Messrs. Gompers, Mitchell and Morrison, today appointed Jos. J. Darlington, Daniel Davenport and James N. Beck, counsel for the Bucks Stove and Range company, as a committee to inquire "forthwith" into the question of whether the labor leaders had violated the court's order. They were instructed to report to the court whether, in the opinion of the committee, the labor leaders were guilty of contempt in violating the injunction against publication of a circular, and also in the American Federation of Labor's official organ of the federation.