

NEW TRIAL FOR STANDARD

Big Fine Imposed by Judge Landis is Annulled by Higher Court.

Unanimous Decision That First Trial Was Unfair—Government is Given 30 Days to File Necessary Papers and Action Will be Taken—Decision a Surprise.

Chicago, July 23.—The United States Circuit Court of Appeals yesterday reversed and remanded for re-trial the case of the government against the Standard Oil company of Indiana, in which Judge Landis, in the District court, had imposed a fine of \$29,240,000. The government has 30 days within which to file a petition for a rehearing and it was announced that it will be filed within the allotted time.

The decision came as a complete surprise to the government officials, who believed the trial judge would be upheld.

Judge Grosscup, who delivered the opinion, left little of the contention that each carload at the 6-cent rate constituted a separate offense. Even the shipments, of which there were about 500, could not be so considered under the ruling of the court. The fine should have been based on settlements between the railroad and the oil company. Of these there were just 36. The maximum fine on this basis would amount to but \$720,000, and the minimum \$36,000—the latter figure being considerably lower than the \$223,000 which the Standard is alleged to have received as rebates on the shipments in question.

In the event that a rehearing is denied, the government may go to trial on the original indictment containing 1,462 counts—an action which Mr. Sims could be ready to take within two weeks—or upon any one of seven other indictments containing 4,442 counts.

UNCLE SAM AS RULER.

Kaiser's War Expert Sees This Result From European War.

Berlin, July 23.—Showing that a European war at this time would cost \$16,000,000,000 annually and would result in the United States becoming the undisputed leader of the world, General Blume, the famous military expert, today submitted a report, ordered by Emperor William, on the probable cost of an international fight.

If Germany were to fight another European power, General Blume says, it would cost the empire \$1,500,000,000 a year in direct outlay and entail a loss of \$2,500,000,000 annually to the in the paralysis of commerce.

General Blume declares that, owing to the delicate adjustment of European politics, the next war will involve at least four powers, and that his estimate of cost would apply to each.

The financial drain would not result otherwise than in the world supremacy of the United States, he says.

FIRE AT PORTLAND.

Fire Chief Places Damage by Flames at \$500,000.

Portland, July 23.—Fire, supposed to have originated as the result of crossed electric wires, started in the upper floor of the five-story Abington building, 106 1/2 Third street, near Washington, shortly after midnight last night, ruined that building, swept into the Van Schuyver building immediately to the rear, destroyed the upper two stories of that building, damaged the McKay building, for a time endangered the entire block and raged for an hour and a half before firemen finally succeeded in getting it under control.

The fire entailed a loss estimated at between \$300,000 and \$400,000. Both the Abington and Van Schuyver buildings were ruined. Fire Chief Campbell estimates the entire loss at \$500,000.

Robbers Get Wells-Fargo Money.

Reno, Nev., July 23.—The state police are today watching every station on the main line of the Northern Pacific on a lookout for two bandits who held up the stage coach between Likely and Alturas, in Modoc county, Cal. The men held up the stage late Monday night about five miles from Likely and secured a Wells-Fargo strong box containing \$28,000. The bandits evidently knew of the box, for they stopped the stage and ordered the Wells-Fargo agent, who sat on the seat with the driver, to throw down the box.

New Bids Called For.

San Francisco, July 23.—It was announced today that the War department had released P. J. Carlin, the lowest bidder on the big government docks here, from his offer to do the work. Carlin failed to qualify to the satisfaction of the War department. This action will delay the work for several months. New bids have been called for. The contractors have until August 25 to put in their bids. A million and a half is available.

Fifty Japanese Killed.

St. Petersburg, July 22.—The Bourse Gazette yesterday published a dispatch from Harbin which recites an engagement with Korean insurgents on the Russo-Corean frontier in which it is reported 50 Japanese soldiers were killed. The insurgent losses are not known.

CONTINUE PROSECUTION.

Government Attorney Says Standard Fight Has Just Begun.

Chicago, July 24.—United States District Attorney Sims today gave out the following announcement:

"The government will file a petition for a rehearing in the Standard Oil case before the Circuit Court of Appeals within 30 days. If that petition is denied, the government will push the prosecution of all the cases against the Standard Oil company. The fight has just begun."

It is supposed that Sims received his instructions from Attorney General Bonaparte, as he announced yesterday that he could make no statement until he had conferred with Bonaparte.

The first new cases to be taken up will be those in Tennessee. The trials will be held at Jackson, in that state, November 8. These cases involve 1,500 counts, and will be prosecuted by Special Counsel James H. Wilkerson. The action will be pushed forward as rapidly as possible.

Attorney General Bonaparte today wired District Attorney Sims as follows:

"I feel that you and your assistants have done everything possible to protect the interests of the government and promote justice. I will write to you fully on the subject as soon as the opinion comes to hand."

ENACTS HISTORIC SCENES.

Splendid Pageant Seen in Grand Old City of Quebec.

Quebec, July 24.—The prince of Wales was the central figure yesterday in the magnificent spectacle of reproducing Quebec's historic past and ushering in the 300th anniversary of the founding of the city by Champlain. Aside from the spectacular features of the event, it was the occasion for a notable exchange of addresses between Vice President Fairbanks and the prince of Wales, in which the former spoke of the existing relations between the United States and Great Britain and the prince delivered a message of good will to the American government.

An enormous crowd filled the Place d'Armes fronting the Champlain monument, where the exercises were held. Here the prince received the addresses of the American and French representatives, the mayor of Quebec, and finally Champlain himself, reproduced as in the days of old, coming from the mimic reproduction of his original ship, the Don de Dieu, with some 5,000 followers representing every phase of old France in Canada.

DIE BY HUNDREDS.

Children's Disease Kills Ten a Day in Chicago.

Chicago, July 24.—Nineteen out of every 100 Chicago babies under 1 year of age have died during the first 22 days of July. This is about one-fourth of the quoted death rate of the city. There have been 10 deaths daily from bowel diseases of children under 2 years of age.

One of the noteworthy points of the city physician's report is in an Italian section of the city—Gault Court. Here it was expected that, owing to the very congested conditions, a deplorable state of affairs would be revealed. Just the reverse was found. Crowds were there, and dirt was there, but babies, strange to say, were unaccountably healthy and strong.

According to Dr. Heman Spalding, of the Health department, the common house fly is one of the great contributors to the complaints prevalent among the city's children.

Standard Stock Soars.

New York, July 24.—Stockholders of Standard Oil company and John D. Rockefeller in particular have good grounds for elation in the reversal of Judge Landis' decision. Today each and every stockholder of the big New Jersey corporation is richer by \$22 a share than before the decision of yesterday. Yesterday the oil stock was quoted on the curb at \$640 a share, but today the price jumped to \$662 a share bid, but none was offered under \$680, or within \$20 a share of the highest price the stock ever brought.

Oil Stock Will be Watered.

Chicago, July 24.—Following closely the decision of the United States Court of Appeals, reversing the decision of Judge Landis in the Standard Oil case, the Daily News today says: Bankers who have close affiliations with the Standard Oil company state that the organization will announce soon an increase in the capital stock of \$100,000,000 by \$500,000,000, making a total capital stock of \$600,000,000. There will be a decrease from the earnings for the fiscal year of about \$40,000,000 to the organization's surplus.

Shopmen Are Dissatisfied.

Winnipeg, July 24.—The shopmen of the Canadian Pacific in Western Canada are dissatisfied with the recent findings of the conciliation board that investigated the matters in dispute between the company and the men, and today, T. McVety, head of the mechanics in the shops in Western Canada, went to Chicago to consult with officials of the American Federation of Labor with a view to securing assistance. Ten thousand men are affected.

More Cotton Mills Resume.

Boston, July 24.—Several of the largest cotton mills of New England, which have been running on half time since the business depression became acute last spring, are preparing to resume operations to their full extent within the next week or two. Between eight and ten thousand mill operatives will be benefited by the change to full time.

NEWS NOTES FROM THE NATIONAL CAPITAL CITY

TRYING TO GET RESULTS.

Naval Conference is Struggling With Task Roosevelt Set.

Newport, R. I., July 25.—The naval conference met again today to continue the discussion of battleship plans and, it is believed, will continue daily meetings for some time to come. In the executive council, following the president's speech of yesterday, Mr. Roosevelt plainly told the officers present that he wanted "results" and would insist on them before the conference adjourned.

It was said that one result of the conference would be to abolish the general board of the navy, but officers now attending the sittings of the conference are widely varying in opinion as to the possibility or desirability of any such course.

APPROVES STOCK INCREASE

Interior Department Ratifies Action of Umatilla Water Users.

Washington, July 21.—The secretary of the interior has approved an increase of stock in the Umatilla Water-Users' association from 9,000 to 22,000 shares.

The association, made up of landowners under the Umatilla irrigation project, was organized with a capital stock of \$540,000, divided into 9,000 shares of a par value of \$60 each. The project has since been extended to include a total of 22,000 acres, and in order that there may be one share of stock for each acre of land, it has been necessary to increase the stock to \$1,320,000, divided into 22,000 shares, of a par value of \$60 each.

New Immigration Record.

Washington, July 25.—Assistant Secretary of Commerce and Labor William R. Wheeler predicts that during the next 12 months America will see the greatest flood of immigrants in her history. In an interview he declared today that all the aliens who fled to Europe on the advance of hard times last year will return, bringing others with them to the "land of promise." New York steamship companies alone, he says, have 600,000 return tickets out and the reappearance of good time will induce the foreign laborers to return to America. Wheeler gives it as his opinion that this influx will be headed toward the Pacific coast, where many opportunists await the laborer.

Benzoic Acid Harmful.

Washington, July 24.—"In the interest of health both benzoic acid and benzoate of soda should be excluded from foods." This is the conclusion of Dr. Harvey Wiley, chief of the bureau of chemistry of the department of agriculture, after a prolonged investigation to determine the effect upon the human system of these preservatives. The chemicals were given in various kinds of foods to Dr. Wiley's so-called poison squad, and he declared that their use is highly objectionable and produces very serious disturbance of the metabolic functions, attended with injury to digestion and health.

Postoffices on Warships.

Washington, July 24.—Arrangements are being perfected for the installation of a postoffice on every ship in the United States navy, authorization for this action having been made at the last session of congress. Under the provisions of the enabling act enlisted men on each ship may be appointed as postmaster and assistant postmaster, their regular pay to be increased \$500 and \$300 a year, respectively. They will be required to give bond of \$100.

Baldwin Balloon Shipped.

Washington, July 23.—The balloon and frame of Captain Baldwin's dirigible balloon was shipped from New York Thursday and is expected at Fort Meyer today. The balloon must be assembled by July 25, according to the contract with the government. Lieutenant Foulers, in charge of aeronautics at Fort Meyer, assisted by the balloon squad of the signal corps, consisting of ten men, is busily preparing for the tests to be held at the fort within the next month.

Secure Data in Europe.

Narragansett Pier, R. I., July 24.—At the forenoon session today of the monetary commission, a proposition was submitted for the appointment of a subcommittee to go to Europe in August. The subcommittee probably will comprise Senators Aldrich, Hale and Daniel and Representative Pagget, and Representative Burton, of Ohio, a member of the commission who is now in Europe, would be the fifth member.

Land Fraud in Oklahoma.

Washington, July 23.—Senator Owen of Oklahoma is to be one of the respondents in a suit to be begun in the courts of Oklahoma before July 27 to set aside what the government will contend are fraudulent conveyances of "Indian lands." Theodore N. Barnsdale, Pittsburg millionaire and oil and gas land speculator, and practically every man of prominence in Oklahoma are also to be included in the litigation.

New Bids Are Called For.

Washington July 22.—Instructions have been sent to the army construction quartermaster at San Francisco to invite new bids on 30 days' notice for the construction of the big army supply depot and the shipment station at Fort Mason, Cal. The contract was awarded to the P. J. Carlin Construction company, of New York, but they failed to sign the contract.

WIRELESS IN FAR NORTH.

Government Will Establish New Stations in Alaska This Year.

Washington, July 23.—There is probability that, after all, wireless stations at Nome and Fort Gibbons, Alaska, will be established this year. The chief signal officer of the army is advised that the steamer Ohio reached Nome with her cargo in good condition. The cargo includes equipment for the wireless station at Fort Gibbons. As the equipment for the Nome station was damaged by the flooding of the hold of the boat in which it was shipped, it was feared that it would be impossible to install the Nome station this season, but now it is believed that the working instruments can be got together to establish the Nome station, and every effort will be made to do so.

The war department is highly pleased with the work done by the wireless stations. It has just received a report that the station on the Farallones held communication with the St. Louis for 53 hours outside of Honolulu, 1,460 miles distant, her signals coming in loud and clear. Several messages were received and transmitted.

War on House Fly.

Washington, July 23.—A national campaign against the house fly and mosquito has been planned and is about to be begun by the government bureau of insects. It will cover the entire country, and in its prosecution measures are to be urged by which not only communities but whole states will be enabled to rid themselves of these deadly enemies of mankind. In order to attain this end it is necessary merely to adopt a few simple and well-understood methods, the application of which may be entrusted to local boards of health. Where the mosquito is concerned, however, it is deemed advisable that there should be a general control by the state, because of the fact that certain species of these tenebrous marauders are migratory and liable to appear suddenly in multitudinous swarms in places far from their breeding areas, giving profound discouragement to local efforts toward extermination.

Bids on Dry Dock Opened.

Washington, July 22.—Bids Saturday were opened at the navy department for the construction of drydock No. 2, at Puget sound navy yard. The dock will be built of concrete and granite. Congress appropriated \$2,000,000 for it. Bids were asked on two alternate propositions, one a dock 883 feet long, the other a dock 740 feet long. The bids follow: Cassey Lohse Winters company, Seattle, \$2,250,000 and \$2,108,000; Westlake Construction company, St. Louis, \$2,237,000 and \$2,111,000; C. J. Erickson, Seattle, \$1,625,000; no bid on smaller dock; Jack Black Masonry Contracting company, St. Louis, \$1,999,196 and \$1,915,000; Puget Sound Bridge & Dredging company, Seattle, \$1,975,000 and \$1,880,000.

Billion Dollar Congress Reports.

Washington, July 21.—The last session of congress made necessary total appropriations amounting to \$1,008,397,543.56, according to the announcement made yesterday under the law which requires the publication of the total volume of appropriations after each session. In addition to the appropriations already made, the contracts authorized by the session require the future appropriation of funds for public works, aggregating \$49,443,750. This makes the total expense of the session \$1,057,841,293.56.

Takes Charge of Timber.

Washington, July 22.—A joint board representing the war department and the bureau of forestry has taken up the matter of preserving the forests on military reservations. An arrangement will be made for a beneficial cutting of timber and for preserving the trees which will remain. Under this arrangement the war department retains control of the forests on the reservations, and at the same time gets the valuable services of the forestry bureau.

Mixing Paper Lustrous Dose.

Oyster Bay, L. I., July 21.—Attorney General Bonaparte was here Saturday in conference with President Roosevelt regarding the prosecution of the naper trust. After his conference with President Roosevelt, Attorney General Bonaparte, in answer to questions, said: "The only trust I know anything about is the vicious reporter trust of Oyster Bay."

No Notice of Lumber Rate Appeal.

Washington, July 22.—Judge Martin A. Knapp, chairman of the interstate commerce commission, Saturday stated that he had not been officially informed that the transcontinental railroads would contest the commission's decision in the lumber rate cases, but he has heard in an indirect way that they are considering such a course.

A. Y.-P. Money Available.

Washington, July 22.—The treasury department Monday notified W. M. Geddes, currency distributing officer for the exposition company, that the government appropriation for the Alaska-Yukon-Pacific exposition at Seattle, amounting to \$600,000, is now available.

Uncle Sam Demands Protection.

Washington, July 21.—The state department yesterday made a demand on the Persian foreign office to take up the demands of the United States government for the protection of American missionaries and their property at Tabriz.

Government Accepts Montana.

Washington, July 22.—The new battleship Montana has been accepted by the navy department. Captain Alfred Reynolds is in charge.

BISHOP POTTER DEAD.

Foremost Figure in Episcopal Church in America Passes Away.

Cooperstown, N. Y., July 22.—Henry Codman Potter, seventh Protestant Episcopal bishop of the diocese of New York, died last night at Fernleigh, his summer home here, after an illness of several weeks, aged 74 years. He was unconscious all day and the end, which came at 8:35 o'clock, was peaceful.

Gathered at the bedside of the dying churchman were Mrs. Potter, his wife; Mrs. Mason C. Davidge, who came from California, and Miss Sarah Potter, daughters; Alonzo Potter, his son; Edward S. Clark, Stephen C. Clark and Mrs. F. Clark; Mrs. Charles Russell and Mrs. William Hyde, his other two daughters, who are abroad, have been notified.

Death was due primarily to embolism in the right leg, following a long attack of liver and stomach trouble, and the end had been foreseen for several days by the bishop's physicians. Bishop Potter suffered a severe relapse in the morning and though oxygen was given, his decline was gradual and he sank into unconsciousness, which lasted until the end.

No arrangements for the funeral have as yet been made, but it is probable that services will be held here and that the body will be removed to New York, where a public funeral will be held at Grace Church.

Bishop Potter's illness first became publicly known early in the spring, when announcement was made that he was unable to take part in the Easter services. A diagnosis showed that the bishop was suffering from a stomach and liver malady and after it was given out that he would not be able to attend the Pan-Anglican conference June 21, plans were immediately made to bring the bishop here when his condition would permit the journey. Early in the present month he was near death, but rallied and for a time he was thought to be on the road to recovery.

FINE WILL STAND.

Court of Appeals Sustains Standard Oil Assessment.

Chicago, July 22.—John D. Rockefeller will know at 10:30 o'clock today that the Standard Oil company of Indiana must pay the fine of \$29,240,000 assessed against it by Judge Landis in the United States supreme court here nearly a year ago. The court of appeals will report its finding at that hour, and positive assurance is given that the original decision will be affirmed in every particular; that the fine will stand and that a new trial will be denied.

This is the final outcome of a day full of wide speculation and excitement among the attorneys on both sides of the famous case. The fact that the court of appeals had reached a decision and was ready to report came as a great surprise, as it had been thought the case would go over until fall. The court of appeals is made up of Judges Peter S. Grosscup, Francis E. Baker and William H. Seaman. There was a hint last night that one judge will dissent, but this will not affect the finding, as the other two are said to have sustained Judge Landis throughout.

Early reports yesterday were to the effect that the fine imposed by Judge Landis would be greatly reduced; in fact, cut down to the ordinary fines assessed against corporations—some where in the thousands instead of the millions. From an authority which cannot be questioned, however, it is learned that the majority of the court sustains Judge Landis.

Nevada Stage Is Robbed.

Reno, Nev., July 22.—A special to the Journal from Likely, Nev., says the Likely and Alturas stage was held up by two masked men who were heavily armed. They compelled the Wells-Fargo messenger to throw down the box containing, it is believed, a large sum in gold for the payroll at Alturas. The passengers were not molested. No description of the robbers could be given, as it was dark, and after securing the box the men disappeared in the brush. The sheriff of Alturas and a posse have started in pursuit.

Ruef Again Pleads Prejudice.

San Francisco, July 22.—The battle of the affidavits was renewed yesterday, when three affidavits were filed by Abraham Ruef to support a motion that his counsel will make today have his trial on one of the many charges of bribery against him transferred to another court than that of Judge Lawlor. It is set forth in the affidavits that Ruef's defense will include the famous immunity contract, in which Judge Lawlor is involved, and further that Judge Lawlor is biased and prejudiced against the defendant.

More Plague in Venezuela.

Willemstad, Island of Curacao, July 22.—The steamer Maracaibo arrived yesterday from Puerto Cabello. Among her passengers was Charles W. Vogel, surgeon in the United States health and marine hospital service, who went to Venezuela to investigate the bubonic plague. The steamer was refused admittance at Puerto Cabello. There are rumors that the plague has broken out afresh at Caracas and La Guayra.

Shoot Up Bosion Saloon.

Boston, July 22.—Three men armed with heavy caliber revolvers dashed into a crowded Jamaica Plains barroom 10 minutes before closing time last night and yelling "Hands up," began shooting up the place. When they had grabbed the money till and emptied it and had finished shooting and made their escape, one man was dead on the floor, another lay dying and a third was seriously injured.

Cotton Mills Resume.

Augusta, Me., July 21.—The Edwards cotton mills, of this city, which have been running on half time since March 1, will resume full time today in all departments. The mills employ about 1200 hands.

SHAH HAS LOST HALF HIS EMPIRE

Northern Persia Under Control of Successful Rebels at Tabriz.

Rachin Khan Has Become a Fugitive—Artillery Captured and Reactionary Leaders Forced to Seek Safe Asylum With Russians Under a Guard of the Cossacks.

St. Petersburg, July 21.—A dispatch from Tabriz, by courier post to Julia, affirms that the shah's cause in northern Persia is lost.

The artillery and ammunition which were abandoned by Rachin Khan, who was commander-in-chief of the troops during his flight from Tabriz, passed into the hands of the revolutionists, who are now in full possession of the city. The shah's palace has been turned into the revolutionary headquarters.

The reactionaries, who had taken refuge in the Russian bank and the Russian consul, M. Pohnitoff, have again retired to the consul's country villa outside the city, which is being guarded by a large detachment of Cossacks. The casualties resulting from the recent bombardment and fighting between the troops and revolutionists were slight.

TEHERAN FEARS AN UPRISING

Success of Insurgents at Tabriz Encourages Revolutionists.

Teheran, July 21.—The successes of the revolutionaries at Tabriz, concerning which news is beginning to reach here, have encouraged the local revolutionary leaders and caused apprehensions of renewed disturbances. Rapid preparations are being made to concentrate the shah's forces, and 1000 horsemen of the nomadic tribes at Bakhtiari have arrived on the outskirts of the city. Quarters are being prepared for them in the vicinity of the shah's palace, which is becoming rapidly transformed into a fortress. Guns have been mounted on the walls commanding the city in all directions. A strong party led by Amir Bogatur, which now has the upper hand, has informed the shah that the re-establishment of order awaits his instructions. The reactionaries are actively at work among the populace collecting signatures to petitions asking the shah to abrogate the constitution, and a memoir to the same effect is being prepared for presentation to Great Britain and Russia.

Sultan in Furious Rage.

London, July 21.—A special dispatch from Constantinople to the Daily Telegraph says there is not the slightest doubt that Turkey is suffering the greatest crisis in her internal affairs that it is possible to imagine.

The sultan, continues the correspondent, is furious with his ministers, whom he holds responsible for the situation in Macedonia, and whom he accuses of misleading him as to the true facts of the situation. They have advised him to pardon the officers now awaiting court-martial on the charge of assisting the "Young Turkey" agitation, but he obstinately refuses to do this, and declares that the ministers are traitors.

The sultan threatens to remove the officers of the third army corps and crush the Albanians by force.

Appreciates Act of Generosity.

Pekin, July 21.—It was announced here yesterday that the Chinese government has decided to appoint Tang Shao Yi, governor of Moukden province, as high commissioner to the United States to thank the American government for remitting a part of the boxer indemnity. The government intends to send 100 students to the United States every year for four years, and then 50 a year until the entire amount of the indemnity remitted by the United States has been expended. This is only part of a plan to bring China into closer relations with America.

Find Graft at Molokai.

Honolulu, July 21.—The federal grand jury, which has just completed an investigation of the government work on the leper island of Molokai, which consists in the construction of a big leprosarium or hospital for the patients, has discovered that all the employees engaged in this work are aliens, and that they pay 20 per cent of their wages to persons who procure them their situations. The report of the jury urges that American citizens be employed on all federal and public works.

Infected Rats at Seattle.

Seattle, July 21.—Four more suspected rats under investigation at the laboratory conducted by Dr. Chapin, of the United States public health and marine hospital service were yesterday given a positive diagnosis and declared plague-infected. These animals were taken from the woodyard at Eight avenue and Madison street. Out of 54 rats caught in that vicinity and examined at the plague laboratory nine have been positively diagnosed as plague-infected.

Potter Suffers Relapse.

Cooperstown, N. Y., July 21.—Bishop Henry C. Potter, who has been ill since June 27, at Fernleigh, Mrs. Potter's home here, suffered a relapse yesterday, and last night his condition was again grave. Dr. J. E. Janvin said: "The bishop Sunday passed the most comfortable day during his sickness. Yesterday morning he suffered a relapse, and during the day he has been uneasy and in some pain. Last night he was resting comfortably, however."