

STANDARD OIL CO. FOUND NOT GUILTY.

Chicago, March 10.—The Standard Oil Company of Indiana was today found not guilty of accepting rebates from the Chicago & Alton railroad on shipments of oil from Whiting, Ind., to East St. Louis. The verdict was returned by a jury in the Federal Court on instructions of Judge A. G. Anderson, who averred that he followed the Circuit Court of Appeals' decision as to the verdict returned at the former trial of the same case, and on which verdict Judge Kenesaw Mountain Landis assessed a fine of \$29,240,000.

Judge Anderson's decision was not unexpected, as he had yesterday told the government prosecutors that the proof relied on in the first trial was incompetent and that it must be complemented or fail. It was with something of an air of hopelessness that District Attorney Edwin W. Sims and his assistant attempted to show the admissibility of the Illinois classification to prove the existence of a legal rate of 18 cents, which was a vital point in government's contention.

It was after Assistant District Attorney James H. Wilkerson had argued for two hours and in the end admitted that the prosecution could not furnish the further proof deemed necessary by the court for a continuation of the case that Judge Anderson announced his decision.

Mr. Wilkerson said that the government could proceed no further and suggested dismissal of the case. Attorney John S. Miller, chief counsel in the case for the oil company, immediately moved that there be an instructed verdict of not guilty. The court so ordered, and the jury, which had been excluded during the arguments by the attorneys, was called in and charged.

The decision of Judges Grosseup, Baker and Seaman, of the United States Circuit Court of Appeals, reversing Judge Landis, together with the action of the United States Supreme Court in refusing to review the decision of the Court of Appeals, was assigned as authority for today's decision.

Judge Anderson quoted from the opinion of the Appellate Court Judges. The strongest expression in favor of his view, he said, was the statement in that decision that the most we can say is that the question is one upon which Judges, after full discussion might very reasonably disagree."

Continuing, Judge Anderson said:

"The defendant is charged here by indictments; this is a criminal offense, the defendant is presumed to be innocent until proved to be guilty beyond all reasonable doubt; and before this jury would be justified in returning a verdict upon a single one of these counts, it would have to be satisfied beyond all reasonable doubt to such a degree of certainty as to overcome this presumption of innocence which surrounds this defendant. It would have to be satisfied beyond all reasonable doubt that there was a definitely fixed 18-cent rate. The Court of Appeals has said upon this same evidence, after having considered it in all its relations, after the evidence which was given, that they cannot say that these two papers (the railroad tariff sheet No. 24 and the Illinois classification) really fix any 18-cent rate."

Judge Anderson then ordered the jury, under authority of the decision of the higher court, to which he said he also was obedient, to return a verdict of acquittal.

The verdict of innocence was formally signed by the foreman of the jury, entered in the court records, and the famous case was finally ended.

Whether prosecution on seven other indictments still pending against the oil company will be instituted, District Attorney Sims would not express an opinion. He said the question rested entirely with the United States Attorney General.

It is the opinion of the federal attorneys that Judge Anderson's ruling will invalidate class traffic and will make it impossible to convict a shipper for violations of class traffic regulations.

Judge Peter S. Grosseup, who wrote the opinion of the United States Circuit Court of Appeals, said:

"The thing for the government to do is to do away with classifications in the regulation of tariff rates, and make the railroads file tariffs that specify the rate on each commodity without regard to classification. This might mean a great cost to the railroads, but I know nothing of that. Changing of tariffs, however, means but particular changes to meet conditions, and means no more of a complete change than is made in different editions of a telephone directory."

WHO OWNS THE TREES?

How People of German City Make Forest Pay Municipal Expenses.

Freudenstadt is a town of 7,000 people in the black forest region of Germany.

Chisholm was a town of 6,000 in the big woods country of Minnesota.

Every year, from the tall black pine trees which grow in ordered regiments on the six thousand acres of publicly owned land about Freudenstadt a regular crop of lumber is cut which pays all the expenses of the city government—Mayor, Alderman, police and fire departments. And that crop will go on forever. The thrifty people of Freudenstadt may devote their whole attention to their thriving iron and chemical industries, knowing that the beautiful and beneficent forest will pay all the cost of their municipal activities.

Every year—until this—greedy private corporations have sent their hordes into the country about Chisholm to loot the great pine woods, leaving behind them a trail of ruin and desolation and piling up the dry slashings like kindling wood ready for the match. Every fall the patient people of Chisholm have gone to bed with the acrid smell of burning pine in their nostrils, fearing lest before they woke the forest might take its fiery revenge. Last summer it came. For weeks thick clouds of smoke lay over the town. Then on a Saturday night the hurricane of flame swept down and burned Chisholm to the ground. So sudden and dreadful was the onslaught that domestic animals dropped dead in the streets overcome by the heat. Men carried out their sick on beds and rushed them through the smoke and flying embers to places of temporary safety. One woman died of fright. In the morning more than 500 families were homeless.

Freudenstadt is a town without taxes. The forest pays them. Chisholm is a town without homes. The forest destroyed them.

That tells—in little—the story of the forest policy of the United States and its results, as compared with that followed in civilized countries.—Technical World Magazine.

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