TRUST DECISION IS FAR-REACHING

Federal Court's Interpretation of Sherman Act of Wide Scope.

MAKE COMMENT

Any Combination Restraining Trade Unlawful-Court Not Permitted to Read Qualifications Into Statute.

NEW YORK, Nov. 16.-The sweeping character of the rate decision of the United States Circuit Court in declar-ing the American Tobacco Company to be a combination in restraint of trade is attracting widespread attention in business circles and among members of the legal profession, who have given special attention to the trust question not so much for its immediate effect on the allied tobacco interests, but more particularly for its scope and effect upon all classes of industrial combina-

tions engaged in interstate traffic.
"An appeal from this decision to the United States Supreme Court is now in active process of preparation by counset in the case. There has been a se ries of judicial interpretations of the Sherman act, both in the Federal Court and in the United States Supreme Court, but the consensus of opinion is Court, but the consensus of opinion is that the recent decision in the tobacco case gives a definiteness and scope of interpretation far beyond any judicial utterances heretofore made. The full text of the decision now available, covering 44 large printed pages, shows the far-reaching nature of this intest exposition of the law. It also discloses, in the language of the judges, the gradual development of judicial interpretation of the law up to the present time, Judge Coxe, one of the concurring judges, stating that "Since the Knight case (against the sugar refineries) the tendency has been constantly toward a wider scope of the statutes."

Judge Lacombe Defines Law.

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Judge Lacombe Defines Law.

Judge Lacombe in his majority opinjon defines the statutes of the law today as follows:

Olsregarding various dieta and following
the several propositions which have been
approved by successive majority decisions of
the Supreme Court, this language (Sherman
Act) is to be construed as prohibiting anycontract or combination whose direct effect
is to prevent the free play of competition
and thus send to deprive the country of the
services of any number of independent dealers, however small. As thus construed, the
statute is rescultionary. By this it is not
intended to imply that the construction is
lineary herause. It its passage the courts
had recognized a restraint of trade, which
was held not to be unfair, but permissible,
nithough it operated in some measure to restrain competition.

By insensible degress, under the operation

nithough it operated in some measure to restrain competition.

By insensible degrees, under the operation
of many causes, business, manufacturing
and trading alike, has more and more developed a tendency toward larger and larger
suggregations of capital and more extensive
combinations of individual enterprise, it
is contended that, under existing conditions,
is that way only can production be increased and cheapened, new markets opened
and developed, stability in reasonable price
secured and industrial progress assured. But
every agaregation of individuals or corporation formerly independent immediately upon
lis formation terminates an existing competition, whether or not some other competition may autosquently arise.

Prohibits All Combines.

DEMOCRATS GAIN SIX IN NEXT CONGRESS.

Temporary Rollcall Is Published Showing Complexion of Next House.

WASHINGTON, Nov. 16.—The temporary relicall of the House of Representatives of the first Congress has been completed and published. It represents a complete list of the members of the new House as shown by unofficial returns and gives the politics of all of them. According to this publication, the next House will consist of 219 Republicans and 172 Democrats, a total of 321, as against a total of 229 in the House during the last session, of whom 225 were Republicans and 180 Democrats.

The result is a net loss of four from the Republican side and a net gain of six on the Democratic side, the discrepancy being due to the present vacancies. All fold the Democrate/gained 17 districts and the Republicans 12

told the Democrate gained It districts and the Republicans 12.

The most marked advance made by the Democrats was in Indiana, the home of Mr. Bryan's running mate, Mr. Kern. Of the 13 members constituting the Indiana delegation, only two will be Republicans in the mext Congress, whereas in the present Congress there are eight Republicans from that state.

Mr. Bryan's own state of Nebraska added two to the Democratic column in the House, making an equal division of

added two to the Democratic column in the House, making an equal division of the six members from that state. Of the other Democratic gains, Ohio recorded three, Colorado three, Illinois one and Kentucky one.

The most striking accretions of the Re-publicans were made in Nerth Carolina, where there was a gain of two. Missouri

where there was a gain of two Missouri and Pennsylvania also switched two members each from the Democratic to the Republican side and New Jersey, Rhode Island and Wisconsin each sup-plied one to the Republican additions. Otherwise than as here noted, the varipresent. The Republican majority on a full rollicall will be 47 as against 57 at

MAN'S DEATH IS MYSTERY

Unable to Determine How Northrup Was Caught in Coal Bunkers.

oughly investigated by his brother, E. R. Northrup, and his brother-in-law, H. C. Johnson, of Palouse.

Any theory that he was robbed is made outenable by the fact that about \$10 was found in his pockets when the body was taken to the morgue. The watch, which is missing, is believed to have been torn from the chain, which was broken and was still fastened. The body was dragged of feet by the buckets which raise the coal to the bins and after its discovery the machinery had to be reversed and the body dragged back over that distance before it could be released.

His presence in the railroad yards is accounted for by a theory that he was walking out to see an aunt who lived beyond them. The Northern Pacific employes, who saw him before his death, do not agree whether he was drunk or not.

LUTHERANS REPLY TO RECENT LETTER ON RELIGION.

Synod Declares Separation of Church and State Compels Vote Against Catholics.

NEW YORK. Nov. 16.—In an open letter to President Roosevelt, the original of which it was stated was mailed to the President Saturday night and a copy of which was made public here yesterday, the New York City members of the synodical conference of the Evangelical Lutheran Church of America take issue with the President over the letter made public a week ago in which he denounced as "unwarranted bigotry," any refusal to vote for a candidate for high office because of such candidate's memberahip in the Roman Catholic Church.

The letter to the President declares that the Roman Catholic Church had denounced for centuries a wrong and a condition only to be tolerated so long as it could not be changed separation of church and state, and also full religious liberty, freedom of speech, conscience and the press.

"How could subscribers to the doctrine of separation of church and state," the latter went on, "consistently help to elect to the Presidency a Roman Catholic so long as that church does not officially revoke its "diametrially opposed declarations?"

"Are the two million and more Lu-

'Are the two million and more Lu-

"Are the two million and more Lutherans of this country, not to speak of the millions of other Protestants who take this position for the reasons stated, to be accused of bigotry or fanaticism because of such stands?"

The letter concludes:
"We protest that it is neither personal feeling nor religious antagonism which determines our attitude in this matter, but solely our disagreement.

which determines our attitude in this matter, but solely our disagreement with the Roman Catholic Church on this haste principle, a disagreement growing out of the rejection and denunciation by the Roman Catholic Church of that very principle which you admonish all faithfully to uphold, not only in theory but in practice."

CURFEW CHILDREN'S HOPE

Chicago to Enforce Law on Large Scale.

Cricago, Nov. 18.—Chicago proposes to test the value of the curfew law on a large scale, With "white slavers" lying in wait at every corner, and young giris and boys disappearing aimost daily, the police and all genuine reform elements are in favor of trying the plan of driving all children under 14 years of age to their homes at 9 o'clock in the Winter and at 10 o'clock in the Summer. The Juvenile Protective League is the principal backer of the plan. It is proposed to clear the stressts of all children except those bearing written permission from their parents, and engaged in some necessary errand. It has been shown that the law can be enforced here, for the settlement back of the stockyards, which fairly riots in children, has enforced the curfew law for more than a year, with remarkable results.

The police say the curfew law rigidly enforced is the only salvation of the children.

SAVE FROM WATERY GRAVE

Tugs Rescue Steamer About to Go

passengers cheering as only persons can on the when snatched from what looked like certain death, the tug Pioneer and the Army Quartermaster's tug General Evan Thomas, got lines to the Straits Steamship Company's steamer Perdita as she was going on the rocks at Middle Point, near Protection Island, this evening at 8 near Protection Island, this evening at 8 o'clock. When picked up the Perdita was within a few ship-lengths of the rocky shore. A full southeast gale was blowing. The Perdita was making her way up the straits on the run to Seattle this afternoon when one of the boiler-tubes blew out, leaving her in a helpless condition. She was sighted and word sent to Port Townsend. The Evans and the Pioneer were at once sent to the rescue, but did not pick up with the Perdita until 8 o'clock.

Again Irritates Public by Delaying to Receive Chancellor.

BERLIN, Nov. 16.—Because of the death of General Count Huelen-Haeseler, Chief of the German Military Cabinet, the Emperor has telegraphed Chancellor von Buelow that the audience arranged to take place at Kiel today aboard the battleship Deutschland must be deferred. The Emperor will return to Berlin Tuesday, when the meeting between him and the imperial Chancellor which the country awaits with intense feeling is expected to take place.

Public irritation against the Emperor as indicated in the newspapers and in general conversations wherever one goes seems to increase with the delay in receiving the Chancellor. The expectation appears to be that the Emperor, if he recognizes the feeling of the country, will make some sort of a declaration which may tranquilize his subjects.

CHINESE SEIZE MACAO COLONY

Portugal Sends Cruisers and Think Situation Serious.

LISBON, Nov. 16, via frontier.—Dispatches received here from Macao, China, state that the Chinese have occupied the colony, which is Portuguese territory and the situation is most serious. The natives refuse to obey the Portuguese authorities and the Chinese troops which have infested the place have seized the customs. Fighting is momentarily expected.

customs. Fighting is momentarily expected.

The pretext advanced by China for occupying the territory is that when the Japanese steamer Tatsu Maru was captured by the Chinese, two miles off Macao. Portugal, in order to avoid the responsibility in intervening, claimed the seizure was in Chinese waters. This, according to the Chinese government, amounted to a renunciation of Portugal's sovereign rights in Macao.

Taft Will Convene Congress Soon as Possible After Inauguration.

CHURCH RAPS PRESIDENT VISITS AT WHITE HOUSE

Spends Night With President Before Returning to Cincinnati-Says He Will Not Meddle in Ohio Senatorial Election.

WASHINGTON, Nov. 16 .- That a special eassion of the fist Congress will be called soon after the fourth of March to take up the matter of tariff revision, became positively known yesterday when W. H. Taft, President-elece, after spending Sunday at the White House as the guest of President Rooseveli, stated that he intended to call the special session to meet as soon after his inauguration as would he reasonable

Judge Taft left last evening for Cincinwhere he had been summoned or matters of family importance, but which he assured the newspapermen who had gathered at the White House was in no manner connected with politics.

The day proved to be a busy one for the President-elect. He spent the night at the White House as the President's guest and breakfasted with the family. During the forenoon the President and President-elect discussed matters pertaining to the present and the incoming Administration. No announcement was Administration. No announcement was made as to the principal topic of discus-sion, although Judge Taft adrollity ad-mitted that it was not the weather.

Holds Reception at Church.

About 19:45 o'clock, Judge Taft emerged from the White House to attend services at All-Souls Unitarian Church, his usual place of worship when in Washington. Five minutes afterward President Roose-velt started for the Dutch Reformed

veit started for the Dutch Reformed Church.

Judge Taft sat in a pew near the entrance to his church and after the services held a few minutes' reception with fellow-members. On his way to the White House he net Associate Justice William H. Moody of the Supreme Court of the United States, who walked with him to the executive mansion. Politics was discussed at lunch, at which Secretary Root and Representative Longworth were also the President's guests. Ambassador Henry White, of Paris; Postmaster-General Meyer and Beckman Winthrop, Assistant Secretary of the Treasury, dropped in during the afternoon to pay their respects.

Following the various conferences of the day, Judge Taft talked freely about his plans for the immediate future. After spending two or three days in Cinciunati he said he would again Joh Mrs. Taft in Hot Springs.

in Hot Springs.

Senatorial Fight Not His.

In reply to a question he said that the Senatorial situation in Ohio was not taking him there, as he did not intend to attempt to interfere with the choice of a Senator there or in any other state. He expressed his pleasure that the elections in Cuba had been held without any disturbances and added that he had not anticipated any trouble. While on the subject of insular governments, a Filipino newspaperman asked the President-elect if he had any message for his people.

the President-elect if he had any message for his people.

"Nothing other than to say that if personal inclinations were to control me I would find more pleasure in what I do for them than in any other line."

When his attention was called to the hearings now being held by the ways and means committee of the House, looking toward the revision of the tariff, he said that now is the time for the interests that have been asking for a second to the produce. revision to come forward and produce their arguments. He was asked if he had noticed the reference by Democrats on the committee to his views in regard to the tariff on products of the Philippings. SEATTLE, Wash., Nov. 16.-With 60

Takes Fling at Democrats.

Takes Fling at Democrats.

"Yes, but the remarks were not frightening nor novel," he replied. "My experiences with the Democrats in regard to the tariff are that they want free trade on everything that is in the next country."

At least, he added, that was true of the Philippine tariff.

The President-elect stated that the Republican party had promised to call a special session of the new Congress to revise the tariff and that he intended to carry out the promise as soon after his inauguration as would be reasonable.

KAISER DEFERS AUDIENCE WHALE CATCH IS LIGHT Belvedere Returns From North With Only Three Mammals.

SSAN FRANCISCO, Nov. 16.—Reporting an unsuccessful cruise, the whaler Belvedere returned to port today, after an absence of eight months in the North. The Belvedere caught three whales, which netted 8609 pounds of bone. Four other whales which had been caught made their escape under the lee or by breaking the line.

The Belvedere reported that when she left Unalaska 24 days ago the United States revenue cutter Thetis was still there guarding two Japanese sealing schooners which had been confiscated. Because of the poor season reported by all the wholers that have returned to port, it is said that the outfitters have decided to lay the vessels up for several seasons. The largest catch made this season was five whales and is credited to the Beluga. The other whalers were fortunate enough to get two or three mammals, which is far below the average catch.

HONOR ITALIAN PATRIOT

Friends Dine Man Who Hurled Bomb at Emperor Napoleon.

LOS ANGELES, Nov. 15.—Prominent Italian residents of this city and San Francisco sat down to a banquet last night in honor of Count de Rubio, an Italian patriot, who in 1858 was one of the men who threw bombs at the carriage of Emperor Napoleon in Paris. There were nearly a hundred guests at the banquet and speeches highly eulogistic of the Count, who has been a resident of this city for years, were made.

Count de Rubio told of his attempt on the life of Napoleon, his arrest and banishment to Devil's Island after Queen Victoria had interceded for him and succeeded in getting the death sentence

was Caught in Coal Bunkers.

a renunciation of Portugal's sovereign rights in Macac.

SPOKANE, Wash., Nov. 18.—(Special.)—
The death of J. C. Northrup, of Palouse, Wash., who was killed Saturday night in the coal bunkers in the Northern Pacific yards, is still a mystery, although thor-



Denver Labor Delegates Go on Excursions.

WILL HEAR REPORTS TODAY

Future Policy of Organization or Important Matters to Be Determined-Gompers' Recommendations Are Accepted.

DENVER, Nov. 16 .- Nearly all the delegates to the 28th annual convention of the American Federation of Labor Sunday made an excursion to the mountain near Denver as guests of the local unions Frequent reference was made in conversation among the excursionists to the fact that yesterday was the 27th anniversary of the founding of the organization now comprising 1,596,885 members, of which Samuel Gompers has been presi-dent 25 years.

of the next three or four days in the convention, which will resume its seasions today, and the discussions will probably develop the future policy of the organization on many important questions. The members of the committee on president's report have unanimously agreed to a report approving every utterance of President Gompers in his annual address, which was read last Monday, and the convention is expected to concur in the report of the committee without discussion. without discussion

day, and the convention is expected to concur in the report of the committee without discussion.

No member of the committee made objection to President Gompors' proposition that unions refrain from raising funds for the employing of counsel for the defense of injunction cases, and to go to jail, if need be, after personally defending their rights before the courts. Federationists declare that the adoption of this policy will prove more effective in bringing about reform in the injunction laws of the country than anything else that can be done by organized labor.

One of the expected controversies of the convention has been averted by the announcement of President Thomas L. Lewis, of the United Mineworkers of America, that he was not a candilate for the vice-presidency of the Federation in opposition to John Mitchell. It is understood that Mr. Mitchell will run against Mr. Lewis for the presidency of the Mineworkers, from which he retired a year ago on account of poor health. It is announced that a fight will be made against the re-election of Daniel J. Keefe as sixth vice-president and member of the executive council. Andrew Furuseth, president of the Seamen's Union, has been put forward as the candidate of Keefe. No opposition has developed to the re-election of other members of the council.

No Decrease in Lumber's Use. WASHINGTON, Nov. 18.—Great as the

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Settee, Arm Chair and Arm Rocker, Very Latest Plush Loose Cushions.

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been during the last 10 years, there has been no decrease in the use of lumber, according to a statement issued by the Bureau of Forestry, Both architects and builders admit, it says, that the forests of the country are likely to be the chief

Fortune Telling

one essential to woman's happiness—womanly health.

The woman who neglects her health is neglecting the very foundation of all good fortune. For without health love loses its lustre and gold is but dross.

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cate questionings and offensively repugnant examinations. Sick women are invited to consult Dr. Pierce by letter free.

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