

SHERMAN LAW TO BE PUT TO TEST

Supreme Court to Hear Anti-Trust Cases During This Month.

INTEREST IS WIDESPREAD

Effort of Government to Dissolve Standard Oil Company and American Tobacco Organization to be Renewed.

WASHINGTON, Jan. 1.—Prosecutions by the Government, designed to accomplish the dissolution of "Standard Oil" and of the American Tobacco organizations, embodying the greatest "anti-trust" fight of the generation, will be taken up for the second time by the Supreme Court of the United States at the beginning of its work for the New Year. Continuing its consideration of affairs of government, the court will immediately afterwards give its attention to the constitutionality of the corporation tax provisions of the Payne-Aldrich tariff act.

All three cases attracted world-wide attention when first presented to the court about a year ago. With the object of procuring consideration by a full bench, they were set for reargument on January 2. Intervening cases will cause a delay until probably January 5, when it is believed the arguments in the tobacco case will begin. The Standard Oil and the corporation tax arguments will follow. About three days will be required for each.

Law Is Put to Test.

The Standard Oil and the Tobacco cases put the Sherman anti-trust law to the most crucial test to which it has been subjected during the 20 years of its existence.

The corporation tax cases place on trial the power of the Federal Government over corporations. The constitutionality of the Federal income tax has been made doubtful by the Standard Oil and the Tobacco organizations are dissolved the Government will be forced to license corporations in order to allow legitimate competition. The corporation tax decision may define the power of the Federal Government over corporations so as to guide this proposed subsequent legislation. Incidentally, about \$25,000,000 annually in taxes depend upon the decision.

Although the Tobacco case is to be argued first, the Standard Oil case has attracted more attention. Attorney-General Wickham has referred to the Standard Oil case as probably the most important that ever came before the court.

Suit Is Begun in Missouri.

The Standard Oil suit was instituted in 1906 in the Circuit Court of the United States for the Eastern Division of the Eastern District of Missouri. The Federal Government was the complaining party. It claimed that the Standard Oil Company of New Jersey, as a holding company, acquired \$59 and held the stock of 65 companies. These 65, it was alleged, owned the stock of 49 other companies, making a total of 114 companies. The Government asked that this organization be dissolved under the Sherman anti-trust law.

A year was taken by the four judges in the Circuit Court to decide the case. By unanimous agreement a decree was entered by the court dissolving the organization, both because it was in "restraint of interstate commerce" and because it was "attempting to monopolize." Before the decree became effective an appeal carried the case to the Supreme Court.

Tobacco Case Started in New York.

The Tobacco case was instituted in 1906 in the Circuit Court of the United States for the Southern District of New York. The Government here, too, was the complaining party. Allies in various States, the Government claimed, with combined assets of more than \$400,000,000, constituted the organization which the Government sought to have dissolved.

The four judges each rendered separate opinions in the Tobacco case, but three of them united in a decree, holding that the Tobacco companies had entered into a combination "in restraint of trade" in violation of the first section of the Sherman anti-trust act. These three decrees the dissolution of this combination. Other corporations, including the United Cigar Stores Company, the Imperial Tobacco Company and the British-American Tobacco Company, were found not to be in the combination. None were held to be "monopolizing" in violation of the second section of the Sherman anti-trust law.

The application of the Sherman anti-trust law to these two organizations involves not only an investigation into the facts, but includes an interpretation of the law itself. The principal uncertainties in regard to the law cluster around three words in the statute. These words form the basis of three questions. What is "commerce"? What is "restraint of trade or commerce?" and what is "monopolize?"

The corporation tax cases, 18 in all, involve entirely different arguments. The corporation tax provisions of the Payne-Aldrich tariff act provide for a special excise tax with respect to the carrying on or doing business by corporations, "equivalent to 1 per cent upon the entire net income over and above \$5000."

Each of the cases was originated in various circuit courts by persons financially interested in the tax not being paid. These persons asked the courts to enjoin the payment of the tax by respective corporations because the tax was unconstitutional. The validity of the tax was upheld in each case.

BIG OREGON RANCH SOLD

Washington-Oregon Investment Co. Takes Over 345 Acres.

THE DALLES, Or., Jan. 1.—(Special.)—Deeds conveying the Plock ranch to the Washington-Oregon Investment Company were filed Friday. This is the big real estate deal in which Seattle parties became interested some time ago and the sale reported, but there was some hitch in the proceedings and a successful termination was not reached until Friday. The consideration is \$25,000 for 345 acres. The description is "all that part of the Roman Catholic Mission claim lying south of The Dalles and Sandy road, consisting of about 355 acres save and except a tract of land of about 9.29 acres situated in the northeast corner of said tract of land." The ranch will be known as Fruitland Park Addition to Dalles City.

At the same time these deeds were filed, a syndicate of The Dalles business men took over a 20-acre tract of the land bordering on the Sandy road and

SNAPSHOT OF INDIANA DEMOCRAT LIKELY TO BE ELECTED UNITED STATES SENATOR THIS WEEK.



JOHN W. KERN.

have platted it into building lots which they will sell with restrictions.

A. E. Rutherford, of Seattle, has reserved a five-acre tract, next the nine acres reserved for a home by Mr. Plock, and will build a fine bungalow on it and remove here with his wife to live. Mr. Rutherford is president of the company, W. L. Waters, a Seattle attorney, is secretary.

City property in The Dalles is rapidly increasing in value and there are many changes in ownership every day. New homes are being built in the south part of the city until it is scarcely to be recognized.

The building permits issued by the City Recorder in the last nine months total in value \$296,048. Sixty-five permits have been issued for residences, all of them to be occupied by the builders. \$1,585 have been spent in repairs and additions. The total of building permits for April was \$77,900; May \$54,610; June \$28,950; July \$47,450; August \$12,490; September \$17,550; October \$25,450; November \$13,125; December \$14,925.

CRAB PROTECTION URGED

California Crustaceans May Not Be Taken for Two Years.

SACRAMENTO, Cal., Jan. 1.—(Special.)—The State Fish and Game Commission has just handed its annual report to Governor Gillett. The report among other things recommends that no crabs be taken in California waters in two years.

The report shows that for the two years ending August 31, 1910, the total number of arrests made for violation of the game laws was 1773, as against 1192 for the preceding two years, showing a gain of 579. The total amount of fines imposed aggregate \$34,768. A conservative estimate of the total loss of the illegally-used nets destroyed is \$10,000.

As to game, upwards of 380 dozen ducks, 43 dozen quail, 14 dozen doves, 29 dozen non-game birds of different varieties, besides snipe, plover, gray squirrels and rabbits were seized and donated to different charities.

RAILROADS EARN HEAVILY

(Continued From First Page.)

\$1,000,000 in operating expenses for the same six months.

The following table shows total revenues from operation by railroads throughout the country during 1910 and a comparison of the same with the operating revenue of 1909:

	1909.	1910.
January.....	\$12,254,962	\$11,521,524
February.....	10,874,962	10,872,278
March.....	10,874,962	10,872,278
April.....	10,874,962	10,872,278
May.....	10,874,962	10,872,278
June.....	10,874,962	10,872,278
Half year.....	\$1,172,481,812	\$1,151,376,824
July.....	\$20,421,674	\$20,421,674
August.....	20,421,674	20,421,674
September.....	20,421,674	20,421,674
October.....	20,421,674	20,421,674
November.....	20,421,674	20,421,674
December.....	20,421,674	20,421,674
Half year.....	\$1,458,695,238	\$1,451,802,747
Twelve months.....	\$2,631,177,050	\$2,603,179,571

The following table shows the total operating expenses of the railroads of the country during 1910, a comparison of the same with data for 1909 and the operating ratio during those two years:

	Operating Expenses.	Ratio.
1909.	1910.	1910.
January.....	\$12,254,962	72.48
February.....	10,874,962	71.51
March.....	10,874,962	71.51
April.....	10,874,962	71.51
May.....	10,874,962	71.51
June.....	10,874,962	71.51
Half year.....	\$1,172,481,812	68.81
July.....	\$20,421,674	68.28
August.....	20,421,674	68.28
September.....	20,421,674	68.28
October.....	20,421,674	68.28
November.....	20,421,674	68.28
December.....	20,421,674	68.28
Half year.....	\$1,458,695,238	68.28
Twelve months.....	\$2,631,177,050	68.28

The following table shows the increases in net operating revenues during the months of the first half of 1910 and the decreases during each month of the last half of that period:

Month—	1909.	1910.	Increase.
January.....	\$5,491,807	\$5,491,807	\$0
February.....	4,812,122	4,812,122	\$0
March.....	4,812,122	4,812,122	\$0
April.....	4,812,122	4,812,122	\$0
May.....	4,812,122	4,812,122	\$0
June.....	4,812,122	4,812,122	\$0
Half year.....	\$371,562,685	\$371,562,685	\$0
July.....	\$7,456,197	\$7,456,197	\$0
August.....	7,456,197	7,456,197	\$0
September.....	7,456,197	7,456,197	\$0
October.....	7,456,197	7,456,197	\$0
November.....	7,456,197	7,456,197	\$0
December.....	7,456,197	7,456,197	\$0
Half year.....	\$371,562,685	\$371,562,685	\$0
Twelve months.....	\$7,456,197	\$7,456,197	\$0

*Increase.

KERN TO GET TOGETHER

Democratic Assemblymen of Indiana to Elect Him.

PLEDGE MADE PREVIOUSLY

Support of Him for United States

Senator One of Principal Issues of Hot Campaign in Hoosier State.

INDIANAPOLIS, Ind., Jan. 1.—If the

Democratic members of the Indiana General Assembly carry out the wishes of the party expressed at the state convention last Spring, John W. Kern will be chosen United States Senator by the Legislature which meets here next Tuesday.

Mr. Kern received the endorsement of the Democratic state convention over many other aspirants, and in the campaign which followed the Senatorship overshadowed all other issues.

The vote for Senator likely will be cast on January 27. The Democrats will have a majority of 90 on a joint ballot.

Mr. Kern was the leading candidate before the Legislature two years ago but was defeated by Benjamin F. Shively by a few votes. After the caucus, in a public statement, Mr. Kern asserted that eight members of the Legislature were bribed by the brewery combination to vote against him. He has twice been the Democratic candidate for Governor of the state and was the running mate of William J. Bryan in 1908.

There is no present opposition to Kern's election, and it is believed there will be none.

STRAY BULLET KILLS BOY

New Year Celebrator Thought to Have Fired Fatal Shot.

SALT LAKE CITY, Jan. 1.—Edward F. Barnes, 18 years old, was shot and killed early today as he stood on the sidewalk in the center of the business district. The shot was presumably fired by a New Year's celebrator. A few hours later J. H. Odekerk, who operates a taxicab, was arrested and placed in jail charged with the shooting.

According to the police, Odekerk admits having fired a revolver, but declares he fired in the air and says that so far as he knows it was not his shot that killed Barnes.

Alaskan Dog Race Postponed.

VALDEZ, Alaska, Jan. 1.—Heavy snow on the trail made it necessary to postpone the dog race to Wortman's roadhouse and return, scheduled for today. Snow began falling last night and the

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Dresses.....\$15.00 to \$ 42.50 now \$7.50 to \$ 21.25
Separate Skirts.....\$ 7.50 to \$ 25.00 now \$3.75 to \$ 12.50
Wraps and Gowns.....\$15.00 to \$200.00 now \$7.50 to \$100.00

Fur Coats.....\$45.00 to \$1250.00 now \$22.50 to \$625.00
Fur Neckpieces.....\$ 3.00 to \$200.00 now \$ 1.50 to \$100.00
Fur Stoles.....\$ 8.00 to \$550.00 now \$ 4.00 to \$275.00
Fur Muffs.....\$ 6.00 to \$450.00 now \$ 3.00 to \$225.00
Fur Lined Coats.....\$45.00 to \$65.00 now \$22.50 to \$ 32.50

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Regular 50c and 60c Women's Pants or Vests.....38c
Regular \$1.00 Women's Pants or Vests.....69c
Regular \$1.25 Women's Pants or Vests.....83c

Regular \$1.00 Women's Union Suits.....83c
Regular \$1.35 Women's Union Suits.....95c
Regular \$1.75 Women's Union Suits.....1.23
Regular \$2.50 Women's Union Suits.....1.68
Regular \$3.50 Women's Union Suits.....2.48
Reg. 25c Children's Vest or Pants.....19c

Reg. 50c Children's Vest or Pants.....38c
Reg. \$1 Children's Vest or Pants.....69c
Reg. 50c to 75c Children's Union Suits, at.....43c
Reg. \$1 and \$1.25 Children's Union Suits.....83c

WANTED—RAW FURS—SEND FOR PRICE LIST

CLUBMEN TO SWIM

San Francisco Athletes Will Now Take Winter Plunge.

FILMS WILL RECORD IT

Panama Exposition Will Take Moving Pictures of Olympic Club

Hike and Bathing as Advertisement of Climate.

SALEMAN GROWS RAPIDLY

City Orders Various Streets Improved and Extended.

TRUE DIRECTORY SOUGHT

County Officials May Have Taken Office Before Proper Time.

SALEM, Or., Jan. 1.—(Special.)—Whether some of the county officials throughout the state have taken office before their proper time to do so is being investigated by the Secretary of State for the purpose of making his new official directory accurate. His attention was first called to this possibility by a letter from the Lane County Clerk, which was signed by the old Clerk, but the letterhead bore the name of Stacy M. Russell, the newly-elected Clerk. This letter was dated December 30. On receipt of this Chief Clerk Corey has been investigating other reports sent in and finds that county officers are almost invariably repeating their terms as extending from 1910 until 1911.

Under an amendment to section 14, article 2, of the constitution, all officers but the Governor are to assume their new duties on the first Monday in January, 1911. Under the old law elections were held in June and the officers assumed their new duties on the first Monday in July, or the following month. The Chief Clerk is inclined to the opinion that a number of county officers may have gained the impression that the old rule would work under the new election law and that the officials would take office the following month after election, or the first Monday in December. Where there is any doubt left as to this, from the reports being received, a thorough investigation will be made to determine just what action has been taken by these various officials.

EX-OREGONIAN WILL WED

Daughter of R. B. Clairmont, to Be Clyde Manning's Bride.

CHICAGO, Jan. 1.—(Special.)—The engagement of Miss Gladys Clairmont, daughter of Robert B. Clairmont, of Mexico, to Clyde F. Manning, formerly of Portland, Or., now of Chicago, is announced. No date has been set for the wedding.

After their marriage Mr. and Mrs. Manning will make their home in Chicago.

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Emilio de Gogorza is one of the best-known baritones in America. His well-trained voice and artistic interpretations are quite familiar to concert-goers, and he sings a remarkable variety of music with admirable skill and unimpeachable good taste.

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