

THROUGH CHARMED BY OLD 'MACBETH'

Sothern and Marlowe Hold Vast Audience Entranced Throughout Tragedy.

WITH ORCHESTRA HIDDEN

Quick Action and Variety of Favorite Shakespearean Drama Pleases Multitude—Best Gathering at Hellig Is Attracted.

Table listing the cast of 'Macbeth' with names and roles.

LEONOR CASE BARR. Since the opening night at the Hellig Theater no assemblage of such magnitude and distinction has graced that auditorium as that gathered last evening to render tribute to the artists, Sothern and Marlowe, in Shakespeare's tragedy, 'Macbeth.'

The theater, from orchestra pit to farthest seat in the gallery, was packed with an intelligent and discriminating audience that was representative of Portland—representative of every sense of that much-abused word, every sense of that much-abused word.

Orchestra Is Hidden. The augmented orchestra, under direction of an especial leader, was screened from the audience by a curtain of rich velvet, griding the pit where the musicians were stationed.

Promptly at 8 o'clock the curtain rose and the proverbial pin could have been heard falling during the first or any of the scenes following. Never has there been a more appropriate audience in the Hellig, nor one more dignifiedly demonstrative in its appreciation.

Clearly this deep tragedy of Macbeth was a favorite of last night's assembly, as it is with the general run of audiences. Apart from its deeper interest there is the more obvious reason of its swiftness of action, of itself unusual in shaping and variety, depicting similarity in situation. The constant popularity of the play, its stage play accounts for the many and frequent oddities extant regarding it, both as a stage story and stage history.

Rapid Action Prevails. In itself 'Macbeth' is so profoundly a tragedy, with no lessening of the accumulating surge of tragic emotions save that accorded by the nerves and the witches, that the rapidity of the action, and its closeness, appear slightly pointed and might be regarded as necessary parts of the underlying attraction of the play. This is evident despite the assertion of a great many commentators who hold that the swiftness of action is wholly due to the play as we know it—an abbreviated acting form.

The Sothern-Marlowe production is one tremendous rush of theatrical interest and carries us on from the first line to the last. Its artistic fusion is of triumphant completeness. Macbeth, easily the most interesting hero in drama, in all imaginative literature, is so perfectly enacted by Mr. Sothern that in spite of the monstrous crimes of this blood-stained rascal, he never once loses our sympathy. The immense difficulty of Macbeth's character as an acting role is given unmistakably a vivid if not a masterly touch in his own words addressed to Macduff in the scene following the murder: 'Who can be wise, amazed, temperate and furious, loyal and neutral, in a moment?' In Mr. Sothern's reading and interpretation is discernible the same Macbeth through all his baffling variations and phases of mood and character. We find in Sothern's Macbeth the warrior element as strongly dominant as the last, asserting itself in a struggle to the death, as it was with his first entrance. The amazingly difficult feat of making of all these differences in the swift and stormy stage passing of Macbeth into a complete and harmonious whole is the wonderful thing Mr. Sothern does. Plainly he works the change from the heroic to the criminal to the master who strikes past and governs his one-time teacher, conveying these shades and variations of the mystery of Macbeth with the practical skill of a fine artist.

What many regarded as Mr. Sothern's greatest triumph was achieved in that trying and difficult part of the play, his address in soliloquy to the dagger. He welded together the warrior and poet, and we saw and heard the true Macbeth, seer of the vision, spearsman, slave, fighter and weakling. He gave full conveyance to the dramatic and poetical value of the lines and his every movement as he staked his life on the dagger carrier the sense of mysterious terror. Thrilling as well as gripping was the scene at and after the appearance of the ghost of Banquo, a splendid handling of a highly trying situation. Here particularly were the lines well spoken, the rush of emotions varying between fear, anger, anxiety and the final assumption of being 'a man again' were given with the fire of

TRUST TO DISSOLVE

Decision on Tobacco More Drastic Than Standard.

RULE OF REASON DEFENDED

Chief Justice White Makes Vigorous Reply to Judge Harlan—History of Trust Replete With Deeds of Illegality.

(Continued From First Page.) Last night the Chief Justice took up a consideration of the remedy to be applied. The Chief Justice declared that the relief must be wide, that what was deemed would arise to individual liberty and the public well-being from acts like those which these records exhibit which led the legislative mind to conceive and enact the anti-trust act, considerations which also serve so clearly to demonstrate that it is our plain duty to apply its prohibitions.

GREAT SHAKESPEAREAN STARS WHO OPENED ENGAGEMENT LAST NIGHT.



E.H. SOTHERN

of their by bending in this matter, his will to hers.

Her entire speech beginning "was the hope drunk" Miss Marlowe delivers as a whip, an incentive to awaken not to frighten her husband. The famous passage, "I have given suck," the actress reads with little or none of the charm and fragrance of womankind. Her Lady Macbeth is rather the ultra-womanly, who, having high breeding, is therefore a woman of fine sensibility. In all her scenes with Macbeth the affectionate side of her nature is evidenced. By her subtle art the actress conveys plainly, a commingling of a positive and very great love for Macbeth, with an equally positive and wholly pitiless resolution to push this ambition

only because that law will be given a more comprehensive application than has been affixed to it in any previous decision." He discussed whether the subsidiary companies should be dissolved or restrained, even after the combination had been broken and whether the American Tobacco Company would be still illegal after being stripped of its stock in the subsidiaries.

The Chief Justice then launched into a defense of the rule of reason law as laid down by the court in the Standard Oil case. He said: "In that case it was held that, as the statute had not defined the words 'restraint of trade,' it became necessary to construe them, and the court could only be discharged by a resort to reason. We say the doctrine thus stated was in accord with all the previous decisions of this court, despite the fact that the contrary view was sometimes erroneously attributed to some of the expressions used in two prior decisions of the court, the Freight Association and Joint Traffic case."

Case Replete With Lawlessness. Then the court took up the problem of determining whether the acts, contracts, combinations, etc., complained of in this case, were in fact within the prohibition of the law. On this point the Chief Justice said: "The history of the combination is replete with the doing of acts which it was the obvious purpose of the statute to forbid, and demonstrative of the purpose to work upon the domination and control of the tobacco trade, not by the mere exertion of the ordinary right to contract and to trade, but by methods devised in order to monopolize the trade by driving competition out of business, which were rightly carried out upon the assumption that to work upon the fear and play upon the cupidity of competitors would make success possible."

"We say these conclusions are inevitable, alone because of the vast amount of prestige acquired by the company; again, not alone because of the dominion and control over the trade which actually exists, but because we think the conclusion of wrongful purpose and illegal combination is overwhelmingly established by the following condition: "(A)—By the fact that the very first organization or combination was impelled by a previously existing fierce trade war, carried on by the public, more of the minds which brought about and became parties to that combination."

Monopoly Trust's Intention. "(B)—Because immediately after the combination and the increase of capital, which followed, the acts which ensued justify the inference that the intention existed to use the power of the combination as a vantage ground to further monopolize the trade in tobacco by means of trade conflicts devised to injure others, either by driving competitors out of business or compelling them to become parties to a combination—a purpose whose execution is illustrated by the plug war which ensued and its results, by the snuff war which followed and its results, and by the conflict which immediately followed the entry of the combination in England and the division of the world's business by the two foreign contracts which ensued."

"(C)—By the ever-present manifestation which is exhibited of a conscious wrongdoing by the form in which the various transactions were embodied from the beginning, ever changing but in every instance the same. Now, the organization of a new company, how the control exerted by the taking of stock in one or another, or in several, so as to obscure the result actually attained; nevertheless, uniform in their manifestations of the purpose to restrain others and to monopolize and retain power in the hands of the few who, it would seem from the beginning, contemplated the mastery of the trade which practically followed."

"(D)—By the gradual absorption of control over all the elements essential to the successful manufacture of tobacco products and placing such control

WASHINGTON, May 29.—Hearings on the anti-trust bill before the Senate Finance committee will be completed by Wednesday, it is expected. Representatives of the farming interests of South Dakota, who spent Friday and Saturday in opposing the bill, continued today.

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Legal Acts Done for Illegal Ends.

"(E)—By persistent expenditure of millions upon millions of dollars in buying legal plants, not for the purpose of utilizing but in order to close them up and render them useless for the purpose of trade.

"(F)—By constantly recurring stipulations, whose legally, isolated, we are not considering, by which numbers of persons, whether manufacturers, stockholders or employees, were required to bind themselves, generally for long periods, not to compete in the future.

"Indeed when the results of the undisputed facts which we have stated are considered and the results which they brought are considered, there comes inevitably to the mind the conviction that it was the danger of giving deemed would arise to individual liberty and the public well-being from acts like those which these records exhibit which led the legislative mind to conceive and enact the anti-trust act, considerations which also serve so clearly to demonstrate that it is our plain duty to apply its prohibitions."

Method of Relief Sought. In arriving at the proper relief the court said it had been guided by three dominant principles, the first of these being that the relief should be complete and efficacious effect to the decisions.

The second was described as the duty of "accomplishing this result with as little injury as possible to the general public."

The third was spoken of as a "proper regard for the vast interests of the private property which may have become vested in many persons as a result of the acquisition, either by way of stock ownership or otherwise, of interests in the tobacco business, and the duty of giving complete and efficacious effect to the decisions."

All Defendants Guilty. At the outset, he said, the court had concluded that the lower court clearly erred in dismissing the individual defendants, the United Cigar Stores Company, the Imperial Tobacco Company, the British-American Tobacco Company and their subsidiary corporations.

Hesitating to pronounce the decree, the court said that the case involved the question of the law which had been presented by the Sherman anti-trust act which had been before the court. One reason why it was so difficult to find a decree was because a mere decree forbidding the ownership by one part of the combination in another part would afford no adequate measure of relief, since different ingredients of the combination would remain unaffected and the very nature and character of their organization would be able to continue the wrongful situation.

The court said that because the methods of apparent ownership by which the wrongful intent was in part carried out and the subtle devices resorted to for the purpose of accomplishing the same, contemplated were of such a character that it was probably impossible to restore the prior lawful conditions.

Two Remedies Possible. Two general remedies, Chief Justice White said, might be resorted to. The first of these he described as the allowance of a permanent injunction restraining the combination from continuing to engage in interstate commerce until the illegal situation be cured. The second he had in mind was the appointment of a receiver. The Chief Justice said that the court did not think it could "now" direct the immediate application of either remedy.

"We so consider as to the first," he added, "because, in view of the extent of the combination, the vast field which it covers, the all-embracing character of its activities concerning tobacco and its products, to at once stay the movement in interstate commerce of the products of the combination, or to have interfering forces, produce or control, might inflict infinite injury upon public business generally by the enhancement of prices."

"The second because the extensive power which would result from at once resorting to a receivership might not do grievous injury to the public, but also cause widespread and possibly irreparable loss to many people."

At last he said that the decree should be as follows: "First—That the combination, in and of itself, as well as each and all of the elements composing it, whether corporate or individual, whether considered collectively or separately, be decreed to be in restraint of trade, and an attempt to monopolize and a monopoly within the first and second sections of the anti-trust act."

Concession to Settlers Proposed. OREGONIAN NEWS BUREAU, Washington, May 29.—Senator Bourne has introduced a bill extending the provisions of the enlarged home-

stead act to Oregon, without requiring an entryman of enlarged homesteads to live on the land, cultivation, not residence being the requirement for a patent.

Goldendale Delegates Twelve. GOLDENDALE, Wash., May 29.—(Special.)—Twelve delegates will go from Goldendale to Chehalis to attend the quarterly meeting of the Southwest Washington Development Association this week. They will take a small exhibit of apples. It is rather late in the season to make a large showing, but some varieties

of the late Winter apples are still in good shape.

NEW YORK, May 29.—Theodore Roosevelt was asked this afternoon at his home in Oyster Bay whether he would appear as a witness before the special House committee investigating the "steel trust." He sent word that he "had nothing to say."

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of itself, as well as each and all of the elements composing it, whether corporate or individual, whether considered collectively or separately, be decreed to be in restraint of trade, and an attempt to monopolize and a monopoly within the first and second sections of the anti-trust act.

"Second—That the court below, in order to give effective force to our decree in this regard, be directed to hear the parties, by evidence or otherwise, as it may be deemed proper, for the purpose of ascertaining and determining upon some plan or method of dividing the combination and of re-creating, out of the elements now composing it, a new condition, which shall be honestly in harmony with, and not repugnant to, the law."

Third—That for the accomplishment of these purposes, taking in view the difficulty of the situation, a period of six months is allowed from the receipt of our mandate, with leave, however, in the event, in the judgment of the court below, the necessities of the situation require, to extend such period to a further time not to exceed 90 days.

"Fourth—That in the event before the expiration of the period thus fixed, a condition of disintegration in harmony with the law is not brought about, either as the consequence of the action of the court in determining an issue on the subject or in accepting a plan agreed upon, it shall be the duty of the court, either by way of an injunction restraining the movement of the products of the combination in interstate or foreign commerce or by the appointment of a receiver, to give effect to the requirements of the statute."

Trust Not to Be Expanded. "Pending the bringing about of the result directed by the court, each and all of the defendants, individuals as well as corporations, are to be restrained from doing any act which might further extend or enlarge the power of the combination, by any means or device whatsoever."

"In view of the considerations we have stated, we leave the matter to the court below, to work out a compliance with the law without unnecessary injury to the public or the rights of private property."

"While in many substantial respects our conclusion is in accord with that reached by the court below, and while also the relief which we think should be awarded in some respects is coincident with that which the court granted, in order to prevent any complications and to clearly define the situation, we think, instead of affirming and modifying our decree, in view of the broad nature of our conclusions, it should be one of reversal and remanding the case to the court below, with directions to the court below to enter a decree in conformity with this opinion and to take such further steps as may be necessary to fully carry out the decisions which we have given. And it is so ordered."

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