

FIRM GOVERNOR IS ACCUSED AS TRUST

Theatrical Manager Declares in Suit That Injustice Is Being Done.

PORTLAND SHOWS SUFFER

Independent Movement Takes Form at Psychological Moment and Is Welcomed—Validity of Patents Is Questioned.

NEW YORK, July 16.—Alleging that 19 of the biggest film manufacturers had banded together to restrict trade and drive others out of the business, the Greater New York Film Company, headed by William Fox, has filed a suit in the United States District Court against the companies, charging they are a combination in restraint of trade.

The suit will be heard before a special examiner. "The suit of William Fox against the General Film Company," said Melvin G. Winstock, general manager of the People's Amusement Company, "on the ground that it is a trust and in restraint of trade, is an important one, and is a move that has been expected for a long time."

Wheels Revolve Within Wheels. "The Patents Company is composed of 19 film factories. This concern attempts to license the exchanges and also the distribution of the General Film Company is composed of the same 19 film factories, and this latter concern acts as a distributor. If you do not do as the Patents Company tells you, you can't run the stuff distributed by the General Film Company, and that is the little wheel within a wheel which almost every decent exchange in the United States was forced to sell out to the General Film Company. Having both these ends in control they now seek to get into the exhibitor's end of it by taxing him practically out of his profits by way of rentals, thus making every branch of the industry pay undue tribute to the picture trust."

Ever since this company has been buying out exchanges and, with the connivance of the Motion Picture Patents Company, threatening to cancel exchange licenses if the exchanges did not sell out to the trust at the trust's own price, it has been doing business in restraint of trade and the General Film, composed of the same men who own the Patents Company, has borne heavily and unjustly down on the exhibitors. Through alleged patents, the validity of which are questioned in the highest courts in the land, they have attempted to license or not license theaters, and they have put in force rules and regulations arrogating to themselves almost governmental powers.

Exclusive Use Demanded. "They have attempted to compel theaters to use their goods exclusively, and failure to comply with this rule meant an absolute withdrawal of their films. As far as our own People's Amusement Company is concerned, they have continually discriminated against us in programs and prices, and many times have given our smallest competitor a better program and a cheaper rate than we paid because we had to use their films in all of our theaters or none, for that was another of their rules, an exhibitor could not run their films in some houses and independent films in others."

The People's Amusement Company is the biggest single renter of films in the United States and though we have paid this trust nearly \$500,000 in film rentals since the organization of our company, we got no service for more than that of a man who had a theater in Goble and paid them \$20 a week.

"We have been awaiting an opportunity for a long time to go into the psychological moment arrived recently, when there occurred a break in the ranks of the independent distributors forces. We saw our opportunity to secure an exchange franchise, a few Portland men not officially connected with the People's, but some of whom owned stock therein, formed a corporation with a capital stock of \$50,000 and started an independent exchange under the name of the Film Supply Company of Oregon. It is the biggest customer was naturally the People's Amusement Company, but since the new exchange opened a few days ago applications for service have been coming in at a greater rate than even the company can possibly supply and there is no doubt whatever that the exchange will be a complete success."

Exhibitors Chafe Under Conditions. "There are few exhibitors in the land who do not chafe under the inequitable and unjust exactions of the General Film Company, and it only needed somebody with the courage and capital to lead the revolt. "As the general manager of the People's for more than a year I have been watching the quality of the films turned out by the independent factories, as has our board of directors, and they consent to the change of service for our company only when we were satisfied that the independent concerns were turning out just as good pictures as the trust. There is not an unprejudiced critic in the land who will not say that in many respects today the independent concerns are issuing and producing even better pictures and those which appeal more to the common people."

Mr. Fox will win in his suit, because his cause is just. There are good trusts and bad trusts, but a combination such as this, which seeks to throttle the very existence of the exhibitor, who does all the battling and struggling and who today has done wonders in fixing the high standard of this form of entertainment, should be either properly regulated or suppressed."

EIGHTY TEACHERS WIN

Multnomah County Folk Get Certificates of Instruction. SALEM, Or. July 16.—Announcement was made today by State Superintendent of Public Instruction Alderman that 80 teachers of Multnomah County were successful in passing the recent examinations.

Johnston, Lola E. Herald, Hulda M. G. Kehrl, Alice M. Wheeler, Lettie M. O. Bern, Lola McDonald, Stella A. Pennick, Margaret K. Shantin, Ida May Johnson, Alice B. McIntyre, Lynette Fitzwater, Clara Young, Lena Gilman, Jeannette Roberts, Lela Wilkins, Laura Thompson, Edith Bailey, Dorcas Ehdin, Alta Odell, Helen Grace Abbott, Alice Hughes, Mary Sunderland, Ethel N. Johnson, Pauline Elliott, Margaret Hammar, Mrs. Elsa Knowles, Dorothea Pike, Grace Frost, Katherine Fruman, Edna Mae Wolf, Esther Kate West, Althea Hambree, Eva M. Boldman, Florence Helen O'Brien, Adrianna McDermott, Beatrice D. O'Brien, Bertie Nell, Gladys Lanthers, Ada Ostfeld, Ethel Bryan, Laurence Bailey, Anna M. Green, R. H. Searle, Mrs. Mary Steineker, Bertha F. Arnold, Minnie B. Kearns, Flora McNeiven, Elizabeth Ganning, Elmer Ray Jones, George W. Metzger, Myrtle Jeffries, Grace E. Davies, Lola Parker, Helen McSullivan, Frances M. Hughes, Frances Potter, Bertha S. Stocks. Life certificates—Sister Teresa of the Cross, Margaret Borbone, Nettie Rankin.

MANIAC WILL BE TRIED

AUTHORITIES DETERMINED HE SHALL NOT BE FREED.

Otto Pence, Who Wounded Herman Emery, to Face Charge of Assault With Revolver.

Though admitted to be insane, Otto Ward Pence, who shot Herman P. Emery at the stage door of Pantheon theater yesterday, when the charge of making an assault with a dangerous weapon. This action was decided upon by Deputy District Attorney Fitzgerald yesterday, when steps were taken to have the man released from the County Jail, his victim being on the road to recovery.

"I am going to make good and sure that this man does not try to kill anyone else in Oregon," said the prosecutor. It had been proposed to turn the mental man back to the custody of the authorities at Stellacom Insane Asylum, but this action is opposed by the District Attorney. "What assurance have we that he will not be turned loose again, like he was before, and come back here to murder someone?" demanded Fitzgerald. Pence was released from the asylum two days before the assault, upon the representation that he would be taken back East, and his mother, who lives in Tacoma, gave a bond to insure this action. Instead, he came here, acquired an imaginary infatuation for a woman performer at the theater, and when denied admittance to the stage to see her, shot Emery as he tried to stop him. The wound was at first thought fatal, but Emery is now kept restrained as his condition demands.

JONES CASE IS PUZZLE

INJURED OAKS' CONCESSION-AIRE SAYS NOTHING.

Physician Thinks Spinal Injury Was Caused by Shock to Mental or Physical Condition.

The case of W. H. Jones, owner of the skating rink and of the "Old Mill" concession at the Oaks, who was paralyzed while swimming in the tank Monday night, is proving a puzzle to his physician, Dr. Frank M. Taylor. Cases of the kind are seldom encountered. Suddenly, without a moment of warning, Mr. Jones became paralyzed from the shoulders down.

Just what injury Jones sustained is now the object of inquiry. It was evidently the spine that was hurt, but if caused by coming in violent contact with any part of the tank, there are no marks to show it. Neither has Mr. Jones any recollection of such an occurrence. Mr. Jones leaped into the big tank Monday night, and that is all he remembers. He became helpless in the water, but he made no outcry, and no water, but he was seen by William Miller, an attaché of the bath house, Miller thought Jones was acting strangely, and rescued him as he was sinking the third time. Mr. Jones was taken to the Good Samaritan Hospital.

A severe shock caused by some mental or physical condition, is thought to be responsible for the injury to the spine, though another theory is that he may have bent his head too far down beneath him when he struck the water.

Mr. Jones is married, and lives at 624 1/2 Eighteenth street north. His recovery is doubtful.

MILITIA WILL COMPETE

AUGUST 12-15 DATE SET FOR RIFLE TOURNAMENT.

Oregon Bankers Have Donated Large Sum for Trophy to Be Shot for Under Special Rules.

The annual rifle and revolver competition of the Oregon National Guard will be held on the 12-15. A large number of prizes and medals will be given for the best shots. The commanding officer of each regiment will send a team of four men and one alternate, to be selected from the commissioned and non-commissioned officers. From each company of infantry, ambulance company and division of the Oregon Naval Militia a team of four men and one alternate will be chosen by the commander. It is required that all members of teams shall have performed 75 per cent of the military duty, such as parades, drills, encampments and other duties of a similar nature during the time they have been members of the organization. Reports from commanding officers are to be made to the office of Adjutant-General Finser not later than August 5, showing the names and rank of the members of the various teams. A prize of between \$500 and \$600, given by the bankers of Oregon, is announced by Colonel John M. Poorman, of the Third Infantry. This is to be named "The Bankers' Trophy" and will be shot for under rules and at a time to be announced later.

West Sanctions Extradition.

SALEM, Or. July 16.—(Special.)—Extradition papers were granted by the executive offices yesterday for S. E. Denzell, who is wanted in Portland for larceny of an automobile. He is now in Canada. This is the first international extradition which has been issued since Governor West took office. The machine was the property of the Pacific Auto Manufacturing Company.

SMITH RESIGNS TO COMMISSIONER OF CORPORATIONS

Will Cast Fortunes With New Third Party.

CONANT WILL GET PLACE

Retiring Official Said to Have Advised Colonel of Intended Move. Letter to Taft Discusses Issue Frankly.

WASHINGTON, July 16.—Herbert Knox Smith resigned today as Commissioner of Corporations to join the forces of Theodore Roosevelt and the new third party. He will probably be succeeded, in all probability, by Luther Conant, Jr., of Brooklyn, N. Y., the present Deputy Commissioner of Corporations, who is described as a distinctly Administration exponent. The change will become effective on the close of business Thursday, July 15.

Mr. Smith will go to New York for conference Friday with Colonel Roosevelt, when his political plans will be mapped out. He probably will take an active part in the campaign, but in the meantime, with particular reference to the Sherman anti-trust law. He admitted that he advised the ex-President of his contemplated action and tentatively discussed the future at his conference last week with Mr. Roosevelt. Mr. Smith declined to discuss his official relations with President Taft, although he added his silence was not necessarily to be interpreted as meaning that his official conduct had been restricted through a disagreement of ideas. A close personal friend of Colonel Roosevelt, Mr. Smith was a member of the "tennis cabinet" during the previous administration. His friends assert that the Commissioner was displeased by the publication in the pre-convention campaign of the International Harvester correspondence, in which Mr. Smith's letters to President Roosevelt against the prosecution of the corporation under the Sherman anti-trust law at that time figured prominently. In his letter of resignation Mr. Smith frankly advised President Taft of his intention to join the new party. He said: "I have the honor to offer hereby my resignation as Commissioner of Corporations in the Department of Commerce and Labor, to take effect at the close of business July 15, 1912. "I do so because I intend to support the progressive movement and the new progressive party. That movement includes the principles that I believe in, and that I have earnestly tried to further so far as I could during my term of Federal service. "I feel that the new party represents these principles more directly and with more promise and power of performance than either the Republican or Democratic parties. "I trust that you will pardon this expression of my personal views; it seems only courteous that I should state to you the reasons for my action. "I wish to retire from office as soon as practicable and I believe that by July 15 I can so close up my official work as to leave the work with no substantial lapse in its operation. "Mr. Conant, the probable new Commissioner, was born in Acton, Mass., 39 years ago. He was connected with the New York Journal of Commerce and Commercial Bulletin for years.

THIRD PARTY MEN BOLT

(Continued from First Page.)

of Equalization, saying he could not remain with the Republican party because he was a third party man; Dr. John Doyle, Twenty-first District, Springfield, a labor leader; Fred S. Wilbur, Twenty-second District, editor of an East St. Louis newspaper, who was defeated for a Congressional nomination at the primaries. Battle Lasts All Day. "The bolt" came after a full day of battling. It was preceded by verbal pyrotechnics which verged on the brink of physical demonstration. "Traitor" and "four-flusher" were common phrases. Walter Clyde Jones hurried out of the meeting room before the session was half over, declaring the meeting had been "packed by Deneen men," and that the third party state cause was hopeless. He did not return. Mr. Merriam refused point blank to sign the call. He made a speech in which he said he was "going back to the Republican party." He declared he had been induced to join the movement in the belief that a real third party—a real Republican party—was to be organized and that he had been mistaken. Julius Kespohl, after affixing his name to convention call, burst into a room where J. Medill McCormick, the conference chairman, was explaining to newspaper men what had happened. "Take my name off. I don't want it on any such document," he declared. "And name, too," came the voice of Fred S. Wilbur, of East St. Louis, who was searching for McCormick on the same errand. About that time Smith and Doyle came in on a like mission. They declared it was not a "real third party" and that they "were through."

Don't Blame Your Over Worked Stomach

When your stomach will not digest food, the worst thing you can do is to take a lot of digestive medicines. True, they give temporary relief, but your stomach is the sufferer. Loss of appetite, indigestion, dyspepsia and headaches can only be permanently relieved by removing the cause. In many cases, various remedies taken to relieve these conditions result in ruining the stomach and preventing it from digesting food in a natural way. If you want your stomach to do its own work properly, without resorting to artificial digestives or predigested foods, use Jayne's Tonic Vermifuge. Take small doses regularly, preferably before meals. In a little time your stomach will again do its own work and you will eat heartily, keep well and enjoy living. Jayne's Tonic Vermifuge is not a digester in itself, but it tones up the stomach and intestines, giving you all the nutrition and strength from the food you eat. Many forms of supposed indigestion are the result of intestinal parasites, for which Jayne's Tonic Vermifuge is unsurpassed. Insist on Jayne's, accept no other. Millions have praised it for more than eighty years. Sold by druggists everywhere. Dr. D. Jayne & Son, Philadelphia, Pa.

DEMOCRATS PLAN RALLY

Noisy, Enthusiastic Demonstration Due Tomorrow Night. Since the nomination of Governor Wilson at the Baltimore convention two weeks ago, Oregon Democrats have been accumulating large and noisy quantities of enthusiasm which will be released at the Armory tomorrow night, when the nomination of a National ticket will be ratified at a mass meeting of Democrats from all over the state. The programme at the Armory is scheduled to begin at 8 o'clock. The committee on arrangements had hoped to have Governor West as one of the speakers on this occasion, but he is en route to Boise, Idaho, and cannot attend. The principal speaker, however, will be John M. Gearin, ex-Democratic Senator. Others to address the meeting will be Dr. Harry Lane, Democratic nominee for United States Senator; C. E. S. Wood, Thomas O'Day and John H. Stevenson. Bert H. Haney, chairman of the Democratic

Premium on "REGULARITY"

President to Make Appointments for State Organizations. WASHINGTON, July 16.—With the semi-official announcement today that President Taft will appoint four Ohio Republicans to important Government posts in Washington, it became apparent that one of the first moves in the fight the Taft leaders are making for the President's re-election will be an attempt to strengthen their relations with the Republican state organizations throughout the country. Taft leaders said tonight that the

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Buy now and save much. Great reductions in the price of all Summer clothing and furnishings. Come with the crowds and take advantage of the many bargains on every hand. This is our regular, high-grade stock; everything is fresh and new—every reduction genuine.

Men's Suits Reduced \$11.35, \$13.35, \$15.35, \$16.65, \$20.00, \$23.35. Men's Pants Reduced \$2.65, \$3.00, \$3.25, \$3.75, \$4.50, \$5.25, \$5.65, \$5.95, \$6.25, \$7.50. Boys' Knicker Suits Reduced \$2.65, \$3.35, \$4.35, \$5.65, \$6.65, \$9.85. Boys' Knicker Pants Reduced 35c, 50c, 65c, 95c, \$1.25. All Russians, Sailors, and Norfolks at the same reductions. ONE-FOURTH OFF Blues, Blacks, and Full-Dress Suits. EXTRA! EXTRA! \$1.50 Shirts French cuffs with collar to match, 95¢. Underwear Reduced Garments that sold for \$1.00, at only 79c. Garments that sold for \$1.25, at only 85c. Garments that sold for \$1.50, at only 98c. Regular 50c Wash Ties, 35¢ 3 for \$1.00. Regular 25c Wash Ties, 3 for 50¢. Straw Hats Half Price Straws that sold for \$2.00, at only \$1.00. Straws that sold for \$3.00, at only \$1.50. Straws that sold for \$4.00, at only \$2.00. Straws that sold for \$5.00, at only \$2.50. All \$5.00 Panamas, now only \$3.50. All \$10.00 and \$12.50 Panamas, now only \$5.00. All Ladies' and Misses' Fancy Man-Tailored Suits HALF PRICE. All Our Ladies', Misses' and Girls' Wash Dresses. LEADING CLOTHIER MORRISON STREET AT FOURTH.

BEING SOLD

LEADING CLOTHIER MORRISON STREET AT FOURTH

third party would be fought through the Republican state organizations. The exercises at the Armory, which will include vocal selections by Mrs. Rose Courson-Reed, will be preceded by the initial street demonstration of the campaign by Democrats. The committee has engaged a band of many pieces, which will start from Sixth and Ankeny streets at 7:30 o'clock tomorrow night and parade through the principal business streets before arriving at the Armory 30 minutes later. The band will be followed by the members of the Progressive Democratic Young Men's Marching Club, which has been organized for the purpose of participating in all public functions during the campaign.

COMMISSION TO FIX PRICE OF ELECTRIC LIGHT

NO. 2. The new public utility law for Oregon to go into effect in November provides that: "The Commission SHALL DETERMINE AND BY ORDER FIX REASONABLE RATE or rates to be imposed, observed and followed in lieu of those found to be unjust, unreasonable, insufficient, or unjustly discriminatory or preferential." By virtue of the above clause of the State law, ample authority is given in the matter of determining what price is to be charged for electric light and power service. In fixing the rate, the first factor to be considered by the commissioners will be the interest charged upon the investment. To have two plants will necessarily double this charge, and thus prevent the lowering of the rate, which might take place if no duplication of investment existed. Every student of public utility knows that two companies in the field prevent efficient and satisfactory fixing of rates. Then if this is the case, why create an unnecessary burden upon the people of Portland by granting a franchise to another company to enter the field? PORTLAND RAILWAY, LIGHT & POWER COMPANY