

191.

constant or varied, according to nat-ural conditions. Can this testimony be minimized or dismissed by infer-

competition, but to compet testi-mony? The situation is indeed sin-gular and we may wonder at it, won-

der that the despotism of the corporation so baneful to the world in the representation of the government did

government's contention that the ac-ceptance of the corporation's prices is submission of impotence to irre-

Dissenting Opinion Charges "Open and Continued Violation of Sherman Anti-Trust Law."

U. S. PLACES "O. K.

(Continued From First Page.) emphasized by the majority who held direct and various and was reflected in prices and production. Its conten-tion is based on the asserted size and not oppressed competitors or d prices. That conduct of the oncern parallels the oil and todictated prices. bacco "trusts" was denied by the ma-jority, which declared the latter had been found guilty of illegal practices. while any illegalities of the steel com-bination's organization were "tran-sient in their purpose and effect" and since abandoned. Reference was made to the famous "Gary dinners," at which steel corporation officials met with competitors to agree on prices.

Size Is Held No Offense.

The government, the majority de-ared, was reduced to the solemn clared. contention that mere size, or bigness, of the organization "is an abhorrence to the law." Unused capacity for to the law." Unused capacity for monopoly or expression, the court held, is not punishable. The court's duty, it was declared, is to punish and

check any actual violations. In its enunciation of the new appli-cation to be given the Sherman law regarding public interest in each case, the court said: Other Paradoxes Found.

Action to the second se

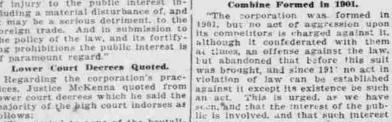
It cannot be disregarded, but only that appropriate relief in each instance is remitted to a court of equity to determine, not to advance a policy con-trary to that of the law, but in sub-mission to the law, and its policy, and in execution of both."

Majority Decision Contested.

Contesting the majority's interpre-tation of the law, the dissenters de-clared that if changes now are to be in its construction or operation. congress and not courts, should act. its subsidiaries, the dissenting opinion declared, were organized, "in plain violation" of the law and, under the Both the holding corporation and majority decree, are made immune. regulated when triumphant because "because of some public reasons re-The conclusions of Justice McKen-ma's opinion were: "We are unable to see that the pub-

We are unable to see that the pub-lic interest will be served by yielding to the contention of the government respecting the dissolution of the com-pany or the separation from it of some of its subsidiaries; and we do see in a contrary conclusion, a risk of injury to the public interest in-cluding a material dissurbance of and duding a material disturbance of, and foreign trade. And in submission to the policy of the law, and its fortifyof paramount regard."

tices, Justice McKenna quoted from najority of the high court indorses as





CITY WANTS CAR LINES OREGONIAN NEWS BUREAU.

Washington, March 1.-Bills grant ing permits for the construction o facoma Plans Adoption of Cleve land Rail System highway bridges across the Colum tion is based on the asserted size and dominance of the corporation—aliged power for evil. Competitors, it is said followed the corporation's prices be-cause they made money. Indeed the imitation is urged as an evidence of the corporation's power. "Competors, dealers and customers testify that no adventitious interfer-ence was employed either to fix or maintain prices and that they were constant or varied, according to nat-ural conditions. Can this testimony be minimized or dismissed by inferbia river in Washington and the Nes

he believed there was danger of per-mitting promoters to traffic in fran-chises. Representative Summers of sliding scale of fares. This franchise Washington explained that before he introduced the bill for the Pasco-Kennewick bridge he ascertained that the counties of Franklin and Benton,

in Washington, had already granted STRIKE VOTE IS TAKEN franchises.

Hawley Backs Up Measure. Electricians Favor Remaining Out Representative Hawley of Oregon, consor for the Nestucca river bill

on Phone Trouble. vindicated his measure in brief re-marks. Representative Mann, it was learned, was decided in his course by SAN FRANCISCO March 1 - The vote taken by locals of the Interna-tional Brotherhood of Electrical Workers on calling off the coastwide learned, was decided in his course by the recent discovery that many of the individuals who have been seeking bridge permits from congress are in-terested in bridge construction com-panies. Charles E. Huber, who ob-tains the Columbia river permit, it was brought out in testimony before the house interstate and foreign com-merce committee, is connected with a large bridge building concern in Seattle.

sistible power is, in view of the testi-mony of the competitors untenable.

"They deny restraint in any meas ure or llegal influence of any kind. The government, therefore, is re-duced to the assertion that the size date for the republican nomination for United States senator in Idaho, departed today for San Francisco, where he will receive his discharge of the corporation, the power it may have not exertion of the power, is an abhorrence to the law. To asfrom the army. He will then return to Idaho to open his campaign. In forwarding to the judge advocatesent to that, to what extremes would be led? Competition consists of busi-ness activity and ability-they make general his approval of Captain Con-ner's application for discharge, Colo-nel Read, chief of the military jus-number Portland lyceum course. tice division of the judge advocate's office, wrote:

Letter Lands Ability. "I still indulge the hope that this splendid officer and able lawyer may not be permitted to leave the service paternalism the government's con is for the betterment of poultry rais-in board to be intervent in the mili-icer with his record, who has made so many, and such substantial, sacri-fices for the government, will be de-nied the recognition best shown by a promotion splendidly earned and Captain Connect.

Captain Conner's home is at Sand Point, Idaho.

FARMER WILL NOT SIGN Contract Offered by Association Doesn't Satisfy Him.



We have done it! at either of our two restaurants-is a good habit to form. Good food, good cooking, good service, good company and pleasant surroundings-will benefit you; and your presence impresses the visitor within our gates in a way that benefits Imperial Hotel Phil matuhangs The High Prices of Shoes

1920

Our Store Opens at 9 A. M.

Agents for the Butterick Pat-

terns and Delineator-all styles

and sizes now showing.

Through a Very Fortunate and Unprecedented Purchase of 5000 Pairs of Men's and Women's High-Grade Shoes 1/3 to 1/2 Less Regular Factory Prices! True to this store's policy, our patrons are now to profit by the True to this store's policy, our partons are arranged to place \$5.85 same extraordinary saving—We have arranged to place \$5.85 the entire assortment on sale at one price.....

"The Store That

Undersells Because

It Sells for Cash"

Just think of it! The styles and makes are the best! For instance:

The Makes—

Are well known and thoroughly reliable-Regal, Holters, Bradley & Donovan, Creighton and others equally as well known. The Styles— Up-to-the-Minute new spring mod-

els. Two-tone, Nu-Buck, Suede, Patent, Vici-Kid, Black, Gray and shades of Tan and Brown.

Our Store Closes 5:30 P. M.

Mail Orders receive our Prompt

and Careful Attention the Same

Day as Received.

Footwear for street, for dress and for evening wear in all sizes and widths. You have choice from Shoes. Oxfords and Pumps in styles with low, military and French heels-hand-turned, McKay and Goodyear welt soles. They come in black vici kid, gray kid, black suede, gray nu-back, brown calf, brown kid and patent leathers. The assortment includes more than fifty different styles in factory samples, floor stock and cancellations. We are confident that your own good judgment will prompt you to purchase for both present and future needs-with Easter and the new spring season close at hand this is indeed a most opportune sale.

ed, the vote was unanimously in favor Captain Albert H. Conner, candi- of remaining on strike. IDA M. TARBELL.

sents America's famous author and journalist, auditorium, Tuesday even-

Poultry School Conducted.

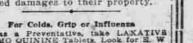
THE DALLES. Or., March 1 .- (Special.)-The Mosier poultry school is in progress today at Mosier under the auspices of the Wasco County Poultry mers judgment stand. The plaintiffs asked for \$975 from the county for alleged damages to their property.

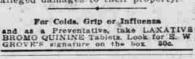
THE DALLES, Or., March 1-(Special.)-Opposition to the proposed onding of Wasco county for \$400,000

that in daylight planes have alighted successfully on the flats back of Granddalles. Judgment for \$1 Affirmed.

turning motor and the cutting of an

THE DALLES, Or., March 1 .- (Spe THE DALLES, Or., March L-(Spe-cial.)-The appeal of James G. and Bertha Snipes in the circuit court from a decision rendered by the Wasco county court giving them a judgment of \$1 in payment for prop-erty condemned on right of way pro-cedure was not sustained by the cir-cuit court, which ruled that the for-mere judgment stand. The plaintiffs







Ellison-White Lyceum bureau pre-

reported visits of midnight planes and local well-kept stocks; it is certain

the town.

aerial propellor may be distinctly heard. Vague rumors of outpost lights to guide the heavenly riders on their nocturnal visitations are being circu-lated. Coincident with this it is said that certain circles of the city are kept well supplied with liquors. Resi-dents are wondering what possible connection there may be between the

"It resorted to none of the brutair "It resorted to none of the brutair ties or tyrannies that the cases illus-trate of other combinations. It did not secure freight rebates; it did not increase its profits by reducing the competitors nor complaints by cus-tomers-how can it be worked out of the set of the competitors and through what propincrease its profits by reducing the wages of its employes—whatever it did was not at the expense of labor; it did not increase its profits by lowering the quality of its products, nor create an artificial scarcity of them; it did not oppress or coerce its competitors—its competition, though vigorous, was fair; it did not under-sell its competitors in some localities sell its competitors in some localities by reducing its prices there below sell its competition where, or re-quiring its customers to enter into contracts limiting their purchases or did not obtain customers by secret re-bates or departures from its pub-lished prices; there was no evidence that it attempted to crush its com-that it attempted to crush its comthat it attempted to crush its com-petitors or drive them out of the mar-ket, nor did it take customers from its competitors by unfair means, and its competition it seemed to make no difference between large and small means at the statute, and therefore, illegal, and be-cume a continually operating force competitors. Indeed, it is said that instead of relying upon its own power to fix and maintain prices, the corporation, at its very beginning.

bers." Lower Court is Upheid, The dissenting opinion of Justice Day, concurred in by Justices Pitney and Clark, declared: others.

Lower Court Is Upheld,

Justice McKenna observed that the lower federal court was unanimous

and through the social form of un-ners, all of them, it may be violations of the law, but transient in their pur-pose and effect. They were scat-tered from 1961 (the year of the for-mation of the corporation) until 1911, but, after instances of success and follows were abandoned nine months failure, were abandoned nine months before this suit was brought. There is no evidence the abandonment was in prophesy of or dread of suit; and

in prophesy of or dread of suit; and the allegal practices have not been resumed, nor is there any evidence of an intention to resume them and certainly 'no dangerous probability' of their resumption. It is our con-clusion, therefore, as it was that of poration violated the law in its for-mation and by its immediate prac-tices. The power thus obtained from the fullity, from operation of forces not understood or were underestinot understood or were underesti-mated and the case is not peculiar.

Roosevelt's Approval Recalled. "What, then, can now be urged against the corporations? Can com-parisons in other regards be made with its competitors and by such comwith its competitors and by such com-parisons guilty or innocent existence be assigned it? It is greater in size and productive power than any com-petitors, equal or nearly equal to them all, but its power over prices was not and is not commensurate with its power to produce.

with its power to produce. "It is true there is some testimony tending to show that the corporation had such power, but there was also testimony and a course of action tending strongly to the contrary." Regarding acquisition of the Ten-messee Coal & Iron company, Justice McKenna said: "It was submitted to President Roosevelt and he gave it his approval. His approval did not make it legal, but it gave assurance of its legality, as we know he would resident Roosevelt and he gave it. Is approval. His approval did not nake it legal, but it gave assurance f its legality, as we know he would ave approved of nothing that had wen a tendency to its detriment. And f its legality, as we know he would

SPOKANE, Wash., Mar. 1 .- (Spe-

cial.)--"I will not sign the contract sent out by the Washington wheat Growers' association. I do not pur-Growers' association. I do not pur-pose to sign up my wheat crops for the next six years, giving them into the hands of men we do not yet know, under the provision that these men can give me back returns or not, just as they please." This is the statement made today by E. J. Doneen, president of the Whitman County Farmers' union and an extensive wheat grower. "I do not think many of the farm-ers of Whitman will sign the con-

ers of Whitman will sign the con-tract put out by the Wheat Grow-ers," stated Mr. Doneen. "I am not do not give up going to fight the proposition as far as other farmers are concerned. I am simply asking them to study a few of the points of the contract and then decide for themselves. I know I will not sign the contract."

came a continually operating force with the possession of power unlaw-fully obtained." FLIER READY FOR START Dissenting Opinion Given.

Aviator Hopes to Make Tacoma-in 12 Hours broken sleep, stomach trouble, nerv-San Diego Run in 12 Hours.

the "This record seems to leave no ous fair room for a doubt that the de-was fendants, the United States Steel cor-TACOMA, Wash., March 1.—Major Albert D. Smith, United States army aviator, is still at Camp Lewis today.

In the opinion that no monopoly was achieved. "And such is our deduction," have a submission to unushe to several subsidiary poration and the several subsidiary analytic opporations, which make up that or analytic and the against monopoly that the statute is directed, not against an expectation of it, but against its realization, were formed in violation of the Sherman act. I am unable to an Pravisce to make his contemplated non-stop flight to San Diego. The major, who recently flew from the dissolution of the bill instead of following the dissolution of combinations made in direct violation of the law. Therefore, was not achieved have a childer and the law. The gave with the conclusions of the law, but transient in the social form of the meetings and through the social form of the meetings and through the social form of the form the law. The gave of the form the form the social form of the form the law. The gave of the social form of the meetings and through the social form of the form the form of the gave of the social form of the form the form the law. The conclusions of the social form of the form the form the form of the form of the form the form the form the form of the form the form

"Those judges found that the con-stitutent companies of the steel cor-poration, nine in number, were them-selves combinations of steel manu-(Continued From First Page.) alive. I didn't know what a good night's sleep was and feit tired out whon morning came. I aliso suffered from headaches and fainting spells. factures and the effect of the or-ganization of these combinations was to give a control over the industry at least equal to that theretofore pos-sossed by the constituent companies and their subsidiaries.

in the history of corporate organiza-tion in this country. "These facts established, as it seems to me they are by the record, it fol-lows that if the Sherman act is to be

given efficiency, there must be a de-cree undoing so far as is possible that which has been achieved in open, no-torious and conlinued violation of its provisions Justice Day said the Sherman law

had been a law for 30 years and if changes were to be made now in its construction or operation, the exer-tion of such authority rested with congress and not with the courts.

Standard Oll Case Cited.

ime for \$100,000 and lay a yearly i-mill tax which will raise more than

\$100.000 each year. This, they claim, will, with state aid, keep up a definite road programme.

Mystery Plane Suspected.

THE DALLES, Or., March 1 .- (Spe-cial.)-Residents of the city report the humming of mysterious motors, evidently coming from the direction of Grand Dalles and sometimes directly overhead. At night it is said that occasionally the buzz of a rapidly

THOMPSON S Deep-Curve Lenaes Are Better. (Trademark Registered THE SIGN OF PERFECT SERVICE thoroughly experienco optometrists for the examina-ion and adjustments, skilled workmen to construct the enses—a concentrated serv-other guarantees depend able glasses at reasonab --HOPE OF HEALTH @ rices Complete Lens Grinding Factory on the Premises SAVE YOUR EYES There are many women who have been invalids or semi-invalids so long that they accept their condition as a **THOMPSON** (6 OPTICAL INSTITUTE ousness, headacnes and weakness so long that they have given up hope of enjoying good health. In many cases the illness began in childhood or early

"Laxative Bromo

Quinine Tablets"

6. M. Grove

LEARN TO DANCE

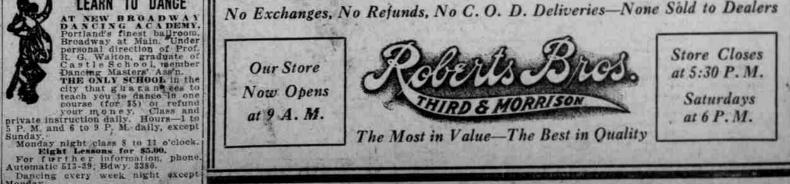
45H

Mr. Woods, our shoe buyer, who personally secured these shoes during his recent visit to the Eastern shoe markets, is authority for the statement that this sale offers

"The most sensational savings on up-to-the-minute shoes—Oxfords and Pumps -of any shoe sale ever announced in this city-Values are simply amazing, as you will agree when you visit the store and see for yourself."

Our large double window display will give you a good idea of the styles and values. Most respectfully we urge you to attend this sale early-early in the week and early in the day, if possible. It is a shoe sale that will be the talk of the town. Don't miss it.

No Exchanges, No Refunds, No C. O. D. Deliveries-None Sold to Dealers

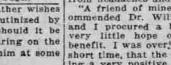


3

Portland's Largest, Most Mod-ern, Best Equipped, Exclusive Optical Establishment. FIFTH AND MORRISON. Since 1908.

209-10-11 CORBETT BLDG. *****





near future date. Suggestions will be welcomed by the mayor from any one wishing to submit them and serious considera-tion will be given, as he is eager now that the old ordinance is to be builts until my nerves were strong and builts d to heve all features of the the combination of resources almost unlimited in the aggregation of com-peting organizations, had within its control the domination of the trade, and the ability to fix prices and re-strain the free flow of commerce upon a scale heretofore unapproached in the bistory of corporate organiza-

perience but from that of my mother, who has taken the pills on my advice and has been benefited. I have also

One thing which has always been bothersome is the manner of viewing films under the present ordinance and tonic."

films under the present ordinance and Mayor Baker intends to investigate this, with a view to remedying it, if possible. Only volunteer viewers are now employed and there is no specific system by which their work is done. It is largely a matter of judgment and one viewer may object to a film which another would see no harm in which another would see no harm in which another would see no harm in

points of large numbers of volun-