

JAIL THE TRUST WILL NOT RAISE LAWYERS' FEES

Government About to Go After the Brains as Well as the Body.

STATUS AS COUNSEL GIVES NO IMMUNITY

When They Willfully Advise Breach of Known Law They Become Criminals and Are Answerable as Such, Say Authorities.

(Washington Bureau of The Journal.)
Washington, July 19.—Another bomb may be thrown into the camp of the trusts by the federal government by the announcement that prosecutions are to be started against lawyers who have aided in the formation of combinations in restraint of trade. Incidentally this action would produce consternation among the members of the legal fraternity, many of whom have been party to illegal trust transactions, according to an official high up in the government service.

Heretofore counsel employed by trust managers has been immune from prosecution. No hints have been given that it was the intention to raise the question of their standing before the criminal courts. In late years the operations of the larger concerns have been carried on largely by high priced lawyers who were expected to take an active part in the business life of the corporation, to devise ways and means whereby desired ends could be attained and to assist in the management of the trust. The function of the retained counsel has been broadened from the one-time mere advice as to law points to the actual execution of the acts.

Trusts' Deal Makers.
Confessing to a certain extent that the government's campaign against trusts has been abortive, the administration has been extremely desirous of accomplishing something effective, to actually put a stop to the operations of some combination in restraint of trade. Putting in jail the big men who are at the head of the trusts, the government which are proven to be illegal has been thought to be one means towards that end, and now it is contemplated to include the lawyers in the number of those who may be imprisoned.

Discussing the matter, one of the attaches of the department of justice in a witty important capacity, today said: "The government holds that no good reason exists for permitting members of the legal profession to continue to assist in forming and conducting illegal combinations, under cover of their plea that they are merely performing professional duties. The law plainly is against such procedure by lawyers. Already a case has been decided by a federal judge in which he held that the government's contention was that a lawyer could not come into court and plead immunity from prosecution or freedom from duty as a matter of course, on the ground that his relationship is confidential and privileged."

Courts Have Spoken Plainly.
The official when taken down a number of law reports and traced out a line of authorities to support his position. "Here," he said, "is an authority, 'Underhill on Evidence,' section 174, page 154, which states: 'Communications or acts arising out of conspiracy to defraud in which both attorney and client participate are not privileged.'"

"That means, and the court held that it did, that the attorney may not validly plead to the court that his act was that of a lawyer and cannot be charged against him as a criminal act."

"Here is another: 'If attorney and client enter into a conspiracy to violate the law neither should be allowed to conceal the unlawful purpose under the cloak of professional privilege. There is no confidence as to the disclosure of inquiry.' (Jones on the Law of Evidence.)"

Not Counsel, but a Criminal.
"And still another court decision in the case of O'Brien vs. Spalding, 101 Georgia, 490: 'The relation of attorney and client cannot exist for the purpose of concealing a crime.' If the attorney assists the lawyer with reference to the perpetration of a crime, and they both cooperate in effecting it, there is no privilege, for the attorney has assumed the duty to assist in crime—he ceases to be counsel and becomes a criminal."

"I could cite you a long line of decisions which carry out these here given. The law plainly is that lawyers cannot assist in forming illegal trusts and escape punishment if it be proven that they performed the act. To adopt this policy—prosecuting the counsel of trusts proven to be illegal—will perhaps do more to break up the combinations than anything else. It would be impossible for the capitalists to accomplish the merging of different corporations in a big trust without the aid of their counsel. The financiers could not proceed beyond the verbal utterance of a desire to accomplish it, if it is the lawyers who carry out the plans, and, indeed, often even originate them."

"I expect to witness the announcement before long of the government's vigorous policy of prosecuting the lawyers who have been engaged in forming illegal trust companies, and I expect that will throw demoralization into the ranks of those whom the government has been after."

The Disbarment Cure.
"Still another means of breaking up such participation of lawyers in illegal trust-forming probably will be to ask their disbarment from practice in the federal courts. It will be shown that the lawyer has assisted in violating the law, and that it would be necessary only to show that he has done so, to procure his disbarment."

"I myself, the department of justice officials conclude, believe that the only real profession left to move to higher ground than that which it has occupied in late years. It has become so common for lawyers to take a personal cleanliness of life to accept retainers from corporation managers who hire them simply that they might have the advantage of their superior ability in the law in accomplishing ends which are inhibited by law. This is non-ethical. It is more than that—it is criminal and should be frowned on."

Case of Senator Borah.
"If it be true, as all admit, that to put a few trust magnates in jail would do much toward inspiring the business and commercial and transportation magnates with respect for law, certainly it would do much more to same end to imprison a few eminent lawyers who have been just as much guilty as the trust magnates themselves."

A few weeks ago the federal grand jury of Idaho voted an indictment against United States Senator W. E. Borah on exactly the ground laid down by the official herein quoted—that he was guilty of conspiracy to defraud the company and as such took part in illegal acts in connection with land transactions. The indictment was returned because Senator Borah was attorney for the state of Idaho in the Hayden case, but will be acted on so that as the trial of the labor men has ended.

Through Sleeping Car Service to Jamestown Exposition.
Erie railroad has inaugurated through sleeping car service to Jamestown every night at 9:30 p. m., arriving at Norfolk second morning at 8:30. No changes necessary. For full information apply to agent or write G. M. Craig, P. O. Seattle.

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Midsummer Sale Domestic and French Lingerie

Special prices on all of our superb stock of French Lingerie for this sale only. Extraordinary bargains in Domestic Underwear, many of which are not advertised. Special bargains in Gowns not advertised.

- \$1.25 Cambric Petticoats 98c**
White Cambric Petticoats, made of good quality cambric with deep, full flounce, cluster of hemstitched tucks and under dust ruffle.
- 50c Cambric Cor. Covers 35c**
Women's Cambric Corset Covers, made of good cambric, lace edge and insertion, beading and ribbon.
- \$1.50 Nainsook Corset Covers, 98c**
Corset Covers, made of fine nainsook, daintily trimmed with fine lace, some in yoke effects, beading and ribbon.
- \$1.50 Cambric Petticoats \$1.19**
White Cambric Petticoats, made of extra quality cambric; deep flounce, with fine hemstitched tucks; others with cluster tucks and embroidery trimming.
- \$1 Nainsook Cor. Covers 75c**
Nainsook Corset Covers, of extra quality nainsook, trimmed with lace and insertion back and front; ribbon and beading.
- \$3 Cambric Petticoats \$2.23**
White cambric Petticoats, made of good quality cambric; flare flounce, with lace edging and three insertions; others with embroidery and insertion trimming.
- \$2 Corset Covers for \$1.58**
Corset Covers of extra fine quality nainsook trimmed with Point de Paris, Cluny and German Val. laces and insertions, beading and ribbon.
- Cambric Drawers for 29c Pair**
Cambric Drawers, with deep tucked ruffle, exceptionally good value.
- Popular New "Isabelle" Drawers**
Popular new "Isabelle" Drawers, extra wide skirt effect, perfect fit, no fullness around waist line; made of fine nainsook; daintily trimmed.



A Big Sensational Monday Sale of \$5.00 Lingerie Waists at \$1.95

Special Monday, 300 beautiful and novel Lingerie Waists, made of extra quality lawns, in various styles, daintily embroidered, others with clusters of tucking alternating with panels of embroidery. A very pleasing style has yoke of Valenciennes lace insertion and lace and embroidery front. Lace trimmed collars and cuffs, popular three-quarter sleeves. A waist bargain no woman can afford to miss. Regular \$5.00 values. **\$1.95**

NONE ON APPROVAL—NONE C. O. D.

75 White Linen Walking Skirts

Sold Regularly up to **\$9 Sale Price \$2.95**

For Monday sale we offer 75 tailor-made Wash Skirts of pure linen and union linen in this season's favored plain tailored styles, hardly any two alike—Strapped, plaited, band, embroidered or plain effects in greatest variety. All are cut with a generous fullness and stylish flare. Ideal for the warm July and August days—smart, stylish, cool. Sold regularly to \$9. Be early in the morning and get your choice **\$2.95**

See Corner Window Display—No Phone Orders—None on Approval—None C. O. D.

\$3.00 for \$1.00 The Marion Harland Cook Book, always sold at \$2.00; newest edition, bound in washable cloth, and a year's subscription to The Home Magazine, regularly \$1.00—all for \$1.00.

50c Boxed Stationery for 23c
Box of Scotch Fabric Writing Paper, finest linen finish, latest shape, with envelopes to match; 50c values for **23c**

Heatherbloom Taffeta Petticoats

100 Heatherbloom Taffeta Petticoats, black only, made with deep tucked flounce with a ruffle shirred through the center. They can be washed and retain all their beautiful luster and surpassing finish. They have the delicate swish and rustle so desirable. They never crack; cost half as much as silk; wear twice as long; 4 times better. For this reason they are much worn on outings and vacations where a high priced petticoat can be easily ruined. Most extraordinary value Monday at **\$1.95**



CLOVER CULTURE IS AN OREGON SUCCESS

(Special Dispatch to The Journal.)
Brownsville, Or., July 20.—Linn county farmers during the last two years have been experimenting with clover raising as a forage and also a hay crop. It is being very successfully grown around Albany, Lebanon and Brownsville. The clover is considered past the experimental stage. Heretofore it was thought it could not be grown, or at least was too expensive to the farmer, but now it is being raised in large quantities and is well manured; but a few practical farmers have taken it upon themselves to prove that clover can be successfully grown here as in the eastern states. Vetch and rape, have heretofore been the main forage crops, but now clover is being raised in large quantities and will crowd out other grasses as a forage.

A farmer near Brownsville, Charles Leatherman, grows two crops of clover during the summer. The first crop is cut for hay and the second, which is cut about the first of August, is threshed. The crop cut for hay is about as heavy as vetch hay. This gives him two crops of the same piece of ground, while the average farmer gets only one, and this is not all. The clover, when it builds up the soil, so that other crops will yield at least one third more to the acre.

The third year Mr. Leatherman pastures the clover, and by the fourth year the ground is in excellent shape for raising wheat, having been rested three years.

This farmer has obtained such good results from clover that he expects others will follow his lead, and next year several farmers in the Brownsville vicinity will each have several acres sown to clover, and the rest of all crops for the up-to-date farmer.

REVOLUTIONIZE LOGANBERRIES

Fruit Drying Experiments Prove a Success in the Willamette Valley.

(Special Dispatch to The Journal.)
Salem, July 20.—What promises to revolutionize the growing of loganberries in this section has just been brought to the attention of the growers of the Brooks, Lake Labish and Clear Lake neighborhoods. It is nothing but the drying or evaporating of the loganberries, and that process of preparing the fruit for market may yet solve the problem of possible overproduction and of marketing at non-remunerative prices. When some weeks ago the loganberries became so cheap on account of the overproduction on the Portland market, local growers lost heart for the time being, in an industry which is destined to become very important and to bring thousands of dollars into this valley. While thus despairing of coming out even in the production of their crops some of the fruitmen of Brooks took some of their berries to Dayton in Yamhill county to have them dried. When properly dried and packed the evaporated loganberry is said to command a price of 25 cents per pound, which would guarantee to the growers a quotation of \$1.25 to \$1.50 per crate, which the growers consider remunerative.

Need a fresh new straw hat? Special sale—Robinson & Co. See page 47.

Another Big Summer "Owl" Drug Sale

Big special values for Monday. Some drug stores may copy these items later in the week, but—remember—we sell ALL drugs and toilet articles at low cut prices at ALL times.

- 50c Welch's Grape Juice for 41c
- 15c Bicarbonate of Soda for 4c
- 50c Cream of Tartar, 1 lb. for 33c
- 7c package Casarea Bark, Owl cut rate, 3 for 19c
- 75c Henderson's Dyspepsia Cure, Owl cut rate, 10c
- 35c Lithia Tablets, 3-gr., Owl cut rate, 19c
- Allcock's Porous Plasters at 10c
- 2 Boxes Mandrake Liver Pills, 25c
- \$1 Physician's Rubber Gloves 35c

- \$1.00 Shoop's Restorative, Owl cut rate, 67c
- 25c Violent Ammonia, Owl cut rate, 10c
- 50c Henderson's Liquid Shampoo, Owl cut rate, 29c
- \$1.00 Henderson's Dandruff Cure, Owl cut rate, 49c

- \$2 Dupuy's Pennyroyal Pills 39c
- \$1.00 Bottle Wine of Cardui for 59c
- 50c Thespian Cold Cream for 41c
- 25c Sun Cholera Cure, Owl cut rate, 18c
- \$1.00 Pierce's Golden Medical Discovery, Owl cut rate, 75c
- 25c bottle Rose Water, Owl cut rate, 17c

- Societe Hygienic Soap for 32c
- 50c Dr. Charles' Flesh Food, 43c
- 50c Palmer's Perfumes for 35c
- Bradley's Woodland Violet Talcum Powder, 15c
- 25c Vanishing Oriental Talcum Powder, Owl cut rate, 10c
- \$1.00 Celluloid and Rubber Combs, Owl cut rate, 75c

- Fairy Soap, 1 Dozen Bars for 45c
- Woodbury's Facial Soap for 16c
- 25c Resinol Soap, Special for 17c
- 50c Daggert & Ramsdell Cream, Owl cut rate, 29c
- 25c Pond's Extract Cold Cream, Owl cut rate, 18c
- 50c Satin Skin Cream, Owl cut rate, 19c
- De Laria's Cold Cream, Owl cut rate, 25c
- Rubber Bathing Caps and Traveling Cases at lowest prices.

BOSTON PHONE CO.
Enter Field With \$5,000,000 System Against Trust, Backed by Hartman. (Special by Leased Wire, the Longest in the World.)
Boston, June 9.—E. H. Harriman has entered the local telephone field by offering to back an independent company against the trust. He has guaranteed \$5,000,000 to insure the installation of an independent system in this city. In a very few weeks it is probable the new company will decide upon its system and the work of installing an exchange of about 1,000 subscribers will be begun.—San Francisco Examiner.

BIG WHEAT YIELD IN WHITMAN COUNTY
(Special Dispatch to The Journal.)
Garfield, Wash., July 20.—Several farmers began harvest work on a small scale this week, but by next Tuesday the hum of the binder will be heard in every part of the great Palouse wheat belt. The Palouse country will have a full crop this season and the quality will be excellent.

Money in Berries.
(Special Dispatch to The Journal.)
Weston, Or., July 20.—W. H. Gould has two acres of berries on the Weston mountain, and when the season ends he will have sold nearly 200 crates, besides using much of the crop for his own use. He has sold his berries at an average of \$3 a crate, making about \$400 gross for the two acres, as against a cash expense of only \$15.

Original Styles.
Exclusive Scotch and English wools. Holbrook & Levens, Couch block.

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Directly on the beach, overlooking the ocean. Hot salt baths and surf bathing. Recreation pier for fishing. Sun parlor, electric lights, fireplace and furnace heat. Fine walks and drives. Sea food a specialty. Rates, \$2.50 and \$3.00 per day. SPECIAL RATES BY THE WEEK. DAN J. MOORE, Prop.

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Single rooms or en suite. Superior ocean view. Electric lights and all modern conveniences. Strictly fireproof. Connected with the city. On Street from Union and Third and Foreman doors. Rates \$1.00 to \$2.00 per day. DAN J. MOORE, Prop.