

### TRUSTS ON TRIAL IN CRUCIAL CASE IN HIGHEST COURT

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made objections to portions of the decision. It was his contention that the petition filed by the government should not have been dismissed by the court as concerning the individuals, and that the court wrongfully dismissed the petition as to the Imperial Tobacco company and the British-American Tobacco company and domestic corporations controlled by the latter, on the ground that every act done in pursuance of the contracts effected between English and American companies in September, 1902, within the United States should have been declared unlawful. Further it was contended by Mr. Wickersham that the government's petition as to the alleged participation of the United Cigar Stores company should not have been dismissed by the lower court. And finally, he declared, the decree of the court was incomplete in that the defendants were not adjudged parties to unlawful contracts and conspiracies.

**Three Days for Arguments.**  
As was the case last year, when the argument was heard before, the court has decided to permit the attorneys three whole days in which to present their arguments. Usually the court limits the hearing of a case to two hours, divided equally between opposing counsel, but in view of the magnitude of the case, an unusual length of time was granted in the tobacco case.

**Filed on the Bench in Front of the Justices** was a formidable array of documents, mute evidence of the complexity of the case. The record alone fills two fat volumes of 300 pages each. The government's brief is spread over 320 closely printed pages. The two briefs of the attorneys for the trust are compressed into two volumes of 200 pages each. A copy of each of these documents was before each justice.

The justices paid the closest attention to the arguments, making copious notes as the attorneys proceeded. Occasionally a question from the bench interrupted the speaker and some special point was elucidated.

### HISTORY OF TOBACCO TRUST AND THE SUIT FOR ITS DISSOLUTION

Washington, Jan. 6.—The Tobacco trust suit was brought by the government against the American Tobacco company, its officers, directors, and affiliated corporations, for the purpose of seeking to prevent and restrain monopolies in tobacco and related commodities, alleged to be conducted in violation of the Sherman anti-trust law and certain provisions of the Wilson tariff act. Originally the suit was filed by the government in the United States circuit court for the southern district of New York, July 10, 1907. In May, 1908, it was argued before Circuit Judges Lacombe, Cox, Noyes and Ward. November 7, 1908, the court handed down its decision, three judges concurring and one dissenting. The decision dismissed the petition as to the individual defendants, the United Cigar Stores company, the Imperial Tobacco company and the British-American Tobacco company and its subsidiaries, but adjudged the other defendants parties to combination in restraint of trade and enjoined them; adjudged the American Cigar company, the American Snuff company and MacAndrews & Forbes unlawful combinations, and enjoined them from interstate commerce.

**Shareholding Companies Enjoined.**  
It also adjudged the American Tobacco company, the American Snuff company, the American Cigar company, the P. Lorillard Co., the R. J. Reynolds Tobacco company, Blackwell's Durham Tobacco company and the Conley Puff company as holding shares in corporations of the alleged trust, and enjoined them from acquiring tobacco plants or business or voting shares of and exercising control over the issuing companies. It further enjoined the issuing companies from permitting control, one of another, through ownership of stocks.

**Neither Party Satisfied.**  
As the Tobacco trust case went to the United States supreme court, it consisted of two cases. One was that of the government, appellant, vs. the American Tobacco company and others, and the other that of the American Tobacco company and others, appellant, vs. the government. Neither the government nor the American Tobacco company was satisfied with the decision of the circuit court for the Southern district of New York, though the decision on the whole was a decided victory for the government.

Attorney General Wickersham, reviewing the findings of the New York court,

decades, beating down its rivals, is one of the romances of American industrial history. It was done, in the language of Attorney General Wickersham, by "durses and wicked and unfair methods."

**"Combination but No Monopoly."**  
To this charge, however, the American Tobacco company took exception, as well as to other charges against it in restraint of trade and monopoly. It admitted the organization of various companies, the purchase by them of plants and businesses, and the general unification of tobacco interests through consolidations and acquisitions of stock. Strong denial, however, was made of any intent on the part of the American Tobacco company to destroy competition, or to acquire a monopoly of the tobacco business of the United States or Great Britain. It was declared that no purchase was made to remove the competition of another brand of tobacco other than the American Tobacco company was selling, but that factories and businesses were bought for investment, with a view of their present and ultimate profitability, all, it was stated, being permitted by state laws where the various corporations known as the American Tobacco company were incorporated.

**It was further declared in court that the various companies, a majority of whose stock is held by some other company are either conducted as branches of the owner, the separate organization being preserved for trade purposes, or that they are managed by minority stockholders and are controlled by and in active competition with the owning companies, and with each other, and that interstate and foreign commerce consequently has not been restrained or monopolized.**

**Succession of Postponements.**  
On February 1, 1909, a motion was made by the government in the United States supreme court to advance the case for hearing. Argument was set for October 11, 1909, and on that date the case was rescheduled for hearing December 13, 1909. Owing to the large number of cases before the court, the case was again assigned for January 3, 1910, when it was laid before the court. In the following April the court of its own motion restored the case to the docket to be reargued. The cases then went over until the fall of 1910.

The deaths of Justice Brewer and Chief Justice Fuller and the resignation of Justice Moody caused another postponement of the case until the president could fill the vacancies. Justice Harlan, acting as chief justice, announced that the supreme court would

hear the arguments in the case on January 3, 1911.  
It is doubtful if there has been a case before the court since the Northern Securities case in which more intense interest has been manifested in business and financial circles. On the decision and financial circles. On the decision in this case, and that of the Standard Oil case, depends to a great extent the course of the federal government with respect to prosecutions of alleged illegal corporations, and the course of congress with respect to legislation for the control of all corporations.

### ROBIN LEADER OF WEEK-END REVELS OF EXTREME TYPE

(Continued from Page One.)

house cost more than \$300,000. Robin entertained week end parties there in splendid and elaborate manner. Charles Janichen, former manager of the estate, said today that Robin frequently brought automobile parties out on Saturdays, these guests remaining until the following Monday.

**Revels in Snow and Surf.**  
"The usual Saturday night crowd consisted of 10 persons," said Janichen. "The women were usually chorus girls. After dinner there was generally dancing that ended some time Sunday. Usually when the dancing was over the women were standing on the tables and trying to kick the chandeliers."  
"In the winter snow dances were a feature of the parties. A big phonograph was placed on the porch and to its music the revelers, each with a glass of wine, tried to dance in the snow."  
In the summer, Janichen said, there were water dances in the surf, at which the "costumes usually were negative." Janichen and Frank Santos, present

manager of the estate, say that Charles F. Murphy, Tammany leader, was one of a number of prominent politicians who visited the Manor.  
Shortly before the November elections Santos said, Murphy was there and would not leave the revels and return to New York until his presence in the city was imperative.  
**Driftwood Manor Described.**  
Driftwood Manor is a house containing 22 rooms. There are nine bedrooms, each provided with a bath. The floor is like a club, with an enormous hall opening on the dining room, where there is an immense open fireplace. In the basement are a billiard room, bowling alleys and three wine cellars, each with a capacity of 10,000 quarts. The cellars were always kept filled.  
The house is half a mile from the road. Artificial mounds, the work of a landscape gardener, hide the house from view from the road. The manager of the estate was ordered to use a shotgun to keep away trespassers.  
There was a pathetic scene in the district attorney's office yesterday when Robin repudiated relationship with Herman Robnolovitch and his aged wife, who claimed the ex-banker as their son. Robin turned a deaf ear to endearing terms lavished on him by the gray haired foreigners. Dr. Louise Robnolovitch, the accused man's sister, declared her parents were in Russia.

**Clatskanie Paper Expanded.**  
(Special Dispatch to The Journal.)  
Clatskanie, Or., Jan. 6.—With this issue the Clatskanie Chief has added a city editor to its editorial staff. Mrs. Phyllis M. Van Ness, who has assisted in this work for some time, being chosen to fill the position.  
The rapid growth of the paper during the past three months made this addition necessary to give the editor more time for developing the different departments of the Chief.

### PLAY WITH GUN; ONE BOY SHOT; MAY LIVE

(Special Dispatch to The Journal.)

Roseburg, Or., Jan. 6.—The second accident to happen in this city within a month, wherein a boy was shot while playing with a gun, occurred in this city Wednesday evening, when Clyde Wallace, a 13-year-old boy, was shot through the right breast by a .22-calibre rifle. The boy injured in the first accident died three days later, but young Wallace has an even chance for recovery.  
The injured boy, his older brother, and another boy were attempting to load the rifle, which was old and did not operate easily. Clyde was standing in a stooping position directly over the muzzle of the rifle, as the other two boys were inserting a cartridge in the breach. As the lever of the weapon was thrown into place it brought down the hammer and discharged the cartridge. The bullet struck him in the breast and ploughed straight through, lodging under the shoulder blade.

**LEWIS COUNTY FARMER WINS CAPITAL PRIZE**  
(Special Dispatch to The Journal.)  
Centralla, Wash., Jan. 6.—It has remained for a well known Lewis county farmer to win the prize of an eastern firm for the largest crop raised on the smallest site of land. The prize is 60 acres of farm land in Wisconsin, and the winner is Theodore Harms of Salakum, who has received a deed for the

property on his furnishing proof of raising 224 bushels of oats to the acre. Mr. Harms is selling out his eastern prize and claims it will take a much larger prize than 60 acres to lure him away from the state of Washington.

**Want Freight Rates Readjusted.**  
Pittsburg, Pa., Jan. 6.—Representatives of the vast coal, coke and iron interests of Ohio, W. Va., western Pennsylvania and several of the neighboring states are gathering in Pittsburg in readiness for the meeting tomorrow to inaugurate a campaign for the adjustment of freight rates in the Pittsburg district.

**Make the Liver Do its Duty**  
Nine times in ten when the liver is right the stomach and bowels are right.  
**CARTER'S LITTLE LIVER PILLS**  
Gently but firmly compel a lazy liver to do its duty.  
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- Werner Piano . Regular Price \$335, Discounted \$110
- Knight & Brinkerhoff Piano Regular Price \$350, Discounted \$100
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- Bush & Lane Player, Regular Price \$850, Discounted \$150

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