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"PATENT TRUST" GIVEN SET BACK BY SUPREME COURT IN BAUER CASE HATRED OF WORK GIVEN

Patentees Cannot Fix the Retail Price at Which Articles Shall Be Sold,

(United Press Leased Wire.)

Washington, May 26 .- Freeing the public to a great extent from paying extortionate charges for patented articles, the United States supreme court today sapped the strength of patent monopolies by holding that patentees have no right to fix arbitrary retail prices for their products.

In the test case brought before it the court decided that retailers who cut the price set by a patentee had committed no infringement of patent. This case was one in which Bauer & Co., a patent medicine firm, sued James O'Donnell, a Washington druggist

Whether patentees may force dealers to retail their products at any fixed decree was squarely raised in this case. The District of Columbia court of appeals could not decide the case and deception by men, cheap dance halls and passed it along to the supreme court. a hatred of work" O'Donnell was sued by the Bauer company for alleged patent infringement because he cut prices on their product O'Donnell had bought his supplies from a wholesaler and not direct from the patentee, and contended, therefore, that he could disregard the license sale re-striction and sell the drugs for any price he desired—or even give them He declared that, once having sold and delivered their goods to the wholesaler, the patentee could not claim any further dominion over the property. Resale prices, he contended, could not

be dictated by the patentee. Manufacturers seeking to establish their "patent monopoly" contended that the patent laws give them the exclusive right to sell their products and absolute court. control of retail prices regardless of

lives. It is not believed that Burns will rebuild the pavilion. Warrants were issued here today for

Washington, May 26. - Real estate Burns, Billy McCarney, McCarty's managents here will not get rich on their ager, Referee Ed W. Smith of Chicago and trainers and attendants, on orders commissions for renting homes to President Wilson's cabinet members. from the attorney general at Edmonton, Vice President Marshall has refused It is understood that Pelkey's prelim-inary hearing on a charge of man-slaughter will be postponed to await the result of the coroner's inquest. to pay more than \$1800 yearly rental. 'I intend to live within my income,' Marshall said today, "and I cannot do it if I pay big rental."

Secretary of the Navy Daniels, Secsetary of Labor Wilson and Secretary of Commerce Redfield also believe \$2000 year is sufficient fr a cabinet officer to spend for rent.

(United Press Leased Wire.

Secretary of State Bryan has rented Welter. AS ONE CAUSE OF EVIL a house which is to cost \$4000 a year, but this is necessary, it is said, because he has to do considerable enter-

ley. The president withdrew the nominataining. Real estate men here claim cabinet tion of Joseph Davies, of Wisconsin, to officers should pay from \$10,000 to be commissioner of corporations because

for entertaining cannot be rented for the confirmation of the senate in making lionaire meas, packers, among them for Louis Swift, Edward Cudahy Jr., and less. this appointment.

By Herbert Corey. New York, May 26 .- Valdemar Stefansson and his men will leave New York this week to spend the next three or FEDERAL APPRAISER four years in the Arctic regions. They are as unemotional and placid about it as though they were going to Jersey

City. "If you do not hear from us in three (United Press Leased Wire.) Washington, May 16 .-- President Wilor four years do not worry," said Mr. Stefansson. "The chances are that we will be all right. It isn't always possison today sent to the senate the follow- Stefansson. ing nominations: To be appraiser of merchandise for ble to do things in a hurry up there-but it is usually possible to do them if the district of Portland, Or .- George you know how.'

Mr. Stefansson will be at the head io be collector of internal revenue for of the most important scientific exthe district of Montana-William Whapedition-as distinguished from an exploring expedition-that ever entered polar regions. In several respects it will be unique. Its aim is more comprehensive than that of any of its predecessors. It is the largest purely sci-(Continued on Page Seventeen.)

UNLIMITED RESOURCE! THE

PORTLAND GENEROSIT

GUAKANIFFN

Heusner Franchise Measure to Be Voted On Objected to by Rental "Joker."

Their suspicions allayed for a time by ordy promises, voters are now making

inquiries as to the real rights and privileges that will be granted Mr. Heusner if his self-written franchise passes June and as a result opposition to it is rapidly mounting.

For one thing, residents of the Peninsula district, who hoped a new line would give them better car service, have discovered that the franchise as published does not contain a guarantee of 15 minute service, a pledge that was made part of the original franchise. They would be compelled to take whatever service was offered.

Citizens in all districts have learned that no provision for the payment of rental for the use of the new Broadway bridge has been incorporated in Mr. Heusner's franchise under the initiative, and that the franchise, if adopted, would give the promoter an absolute right to operate an entire train of cars through the east side, across the Broadway bridge and up Broadway if he so desired.

Amount \$43,500 Less.

such a privilege, which could For result in converting lower Broadway into a freight yard if taken advantage (Continued on Page Two.)

Reverses Decision on Case From Yakima Project.

(United Press Lessed Wire.) Washington, May 26 .- The cost of operation and maintenance of govern-ment irrigation projects, until fully paid for by homesteaders and transferred to Be Voted On Objected to by Peninsula Citizens; Bridge Bental "loker" supreme court. The decision reverses the ruling of the lower courts.

Justice Lamar read the decision of the court. It said:

"Congress provided that persons who take up Indian lands must pay for maintenance and operation, and gress, by passing laws subsequent to the irrigation law in 1902, showed that it intended that beneficiaries of land improvements must pay for maintenance and cost of operation."

Oliver P. Morton of the United States reclamation service in Portland says that the decision of the supreme court settles for all times the contention that has been made to the effect that the government had no right to collect maintenance and operation charges for irrigation projects in addition to the orig-

inal building charges. While the dispatch from Washington is not clear on the matter, it is be-lieved that the decision will also include private land owners. The case grew out of an injunction suit of Baker vs. Swigert, supervising engineer at the Yakima project. Baker attempted to restrain Swigert from making further operation charges, on the claim that there was no provision for making these collections. The case was tried before the United States court of appeals in San Francisco, and Baker was sus-

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Park Bond Measure Proposes an Issue of \$2,000,000 for City Park and Playground Ends; Two Ordinances Revoking Franchises of Railroads Will Be Submitted to People: Claim S. P. Has Violated Terms.

tunity in advance to become acquainted with the several initiative measures and charter amendments upon which he will be asked to pass at Monday's election. The Journal continues its discussion of them.]

The voters are asked to pass upon a \$2,000,000 bond issue for the acquisition and improvement of parks and playgrounds. A similar proposition was re-jected by the voters last November largely through a misunderstanding of the needs of the city.

Portland now possesses 650 acres of parks, 53 acres of play space and eight public playgrounds. A conservative es-timate based upon the ratio of park Umate based upon the ratio of park acreage to population shows the pres-ant need of 2000 acres of parks, 200 acres of play space and 15 additional playgrounds. By way of comparison it is noted that Scattle has at present 1803 acres of parks, Tacoma, 1200 acres. Vancouver, B. C., 1200 acres, Spokans nearly 3000 acres, and Los Angeles near-ly 4000 acres.

Two salient reasons why the bond is-

[In order to give the voter an oppor-] sue is urged at the present time are the fast increasing value of property and the opportunities for social betterment afforded by parks.

Residence property had increased in value from 225 per cent to 300 per cent in 10 years. The population of the city for the same period has increased 128,2 per cent. These increases in popula-tion and property values suggest greater increases in future.

The social betterment feature parks and playgrounds is emphasis parks and playgrounds is emphasized by the fact that at present the city's recreation facilities include 415 as-loons open 313 days per year; 353 pool and billard halls open 365 days per year; 67 motion picture, shows open 365 days per year, and eight recreation and play places open 90 days per year. One million dollars was voted for park purposes in 1907. This sum have been expended in part as follows: The acquisition of 75 acres in mouth Port-land, 15 acres in Hellwood, 5 press to Kenilworth, 170 scress in Mc Tuber for which 35 aures was provided by the

which 35 acres was pr

(Continued on Page film

day to appear this afternoon before the state senate white slave and starvation committee wage probers to discuss wage conditions in the packing house district. where thousands of women and girls are employed. J. Ogden Armour, head of the beef trust, is in Europe and could not be reached. Opposition to the theory that low

(United Press Leased Wire.) Chicago, 111., May 26.—Several mil-

Arthur Meeker, were subpenaed here to-

wages is connected with the delinquency of women was pressed before the committee today by Professor Graham Taylor, a member of the recent Chicago vice commission. He said that of 1105 cases investigated by the commission, only 189 girls laid their downfall to poverty or low wages. He asserted that the pre-"licensed" sale price the patentee may valence of the social evil is largely due to "bad family conditions, too strict home discipline, misplaced affections,

ANTHRACITE COAL TRUST GETS BODY BLOW

thracite coal trust received a hard blow in the United States district court here today when that tribunal entered a de-

The decree perpetually enjoins anthrahow many hands the products pass cite coal carrying railroads and mining through. Today's case differed from companies from monopolizing trade unthe court's recent monopoly decision in der the so-called "65 per cent contract." the famous "Dick mimeograph" case, in The decree also dismisses the governthat there the court was called upon to ment suits brought in 1910 against a decide whether patentees could restrict dozen coal companies and railroads, exthe use of their patented machines to cept to find that the 65 per cent consuch auxiliary supplies as they them-selves made on a royalty basis. tracts violate the terms of the Sherman

No Mystery About Preferential Voting

Do you understand how to mark your ballot next Monday? If you do not, turn to page 4 of The Journal for a concise explanation.

Have you been told that preferential voting is difficult? Study the marked sample ballots and see how easy it is. Do you want to make your ballot worth 100 per cent? The explanation and marked sample ballots will aid you. Do you wish to avoid having any portion or all of your otes thrown out?

The marked sample ballots show how carelessness may invalidate all your first choices, all or part of your second choices, or your entire votes on city officers.

Read the article on page 4.

