



Tobacco Trust
Fishes for Boys

Once Hooked, a Youth is
Its Prey for Life

(Dearborn Independent)

Billboards over the country are angling for the boy. They want him to do his cigarette-smoking early. Statistics show that if a boy begins smoking before he is twenty he will likely be a good customer for tobacco stores during the remainder of his life.

The only purpose of all tobacco advertising is to stimulate a desire for smoking in the non-smoker, and, since no mature non-smoker can possibly be influenced by either the pictures or the assertions of this tobacco advertising, it is clear that it is aimed directly and solely at the boy.

A law making it a misdemeanor to display anywhere, in any way, shape or form, an advertisement of cigarettes would kill the cigarette business in ten years. Incidentally it would kill the prestige which the tobacco trust now enjoys with the press, and that in itself would be a fatal blow to the poisonous business of beguiling boys into doping themselves with nicotine.

The Minnesota High School Athletic association has the following rule:

"He (the contestant) shall use no tobacco nor intoxicating liquor during any part of the school year."

The North Dakota High School Athletic association followed suit with the following rule:

"No student shall be able to participate in any league contest who uses tobacco."

The rule against tobacco in the Kansas State High School Athletic association is as follows:

"No student who uses tobacco in any form during the season of a sport shall be declared eligible to compete in high school athletic contests in that sport."

Court Upholds Sale
of German Patents

Praises Their Use for Benefit of America

Wilmington, Del.—In a sixty-two page decision which swept away every one of the Government's major contentions as being without basis in fact or law, Federal Judge Hugh M. Morris dismissed its suit to set aside the sale of seized chemical and dye patents by the Alien Property Custodian to the Chemical Foundation, Inc.

The decision rebuked the Government for including in the bill of complaint a series of conspiracy charges unsupported by evidence at the trial and refuted by the defense as well as by documents filed by the Government.

In declining to compel the Foundation to restore the disputed patents, numbering some 4,700 and bought for \$271,000, from the Government, Judge Morris held there was no evidence bearing out allegation of a conspiracy by American manufacturers to effect a monopoly through the Foundation. The court ruled that there was no evidence of fraud or deceit practiced on President Wilson, Mr. Polk, Under Secretary of State, Attorney General Palmer and other high officials of that Administration.

Garvan's Course Upheld

The opinion praised Francis P. Garvan, president of the Foundation, and its trustees, as having met the most severe of tests in their conduct of the Foundation—"the test of actual trial." They were declared by the court to afford, through their high integrity and unquestioned patriotism, a thorough assurance of loyalty to their trust. "It has kept the faith," said the court of the Foundation's work.

Judge Morris found without merit the Government's contention that the criminal laws were violated in that Mr. Garvan, as Alien Property Custodian and thereby a public trustee, sold to himself as president of the Foundation the patents in question. He had acted by direction of President Wilson and his acts, supervised by the President under the latter's wide war powers granted by Congress, could not be brought to court. Congress had not delegated legislative powers to President Wilson, as maintained by the plaintiff, and the courts could not pass judgment on the wisdom or lack of wisdom of Presidential war acts.

Judge Morris recited that although Colonel Thomas R. Miller, present Custodian, who had approved two of the sales involved, verified the complaint, in his testimony he admitted that he could not have been withheld and suppressed from him.

"In view of this testimony and the obvious fact that the power to charge persons with fraud and conspiracy is a weapon with which serious irreparable injury may be done to innocent persons if such charges are lightly made, it is difficult to understand why the specific charges in which the foregoing testimony relates were made," wrote the court. "Yet the remaining like charges were equally lacking in evidential support. In fact, at the argument, the plaintiff seemed no longer to press these charges against the persons alleged to be conspirators, but it sought to have the charges sustained as against the officers of the Government who formulated and carried out in the public interest the plan of sale. . . . While I know of no case where by application of law the duty of clearing itself from imputed fraud rests upon the defendant, yet the defendant has met even this burden."

Holds Wilson Had Full Power

While the Trading With the Enemy Act at first merely authorized custodianship of German properties in this country, it was later amended, recalled the Court, to give power of sale under such conditions as the President, in the public interest, should determine upon. In effect, this made the President, as agent of the nation, possessed of powers as broad as though he were absolute owner of the seized properties. Under the provisions of the act, the President was empowered to make any conditions of sale he considered necessary in the circumstances.

The sales in dispute were not made by the Custodian in his capacity as a common-law trustee, but under the extraordinary powers devolving upon him as the President's representative, under the additional sections of the act. "Because a trustee with only the usual powers may not ordinarily sell trust property at private sale for less than its fair monetary value, it by no means follows that the Custodian, acting under supervision and direction of the President, may not do so," held the Court. "Obviously, the primary purpose of the act was the protection of the nation, not the benefit of the enemy. The trust was for the benefit of the nation—a public, not a private trust. The statute requires the President to consider the public interest. Public interest is not a synonym for money."

In this relation Judge Morris quoted from President Coolidge's message to Congress on the Muscle Shoals problem, that "while the price is an important element, there is another consideration even more compelling."

"If this main object (low-priced nitrates for farmers in peace and the Government in war) is accomplished, the amount of money received for the property is not a primary or major consideration."

Referring to German-owned property, the court said:

"Much of this property was not innocently held or held solely for trade and commerce. Information acquired by German-owned companies had been transmitted to Berlin, and there indexed and made available to German competitors and the German Government. The files of one company were filled not with business papers, but with pan-German literature. It was a distribution centre for propaganda in this country."

Upholds Confiscation of Patents

Judge Morris pointed out that when America entered the war she adhered to the international convention forbidding poison gas, "but it soon became apparent that America would be fighting on disastrously unequal terms unless she should make use of all the dread weapons being used against her by the foe. When Germany persisted in her attempts to destroy her opponents with poison gas in contravention of all international agreements, she made it manifest that America's future safety lay in America's chemical independence. The amendment to the act was passed in the darkest days of the war (allowing the sale of seized properties). It was thought Paris was about to fall and the Channel ports be taken." These were the circumstances, said the opinion, "which impelled Congress to grant the President the broad powers of almost absolute ownership. It was the intent of Congress to subordinate mere property rights to the welfare of the nation."

Of the value of the patents sold, Judge Morris held, in accordance with the testimony, that while Dr. Carl Holderman, a German, asserted the Haber patents were worth \$17,000,000 to the Germans, "the evidence is overwhelming that they were and are without substantial affirmative value to American citizens. Had these patents been sold to Americans at public rather than private sale and only the net proceeds paid to their former enemy owners these owners would have suffered an almost total loss in the value of their property."

Praises Work of Foundation

As to allegations that the sale was not to obtain a fair value, but to promote the interests of the chemical and dye industries and that the transaction was in legal effect granting a subsidy to private industry, the Court commented, "this challenge to the motives of the officers making the sale is supported, I think, neither by the facts nor the law. Mr. Polk determined the public interest would be best served by a wide use of the inventions covered by the patents. If the property was sold under terms and conditions that assured its being devoted to the public use it matters not what benefits or detriments may have flowed as incidents therefrom."

"The property is in the keeping of men who have in its management no selfish interest to serve and whose de-

...votion to the public interest has been established," continued the opinion. "No better plan for devoting the property to public use has been suggested. The plan has stood the most severe of all tests—actual trial. The defendant has kept the faith. This it has done, not only by granting licenses in furtherance of the purposes for which it was chartered, but also at its great expense, by distribution of books and pamphlets showing the national necessity for practical development of chemical science in America. If, perchance, those heretofore engaged in the industries have derived an incidental advantage from the plan, that incidental result cannot invalidate a transaction lawfully consummated in the public interest. The same charge would lie against the validity of every tariff act. . . ."

The sale was in effect to America and its citizens, not to those then engaged in chemical and allied industries." Judge Morris ruled that if the executives entrusted by Congress with power of sale acted within the scope of that power "their acts are not subject to judicial nullification or review. Invasion by the courts to determine whether the public interest required the property be sold otherwise than under the statutory conditions prescribed and to set aside the sale should the judgment of the court be different from that of the President would be a judicial nullification not only of the President's act but also of the act of Congress conferring on the President the power to determine what the public interests required. What the public interest requires depends upon the conditions existing in the nation. Courts do not understand the 'state of the Union' and as I apprehend, are not equipped to ascertain it. . . . The statement of the reasons actuating the President does not make his act any the less an act of discretion. It is conceded the President cannot be brought into court to substantiate his reasons. The statute does not require him to disclose to the purchaser the evidence upon which his reasons were based. The statute does not limit the Executive in the assignment of reasons to such as may be supported by legal evidence or by facts available to the public."

With the High School Classics

By MARGARET BOYD

(© by Margaret Boyd.)

"But when I tell him he hates flatterers, He says he does, being then most flattered."

—Julius Caesar.

"Ay, ay, vanity is truly the motive power that moves humanity, and it is flattery that greases the wheels," writes Jerome K. Jerome in his most entertaining dissertation on flattery.

"Every one can be got over by flattery—whatever particular kind of an earl a belted earl may be, he is, I assert, get-over-able by flattery, just as every other human being is, from a duchess to a poet—and the poet far easier than the plowboy, for butter sinks better into wheaten bread than into oat cakes.

"There are various ways of flattering," continues this author, "and, of course, you must adapt your style to your subject. Some people like it laid on with a trowel, and this requires very little art. With sensible persons, however, it needs to be done very delicately, and more by suggestion than actual words—those fine sturdy John Bulls who 'hate flattery, sir.' 'Never let anybody get over me by flattery,' etc., etc., are very simply managed. Flatter them enough upon the absence of vanity and you can do what you like with them."

Bacon, in writing of the different varieties of flatterers, says that if a man "be a cunning flatterer, he will follow the archflatterer, which is a man's self; and wherein a man thinketh best of himself, therein the flatterer will uphold him most; but if he be an impudent flatterer, look wherein a man is conscious to himself that he is most defective and is most out of countenance in himself, that will the flatterer entitle him to perform."

Aesop has a fable of a fox that wanted a piece of cheese that a crow held in her beak. The fox began to flatter the latter upon her singing, and the crow became so delighted that she opened her beak to sing for the fox, and so let fall the bit of cheese that the fox wanted.

Long before Aesop lived, writers had been warning mankind against the dangers of flattery. Bacon, however, points out one service done by flatterers—"when by telling men what they are, they represent to them what they should be." This is the variety of flattery in which women are especially adept—telling the small lad that he is too brave to cry, and so stopping the tears that quiver on his eyelashes; and assuring the older lad that he is able to conquer the world, and so spurring him on to the attempt.

(© by Margaret Boyd.)

"She actually said 'mate' for 'meat,' 'appen' for 'perhaps' and 'oss' for 'horse,' which to young ladies living in good Lytherly society, who habitually said 'orse, even in domestic privacy, and only said 'appen on the right occasions, was necessarily shocking."—Silas Marner.

Centuries before the Christian era, the Galeadites captured a certain ford of the Jordan river and tried every man who wished to cross it by making him pronounce the word Shilbboleth, for they knew their enemies could not pronounce the h in the word. Those who failed to pronounce the word correctly were put to death. Whether pronunciation was considered a vital matter before that time or not we have no way of knowing; but we do know that for many centuries a map's training and rank in the world have been judged by the way he pronounces certain words.

At the present day those who say "lither" for either and "tomahito" for tomato consider themselves as superior to their neighbors, as did the young ladies from Lytherly who habitually said 'orse.

We are told that some other languages are simpler in respect to pronunciation than the English—they could not well be more complex. We have the pronunciation of the Londoner who says "bawth" for bath and of that other Londoner who says "lidy" for lady. We have the pronunciation of the New Englander to whom an idea is always an "idear" and the pronunciation of the Southerner, to whom a head is a "haid." Then we have dictionary pronunciation, with so many pronunciations allowed for each word that it seems unlikely that a man would miss all the given pronunciations—English, wherein a man may blast out rock with "din a mite" or explode a "bum" or draw an "ob-

lk" line.

We have a set spelling and a set word order that may be learned from books, but pronunciation is not so easily learned. There was a time when the pulpit, the stage and the lecture platform served as the school for pronunciation, but popular evangelists, vaudeville actors, popular lecturers have done much to discredit these mediums with the purist.

Oliver Wendell Holmes would judge a casual acquaintance rather by his choice of words than by his pronunciation of them.

(© by Margaret Boyd.)

"The Lammeters had been brought up in that way that they never suffered a pinch of salt to be wasted, and yet everybody in their household had of the best, according to his place."—Silas Marner.

There are wasteful persons and thrifty persons in every nation; but when the percentage of wasteful persons is very high, we speak of the nation as wasteful, and when the percentage of thrifty persons is high, we speak of the nation as thrifty. America has the reputation of being one of the most wasteful nations on earth; France has the reputation of being one of the thriftest.

One drawback to popularizing thrift in our country is that so many people confuse thrift and stinginess.

Part of our extravagance is probably due to the fact that we are still close to pioneer conditions when game and fish and timber were so plentiful that there seemed no possibility of exhausting the supply, and consequently no need for thrift. Part of it is also probably due to the fact that many of our housekeepers grew up on farms where there were always pigs and chickens and cats and dogs to eat all table scraps and kitchen waste. Broken bread, bits of meat, thick parings and uneaten food seemed no waste when thrown into the swill barrel, to be fed to the pigs. Nowadays, however, the farmer knows that his pigs and chickens thrive better on a proper diet than on table scraps; and what was formerly fed to them is now buried or burned.

When a farmer kills a beef or a hog or a sheep, there is usually much waste. Often he wastes the very portion of the animal that meat-eating savages and meat-eating animals consider the choicest part of the carcass—the blood and glandular organs. In the large packing plants, where a few cents saved on each animal slaughter amounts to hundreds of thousands of dollars in a year, there is no part of the carcass allowed to go to waste. No one speaks of the packers as stingy—but as efficient. With them the value of thriftiness shows, because the quantities handled are so large.

When our homes are run as efficiently as the large packing plants, we shall have more housekeepers such as the Lammeter sisters—housekeepers who waste absolutely nothing and yet provide their families with the best of everything.

YOUR SAFE AND COMFORTABLE WAY!

Trains to Portland Daily
Leave
3:20 a. m.
10:37 a. m.
4:27 p. m.

Your first consideration when traveling should be for your safety and comfort. Safety is something we never forget, and our roomy, well ventilated equipment insures comfort. Irrespective of climatic conditions you can always depend on the Southern Pacific being "on the job" to take you to your destination.

SAVE MONEY
Buy Round Trip Tickets!

TO PORTLAND
Week End Tickets 3.90
15 Day Tickets 4.70
Low Round Trip Fares to Other Points



Southern Pacific Lines

Call on your local agent for any railroad information you may wish. He will be glad to be of service.
JOHN M. SCOTT
Asst. Passenger Traffic Manager
Portland, Oregon

Glycerine Mixture for Gas on Stomach

Simple glycerine, buckthorn bark, etc., as mixed in Alderika, helps any case gas on the stomach in TEN minutes. Most medicines act only on lower bowel, but Alderika acts on BOTH upper and lower bowels and removes all gases and poisons. Brings out matter you never thought was in your system. Excellent for obstinate constipation. Guards against appendicitis.

RINGO DRUG STORE

FARM LOANS
at lowest rate of interest.
Prompt service. Courteous treatment.
WM. BAIN, Room 5, First Savings Bank building, Albany

A Modern Barber Shop
Laundry sent Tuesdays
Agency Hub Cleaning Works
ABE'S PLACE

There's a sure cure for hunger at the
Best sweets and soft drinks at the
Best cuisine Pleasant surroundings
Elite Confectionery and Cafeteria
Efficient service
W. S. DUNCAN
Albany, Oregon

MILL RUN \$29 per ton
FISH MEAL, \$4.65 pr. sack of 100 lb.
OAT CHOP \$28 per ton and up
Ground and Whole CORN
Best quality Feeds at right prices
O. W. FRUM



THERE ARE TWO KINDS OF SWEETS
The kind you can be sure contains the finest quality of ingredients and the doubtful kind. Cast doubt aside and deal at Clark's. If any one ever tried to use anything but pure, fresh fruits and flavors in the spotless candy kitchen where our confectionery is made there'd be such a commotion that it would be heard all over town
Clark's Confectionery