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TRUST PROBLEM IS TAFT'S TOPIC

Message to Congress Devoted to This One Matter.

DECISIONS ARE DEFENDED

Dissolution Plans of Standard Oil and Tobacco Explained—Federal Incorporation and Commission Recommended.

Washington.—President Taft's annual message, which was read in both houses of congress Tuesday, deals extensively with the anti-trust statute. The message in part is as follows:

To the Senate and House of Representatives: This message is the first of several which I shall send to congress during the interval between the opening of its regular session and its adjournment for the Christmas holidays. The amount of information to be communicated as to the operations of the government, the number of important subjects calling for comment by the executive, and the attention to congress of exhaustive reports by special commissions, make it impossible to include in one message of the reasonable length and character of the topics that ought to be brought to the attention of the national legislature at its first regular session.

Decisions of Supreme Court.

In May last the Supreme Court handed down its decisions in the suits in equity brought by the United States to enforce the further maintenance of the Standard Oil trust and of the American Tobacco trust, and to secure their dissolution. The decisions are epoch-making and serve to advise the business world authoritatively of the scope and nature of the trust law of 1890. The decisions do not depart in any substantial way from the previous decisions of the court in construing and applying the trust statute, but they clarify those important decisions by further defining the already admitted exceptions to the literal construction of the act. By the decisions, they furnish a useful precedent as to the proper method of dealing with the capital and property of legal trusts. These decisions suggest the need and wisdom of additional or supplemental legislation to make it easier for the entire business community to square with the rule of law and to preserve the benefit, freedom and spur of reasonable competition without loss of real efficiency.

It has been said that the court, by introducing into the construction of the statute common law, has obviously untrue. By its judgment every contract and combination in restraint of interstate trade made with the purpose, or necessary effect, of controlling prices by stifling competition, or of establishing in whole or in part a monopoly of such trade, is condemned by the statute. The most extreme critics cannot instance a case that ought to be condemned under the statute which is not brought within its terms as thus construed.

The suggestion is also made that the Supreme court by its decisions in the last two cases has committed to the courts the unduly and unlimited discretion to determine whether a case of restraint of trade is within the terms of the statute. This is wholly untrue. The purpose of a lawful main contract to which, in order that it shall be enforceable at all, it must be incidental, it exceeds the needs of that contract it is void.

Methods of Dissolution.

In the Standard Oil case the Supreme and circuit courts found the combination to be a monopoly, and the business of refining, transporting, and marketing petroleum and its products, effected and maintained through thirty-seven different corporations, the stock of which was held by a New Jersey company. It in effect commanded the dissolution of this combination, directed the transfer of pro-rata distribution by the New Jersey company of the stock held by it in the thirty-seven corporations, and among its stockholders, the transfer of the stock to the individual defendants were enjoined from conspiring or combining to restore such monopoly. Tobacco companies between the subsidiary corporations tending to produce or bring about further violations of the act were enjoined.

In the Tobacco case the court found that the individual defendants, twenty-nine in number, had been engaged in a successful effort to acquire and control the manufacture, sale, and distribution of tobacco in this country and abroad, and that this had been done by combinations made with a purpose and effect to stifle competition, control prices, and establish a monopoly, not only in the manufacture of tobacco, but also in the sale of it, and in its transportation and its products of cigars, cigarettes and snuffs. The tobacco suit presented a far more complicated and difficult case than the Standard Oil suit for a decree which would effectuate the will of the court and end the violation of the statute. There was here no single holding company as in the case of the Standard Oil trust. The main company was the American Tobacco company, manufacturing, selling and holding company. The plan adopted to destroy the combination and restore competition involved the redivision of the capital and plants of the whole trust between some of the companies constituting the trust and new companies organized for the purposes of the decree and made parties to it, and numbering, new and old, fourteen.

Purpose Not Confiscation.

It is not the purpose of the statute to confiscate the property and capital of the offending trusts. Methods of punishment by fine or imprisonment of the individual defendants, by fine of the corporation, or by forfeiture of its goods in transportation, are provided, but the proceeding in equity is a specific remedy to stop the operation of the trust by injunction and prevent the future use of the plant and capital in violation of the statute. I venture to say that not in the history

NEWS OF THE WEEK IN EPITOMIZED FORM

THE LATEST HAPPENINGS OF IMPORTANCE TERSELY TOLD.

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News of Greatest Interest From All Parts of the World Related in Paragraphs.

Southern.

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BOB LEONARD IS HELD BY THE JURY

CHARGED BY THE CORONER WITH THE KILLING OF CHARLES EVERHART.

COUSIN OF ALLEGED VICTIM

Robbery is the Apparent Motive For the Crime According to Witnesses Examined—The Evidence is Very Strong Against the Man.

Raleigh.—A special from Thomasville states that after fifteen minutes deliberation the coroner's jury called to investigate the mysterious killing of Charles Lee Everhart returned a verdict placing his death at the door of Bob Leonard, his cousin. Leonard is held without bail on the charge of murder.

Under the hanging clouds and mists of rain the hearse bearing the remains of Charles Lee Everhart, who was murdered two miles south of town ago and brought here here for the night was driven quietly through the street to Midway church between here and Winston-Salem, where the burial took place. Mrs. Everhart, the lonely widow, accompanied the remains to the burial. Hundreds of spectators came in to view the body after it had been shrouded and placed in the coffin. Owing to the cold weather and the undisturbed situation of the body as it lay in the thicket it was well preserved and was easily recognized.

It appears to coroner J. W. Peacock that the right man in the person of Robert Leonard has been secured, and hardly any doubt exists in his mind as to his guilt, according to the evidence which has already come to the jury of inquest. Their minds are practically a unit, as to the guilt of the suspected man. Bob Leonard is 26 years old, has a wife and two children, the youngest a boy 2 years old.

Money played a conspicuous part in the evidence.

is here aiding the coroner.

A Bronze Statue of Ruffin.

A bronze statue of Chief Justice Ruffin in a year will be a notable addition to the monuments in Raleigh. It will be placed either in the roundabout of the new building being erected for the state, or in the Capitol Square. That was the decision of the committee in charge of the matter, at a session with Chief Justice Clark, the chairman at his home. At the last meeting of the North Carolina Bar Association a committee was appointed to take into consideration whether there should be a bust or a statue of Chief Justice Ruffin and it was decided a lifesize or heroic bronze statue should be made.

Interest in Eradication of Beetle.

Mecklenburg farmers are manifesting a keen interest in the eradication of the pine bark beetle that is doing so much damage to the forest in certain parts of the county. And in this effort the bureau of entomology of the Department of Agriculture is heartily co-operating. The ravages of the little insect, almost unnoticed until two years ago, have been marked in those townships where bodies of pine forests are plentiful. As was so clearly shown at the pine beetle conference held in Charlotte the insect is very insignificant in size but enormously large in its destructive efforts.

Suggests Brass Band Contest.

That there be a big brass band contest in Raleigh next spring is suggested by Adjutant-General R. L. Leinster. General Leinster says that next May there will be a hundred military officers here at the officers' school and that it may be possible to order the bands of the three North Carolina Regiments to be present. He suggests that the citizens offer prizes and have other brass bands here, so as to have a big contest, which would attract many people. This is a matter which the Chamber of Commerce should take in hand.

Have Elected New Officers.

The new board of directors of the Granville County Agricultural Association, elected at the recent meeting of the stockholders, held their first meeting a few days ago. The following officers were elected: President, B. M. Caldwell; vice-presidents, E. T. White and E. C. Harris; treasurer, W. T. Yancey; secretary, J. F. Webb; executive committee, S. W. Parker, B. S. Royster, J. T. Cozart, R. T. Gregory and W. B. Ballou. It was decided to leave the selection of assistant secretary to the committee.

Union Depot Hearing at Wilson.

Mr. W. T. Lee of the State Corporation Commission presided over the union depot hearing here. C. C. Daniels represented the citizens and Col. W. B. Rodman general solicitor, W. R. Hudson general superintendent, B. L. Buff traffic manager, the Norfolk & Southern, and W. H. Newell, general superintendent, C. L. Porter district superintendent and George B. Elliott general counsel, the Atlantic Coast Line. Many citizens appeared asking for the union depot. No decision will be reached for several weeks.

HAS STARTED THE OLD CRY

The Only Way is to Get Farmers to Farming and Quite Depending on Cotton Alone.

STILL IN DOUBT ABOUT PELLAGRA

THE PUBLIC HEALTH DEPARTMENT IS AS MUCH PUZZLED AS EVER.

MANY CASES IN THE SOUTH

The Investigation Shows That the Attacks of the Disease in This County Are Much More Severe Than They Are in Italy.

Washington.—After many months of investigation of pellagra in the Southern States, the scientists of the public health and marine hospital service are in as much doubt as ever as to the cause of the scourge. Meanwhile the disease seems to be gaining and it has been reported that nearly every physician in South Carolina has from five to fifteen cases in his private practice.

Assistant Surgeon General John D. Long says it has been demonstrated that cures can be effected even to the fifth attack, but that there is little hope when the patient has reached the stage of insanity. Pellagra has been found to be a seasonal disease and it is thought that the greatly varying temperatures of South Carolina may be partly responsible for its prevalence there.

The investigators have found that the greatest number of cases develop during the spring and autumn months when there are sudden and marked changes in the weather.

Comparisons of pellagra in the United States with pellagra in common, has proved that the attack is much more severe in this country. Children, it has been found, respond to treatment much more satisfactorily than do adults, and show the greatest percentage of recoveries. When the disease reaches the point of producing insanity, a suicidal tendency develops and nearly all pellagra victims choose drowning.

Cottonseed oil, Indian corn, certain classes of vegetables and a recently discovered gnat, are among the supposed causes, but the disease still is a mystery to the scientists.

Free Use of Panama Canal.

Washington.—A plea for the free use by all nations of the completed Panama canal is made by John Barrett, director general of the Pan-American Union. In a statement published in the official bulletin of the Pan-American Union, Mr. Barrett has made a study of the canal situation in its relation to all republics in North and South America. He urges that Congress make the canal free to all commerce. In case such a plan is not favored, he urges a minimum toll rate, not to exceed 50 or 75 cents a net ton, for foreign trade and free passage for all American ships engaged in coastwise trade.

Have Battle With Bandits.

Bellingham, Wash.—Two bandits, Walter Foote and Fred James, fortified behind a breastwork of logs on the banks of the Skagit river, near Sedro Wooley, for three hours stood off a posse of 200 citizens. More than a thousand shots were fired and forty dynamite bombs were thrown against the logs before the highwaymen were rendered. Foote was found to have seven bullets in his body and died after having been taken to a hospital. James was unhurt and was lodged in the Skagit county jail. The men had held up a saloon, robbed the safe, "covered" the town marshal with revolvers, taken away his weapons and valuables and then fled. Four members of the posse were wounded in the battle that followed.

Woman Killed By Robber.

Chicago.—Miss Edith Hocman was shot and killed here by robbers who, dismounting from an automobile, attempted to hold up the young woman and her escort. The escort showed resistance and one of the robbers opened fire upon him. The bullet struck Miss Hoffman, however, and she was instantly killed. The assailants then escaped in their automobile.

Escaped Murderer Recaptured.

Augusta, Ga.—T. B. Walker, the negro convicted of the murder of Capt. E. S. Hallinhead in Wilkes county, and who escaped at Barnett station while being taken to Washington for execution the following day, was captured in Glasscock county and is being brought to Augusta. Walker was captured the day after the murder by Deputy Sheriff Calaway and taken away from him by a mob in the town of Washington. The negro escaped for the mob, but was later recaptured and again escaped.

Want to Help the Victims.

New York.—The proposal that the \$190,000 fund, subscribed by labor unions to aid in the defense of the McNamara brothers be turned over to the relatives of victims of the Los Angeles Times disaster was endorsed at a meeting of the Central Labor Union of Brooklyn. The McNamara brothers were severely arraigned and the sympathy and support of the Brooklyn unions was promised to President Gompers of the National Federation.

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