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## SUPREME COURT FINDS OIL TRUST ILLEGAL

### Gompers, Mitchell and Morrison Freed From Jail Terms

#### MONOPOLY IS GIVEN SIX MONTHS IN WHICH TO DISSOLVE AND CONFORM TO COURT'S ORDER

#### Other Corporations not Affected by Decision, Each Case Standing Alone

#### JUSTICE HARLAN THE SOLE DISSENTER FROM OPINION

#### Decision Looked Upon as Boon to Business

WASHINGTON, May 15.—There was a variance of opinion among prominent business men who could be seen tonight as to the immediate effect the Standard Oil decision would have on business generally, but a majority of them seemed to take a cheerful view of it. They state that the main stumbling block has been the apprehension that always accompanies the pending of an important decision, and Wall Street's greatest concern was to get the case out of the way. The law applies to the tobacco trust case, and it seems safe to predict that should it be no more radical when rendered than the decision handed down in the Standard Oil case this afternoon, business will be stimulated thereby rather than discouraged.

#### Summary of Oil Trust Decision

The supreme court holds that the Standard Oil company is a monopoly in restraint of trade. That this giant monopoly must be dissolved within six months. Corporations whose contracts are "not unreasonably restrictive of competition" are not affected. Other great corporations whose acts may be called into question will be dealt with according to the merits of their particular cases. The court was unanimous as to the main feature of the decision, Justice Harlan dissenting only as to the limitation of the application of the Sherman anti-trust law. He held that the supreme court had no right to read into the anti-trust law anything that permitted "reasonable restraint of trade." He maintained that the law did not use the terms "undue or unreasonable" in referring to combinations and that, therefore, the supreme court had no right to construe the law as permitting restraints and monopolies that were not "undue and unreasonable."

#### Rule of Reason

Since the decree in the case in the United States circuit court for the Eastern district of Missouri, announced, hope has been expressed in business circles that the law would be so construed as not to interfere with the legitimate business of the world. The section of the opinion calling for the rule of reason in applying the law to the Standard Oil case, was the answer to the prayers of the business world. The opinion of the court was announced at 12:30 o'clock and was read by Justice White. It was more than twenty thousand copies of the opinion were printed and distributed to the chief justices of the various states. The opinion was read by the chief justice of the United States, but not once referring to the Standard Oil case.

Continued on Page Two.

#### Chief Justice Who Rendered Decision Against Oil Trust



EDWARD D. WHITE.

## CORPORATIONS SEE A VICTORY; CONGRESS MAY AMEND THE LAW

#### Democratic Radicals and Republican Insurgents Want to Strengthen Statute.

#### WALL ST. LIKES IDEA OF GOOD AND BAD COMBINES

#### Prediction Made That Tobacco Company Will Be Declared "Good" by Court.

Special to The Tribune. NEW YORK, May 15.—One of the first results of the supreme court's decision in the oil case will be an effort on the part of radical Democrats and Republican insurgents to amend the Sherman anti-trust law so that the court cannot, in the future, distinguish between good and bad combinations of capital, but will be compelled to dissolve monopolies whether they be of the reasonable or unreasonable variety. The insurgents announced that they would immediately consider the preparation of an amendment to the law, while Senator Culberson of Texas, colleague of Senator Bailey, who commended the court's decision, announced that he would cooperate in any such movement. It is too early yet to forecast the course of the government with regard to the decision, in view of the Standard Oil decision. It has been said at the White house and the department of justice for a long time that there would be no determination of a general course of procedure until the decisions in the Standard Oil and Tobacco cases had been rendered. Only one of these decisions has come down yet, and although there seems to be a broad interpretation of the Sherman act, there is still room for variation in the Tobacco decision. The attempt to amend the Sherman law will be to strengthen it rather than ameliorate its drastic provisions. President Taft has recently let it be known that he intends to recommend to congress next winter, at the regular session, some action along the line of a federal incorporation bill. There is no doubt that if the decision today had been along the line of reasoning of Justice Harlan, the president would have found it an admirable argument in favor of his federal incorporation proposition. But in the light of the court's opinion the Sherman law seems to have lost much of its terror for combinations and big corporations. There was much discussion here tonight of the effect of today's decision on the Tobacco case, which is still to come. There were strong expressions of the opinion that it foreshadowed a complete victory for the Tobacco trust, and that the decree of the circuit court would be reversed. Senator Culberson of Texas, who has given close attention to such matters, was decidedly of this opinion. Some of the representatives of the big businesses who were in the courtroom held the same view. This opinion was based on the idea of the court with reference to the reasonableness of trade restraint. These representatives believe that the court will find that the Tobacco trust does not exercise an unreasonable restraint upon interstate commerce.

Continued on Page Two.

#### FINE THE ONLY PENALTY THAT IS ALLOWABLE

#### Supreme Tribunal Leaves With the Lower Court the Right to Reopen Contempt Proceedings.

#### PROBABLE END OF LONG LITIGATION

#### Labor Leaders Well Pleased Over the Outcome; Anti-Boycott Association Claims Victory.

WASHINGTON, May 15.—Samuel Gompers, John Mitchell and Frank Morrison, president, vice president and secretary of the American Federation of Labor, respectively, stepped from within the shadow of the jail today when the supreme court of the United States set aside their sentences of imprisonment for contempt growing out of the litigation between the Buck Stove and Range company of St. Louis and the federation. The highest tribunal has left with the lower court, however, the right to reopen the contempt proceedings. This grant of power, probably, will not be accepted and the case practically is ended. The basis of the court's opinion was that the proceeding brought against the labor officers was for civil contempt, which could be punished only by the imposition of a fine. The sentence of the lower court to imprisonment was the penalty for criminal contempt and in the premises, therefore, it was not a legal punishment.

#### Supreme Court's View

The case, which grew out of the so-called boycott of the stove corporation by the American Federation of Labor, is one of the greatest importance alike to union labor and to employers. The supreme court holds that the published or spoken utterances of organized labor can be enjoined or attacked legally because organized labor is a combination and as such relinquishes the right of individuals. It also establishes that legal prosecution can be leveled, not only at the union itself, but at its officers as well. In handing down its unanimous decision, read by Justice Lamar, the court reviewed the suit brought by the Buck Stove and Range company against Gompers, Mitchell and Morrison, seeking to enjoin them from placing the company on the "unfair" and "we do not patronize" lists, published regularly in the American Federationist, the official publication of the federation. The publication, the company contends, constituted a boycott.

#### Lower Court's Order

The supreme court of the District of Columbia, after a hearing, granted a temporary injunction December 18, 1907, making it permanent three months later. The court's order prohibited the defendants from attacking the manufacturing company in their publication or in other unlawful ways. Shortly after the order was entered the manufacturing company appeared in court charging contempt against the three labor officials. They were found guilty and sentenced—Gompers to twelve months in jail, Mitchell to nine months and Morrison to six months. The sentences were appealed to the district court of appeals, without avail and the matter then was laid before the supreme court.

#### Case Is Remanded

The opinion in conclusion reads: "The judgments of the court of appeals and the supreme court of the District of Columbia are reversed and the case remanded with direction that the contempt proceedings instituted by the Buck Stove and Range company be dismissed, but without prejudice to the power and right of the supreme court of the District of Columbia to punish with proper proceeding a contempt, if any, committed against it." It is not considered likely that the district supreme district court will take advantage of the supreme court's decision to reopen the proceedings.

#### PARKER IS OVERJOYED

Counsel for Labor Leaders Congratulated by His Friends. NEW YORK, May 15.—Former Judge Alton B. Parker, counsel for Gompers and the other labor leaders, was busy

Continued on Page Three.

#### Labor Men Freed From Jail Terms by Supreme Court



#### UNION MEN FOR A "WET" CITY

#### Building Trades Council Takes Unanimous Stand in Opposition to Prohibition.

#### ALSO DECLARES AGAINST USE OF CONVICT LABOR

#### Maintains Citizens and Taxpayers Are Entitled to Work to Be Done.

Outspoken opposition to prohibition and to prison or convict labor was voiced last night at a largely attended meeting of the Building Trades council of Salt Lake City. About one hundred representatives of the various allied trades were in attendance. Numerous fiery speeches were made on the two issues before the council all along the lines indicated, and when the resolutions were presented to be voted upon there were no negative votes.

#### Reasons for Opposition

- 1.—Prohibition will deprive several thousand workmen of employment.
  - 2.—It will increase taxes.
  - 3.—It will decrease wages.
  - 4.—It will breed hypocrisy and increase crime.
  - 5.—It will substitute the law-defying "blind pig" and "hole in the wall" for the law-regulated saloon.
  - 6.—It will substitute for the license-paying and revenue-producing saloon the irresponsible and illegal dice and drug store, at which intoxicating liquors will be sold during all hours of the day and night.
  - 7.—Prohibition will mean empty buildings, less work, lower wages, more crime, more hypocrisy and contempt for law and order.
  - 8.—Salt Lake is a metropolitan city and her progress would be retarded by the enactment of laws that would interfere with personal liberty and the right of citizenship.
  - 9.—There is nothing to gain by prohibition.
- #### Against Convict Labor.
- On the question of convict or prison labor the council was not less emphatic, passing the following resolution without a dissenting vote: Resolved, by the Salt Lake Building Trades Council: That we wish to go on record as being opposed to all prison or convict labor doing the work that rightfully belongs to the taxpayer and citizen and that we condemn the action of the city council in using prisoners in any class of work in and around Salt Lake City, and we further denounce the action of the governor of the state of Utah as being in favor of using convict labor on all public highways and public buildings. We think

Continued on Page Three.

#### TALK OF PEACE WHILE MAKING READY FOR WAR

#### Madero Meets Carbajal, Official Envoy of Federal Government, Who Bears Definite Propositions.

#### NOTHING KNOWN AS TO FINAL OUTCOME

#### Rebel Commanders Prepare to Move Southward, First to Chihuahua and Then to the Capital.

JUAREZ, May 15.—Provisional President Francisco I. Madero, Jr., at the conclusion of a conference with Judge Carbajal, the federal peace envoy, at 9:30 said there was a strong probability that peace would be restored in a short time. "Judge Carbajal brought some propositions," said Madero to an Associated Press representative, "and I made some modification in our original propositions. In fact, these concessions, slight though they may be, were made to show our willingness to meet the government halfway and after our military triumphs it more than indicates our good disposition to treat for peace." Madero declared that he would have another conference tomorrow night with Judge Carbajal, by which time the latter will have received a reply from the Mexican government to the proposition discussed with Madero tonight which he transmitted immediately after the conference. Madero admitted that the next move on the peace checkboard was up to the government, but he asked as if tomorrow would witness a favorable reply, which would immediately end the revolution. There was evident, on the other hand, it is determined upon to prosecute the war should the government refuse to accede. He gave the impression that the matter had reached the point of an ultimatum and that the die would be cast tomorrow.

#### Wires Are Kept Hot.

All day long an optimistic atmosphere surrounded the federal and rebel peace negotiations. Continued on Page Three.

#### ADVERTISING TALKS

#### NEWSPAPER ADVERTISING serves a double purpose—it introduces articles to MERCHANTS and HOUSEWIVES at the same time.

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Continued on Page Seven.