U. S. SUPREME COURT SAVES STEEL TRUST

SHERMAN LAW IS ANNULLED IN APPROVING MOST GIGANTIC COMBINE IN WORLD, ASSERTS JUSTICE DAY IN DISSENTING

Government Suit Dismissed as Requesting an Impracticable Step in Asking Dissolution of Big Corporation; McKenna Declares It Would Disrupt Business, That It's Been Good Since 1911.

Washington, March 1.—In a 4 to 3 decision, the supreme court has refused to dissolve the United States Steel corporation and its numerous subsidiaries comprising the so-called Steel Trust and dismissed the government's long-fought suit for dissolution.

Affirming the New Jersey federal court's dismissal of the government prosecution, the supreme court declined to enjoin the restraint of trade charged, and also denied an order to break up the super-combination said to be the world's greatest industrial organization with assets exceeding $2,000,000,000.

Placing the high court's "O.K." on the steel corporation were Chief Justice White and Associate Justice McKenna, who announced the majority opinion, and Holmes and Vandevanter. Justice Day gave the dissenting opinion, which was joined by Justices Pitney and Clarke. Justices McReynolds and Brandeis took no part, the former having been attorney general during the litigation and the latter having expressed opinions regarding it before appointment to the bench.

Bigness Doesn't Count.

Primarily, the decree officially brands the steel corporation as a "good" combination with its legality established.

Further, the court held that mere size, bigness or preponderance in industry of corporate combinations is not alone sufficient cause for their dissolution.

The court also gave a new and far-reaching judicial interpretation or application of the Sherman law, analogous to its famous "rule of reason" in the Standard Oil and tobacco "trust" cases, by declaring that public interest must be considered in applying the law. The public interest, it was held, would not be served and might be injured by dissolving the steel concern.

In a dissenting opinion, Justice Day, said the corporation violated the law in its formation and practices, and that there should be no opposition to the decree "as far as possible" for its dissolution because of its "open, notorious and continual violation of the law."

Justice Day said the mapority opinion virtually annulled the Sherman act.

In deciding the suit, the court announced its decree through Justice McKenna. Only seven of the nine justices participated, Justices Brandies and McReynolds taking no part.

Not Like Standard Oil.

Justice McKenna said the tobacco and Standard Oil company cases offered no analogy, as they had been guilty of certain objectionable practices of which the steel corporation had not been.

Justice McKenna said that to grant the government's request for disruption of the corporation and restore conditions in the industry as they were 20 years ago would be impracticable. It would disrupt business, the decision said and would not be in the public interest.

Can Sue Again.

In dismissing the federal suit, however, the court ordered such dismissal "without prejudice," permitting the government to sue again if the corporation actually resorts to illegal, wrongful or repressive practices.

In rendering the decision, Justice McKenna said that since 1911 no act in violation of law can be charged against the steel corporation and that it was the opinion of the court that the practices complained of by the government had been abandoned.

Justices Pitney, Clark, and Day dissented.

STEEL STOCK JUMPS.

New York, March 1.—Steel and allied shares rose one to three points in the New York stock exchange today after announcement of the lecision of the supreme court of the United States approving the organization of the United States steel corporation.

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SECOND VICTIM OF MEXICAN RAID ACROSS LINE DIES

Meanwhile Another Bandit Leader Is Captured, and Mexico Plumes Itself on Round Ups.

Nogales, Ariz., March 1.—With the death here of J. A. Frazier, American storekeeper of Ruby postoffice, 30 miles from here, the death toll as a result of a raid by Mexican bandits on Frazer's general store Friday was increased to two. Alexander Frazer, J. A. Frazer's brother and business partner, died Friday shortly after the attack.

Denial that his posse had crossed the Mexican line in the pursuit of the bandits that killed Alexander Frazer and J. A. Frazer, American storekeepers at Ruby postoffice, was made here today by Ray P. Sarhart, sheriff of Santa Cruse county, who led the party in search of the culprits.

Captain A. R. Hart returned to Mountain Camp last night. Troop A of the 10th cavalry, a negro regiment, scoured the country around Ruby Sunday.

Colonel E. E. Carnahan, commanding officer of the Nogales military district, declared he was convinced the Mexican military authorities in Sonora were doing their utmost to apprehend the culprits.

Colonel Carnahan added he did not believe there would be any punitive expedition into Mexico as the result of the attack on the Frazer brothers.

Mexico Counts Executions.

Mexico City, March 1.—Cirilo Arenas, a rebel leader, has been captured by secret military police at Puebla, according to an oficial telegram. Arenas was taken into custody when he attempted to enter the city of Puebla after leaving the gulf coast region.

About a year ago a brigade of soldiers under command of Arenas and protecting the inter-ocean railway revolted after Arenas received a large sum at payment of the troops.

Some officials report the capture of Marcelo Caravo, in the state of Tamaulipas.

Newspapers here, in commenting upon the capture of Arenas and Caravo, point out the progress made by the present administration toward complete pacification.

Among outlaws who have been put to death or slain in the battle during the past year were Felipe Angeles, Auderilo Blanquet, Francisco Alvares, Jose Inez, Chavez Garcia and Emiliano Zapata.

The capture or surrender of more than a score of outlaws throughout the country also occurred during the year. This leaves only Francisco Villa, who is now operating with a small force in the north.

MEXICAN BANDIT FOUND HANGED

Washington, March 1.—A Mexican bandit named Cacheton was found hanged on the morning of February 28 near the place where Augustus Morrill, former American counsul at Manzanillo, was killed February 26. State department advices today said the bandit was executed "possibly as the slayer of Morrill" by order of Cipriano Corona, the leader of the bandits in the state of Colima.

DRY AMENDMENT HELD INFRACTION OF CONSTITUTION

Rhode Island Brief to Supreme Court Asserts People and States Are Robbed of Sovereignty.

Improperly Proposed, Is Another Contention, Revolutionary Step to Anarchy and Despotism

Washington, March 1.—The eighteenth amendment, "is a direct invasion of jurisdiction and powers of the state and the rights of its people," the state of Rhode Island declares in its brief in the United States supreme court, in reply to the government's motion for the dismissal of its action to obtain injunctive relief from the amendment. The brief, filed by Attorney General Herbert A. Rice, of Rhode Island, asserts that the government's view that the amendment is unassailable," can "only lead to anarchy and oppression. It contends that it is the court's duty to keep congress, in its amendments to the constitution, "within the scope and jurisdiction of federal authority" and "maintain that line of division between federal and state powers" which has for so many years insured the harmonious operation of our dual system of government—ordained and established as perpetual."

Constitutional Revolution.

The prohibition theory of the government "is so subversive of fundamental principles that its acceptance would bring about a constitutional revolution was the brief.

"It would convert the sovereignty of the people into a sovereignty of officials. It would endanger the liberty and those innumerable rights which we have been inherited from the common law since the time of Magna Charta. Under this application, the boundary between federal and state authority could be shifted at will. In fact, all power might be absorbed by the federal government."

The brief declares that Article V of the constitution, relating to amendments, only provides for the "correction of errors committed in framing the constitution."

The proposal of the eighteenth amendment "to the states," the brief asserts, is unconstitutional "and is a revolutionary measure." Heretofore, it declares, congress has proposed amendments "to the legislatures of the several states."

"The different course which has pursued in this instances was adopted and with a purpose," continued the brief.

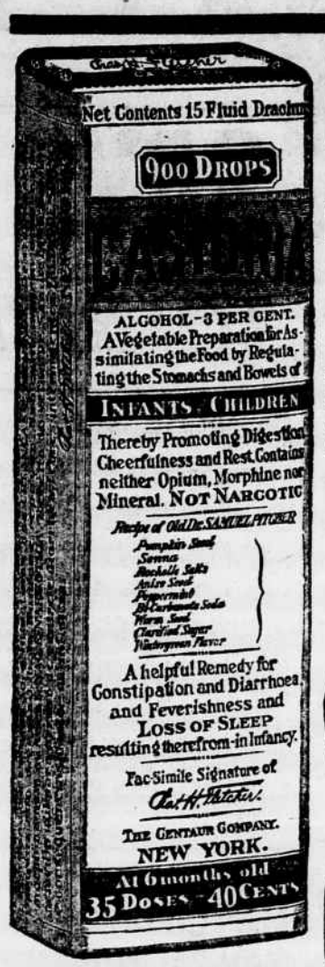
"It was necessary to depart from the practice which had always hertofore obtained, in order to carry out the new constitutional right that the word 'amendment' in Article V includes proposals covering the whole field of absolute sovereignity. In the proposal of the so-called amendment, neither a power nor a subject matter between the scope of the federal constitution was dealt with. On the contrary, the power involved resided in the sovereign people of the respective states and in them exclusively. It was necessary, therefore in order to obtain a surrender of such power, to propose the so-called amandment to those who possessed it."

When Did People Surrender?

"The entire proceedure is revolutionary and without constitutional sanction. It surpasses all understanding that congress, while submitting the proposal's to the states, declares that their legislatures shall bind them. When, pray did congress become the dictator over the sovereign people of America with respect to their sovereign powers. Sovereignty resides in the people and they alone may express sovereign will."

TAKE 63 FROM GROUNDED SHIP.

Halifax, March 1.—Sixty-three passengers of the Steamship Bohemian, which struck on Sambro ledges off Halifax in a snow storm, were taken off by tugs and brought to this port. The 120 members of the crew remained on board.



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Find Law's Guardians Robbing Candy Store

Everett, Wash., March 1.—E. C. Payne and Emery Hughley, two members of the Everett police force, are in the county jail in connection with thefts of candy and tobacco from a cigar store early this morning. They were arrested by deputy sheriffs and private detectives when it is charged Payne was inside the store and Hughley on watch outside. Hughley was on duty at the time.

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WEATHER

Observations taken at 6:00 p. m., March 1, for the preceding 24 hours.

	High	Low	Pct.
Great Falls	42	20	...
Calgary	40	18	...
Chicago	38	1	...
Havre	36	10	...
Helena	36	10	...
Kalispell	40	10	...
New York	38	14	...
St. Paul	34	14	...
San Diego	68	60	...
Seattle	54	32	...
Williston	34	6	...

Weather Conditions—Pacific Slope, Northwest and Canadian Northwest.

Pressure is low on the north Pacific coast over northern Nevada and over the Dakota's. A well defined area of high pressure has appeared over Alberta. This latter has caused a decided temperature fall and light snow in Alberta province. Elsewhere in the northwest temperatures are generally above normal, with cloudy or unsettled weather.

Montana Forecast.

Snow and colder Tuesday; Wednesday partly cloudy and rather cold.

FIRED AT MASS

(Continued from Page One)

on the hill were taken there by Hanson, Bland said.

"I was shooting at the people who were raiding the hall," Bland said in answer to a question as to whether he could distinguish anyone in the crowd with the field glasses. He said the glass were of no use in identifying anyone except civilians and soldiers.

"We started shooting after we heard shots coming from the hall," he asserted. Bland said the disputed 38-55 rifle, from which the state contends the bullet which killed Grimm was fired, belonged to John Doe Davis, one of the two uncaptured defendants. He said he saw the gun in Davis' possession in his, Bland's, room, on the day of the shooting.

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