

MONOPOLY RIDDLE
WHY BE DEFENSE
OF STANDARD OIL

What Is it, and How Can
Merged Concerns Be
Combined Ques-
tion?

Claim Anti-Trust Law
Not Retroactive, and
Consolidation Ante-
dates Sherman
Statute.

NEW YORK, Oct. 21.—An outline of
the defense to be made by the Standard
Oil Company in the Government suit to
dissolve the \$100,000,000 corporation—the
first authentic statement—was today
from one of the chief lawyers represent-
ing the Rockefeller interests. In the
first place the Government will be
asked this brand-new riddle:

"What is a monopoly?"
Then quickly will follow a demand to
know "whether it is possible to combine
things that already are parts of
the same whole?"

The first question is expected to prove
the subject of more arguments than
any riddle that has received official
recognition in half a century. It will
be the subject of profound opinions
from the highest courts of the land.
The Sherman anti-trust law declares a
monopoly to be unlawful. Standard Oil
says the act fails to define the term
and no court decision can be found by
the Rockefeller lawyers hearing upon
the subject.

What is a Monopoly?
"Is a monopoly the control of 100 per
cent of a business," is the first question
the Standard Oil lawyers will ask. If
that is so interpreted they say their
corporation can clear itself of the
charge in five minutes, as there are
many independent oil concerns through-
out the country, even though they are
of comparatively small proportions.

"Then what is a monopoly?" asks
Standard Oil. "Is it 95 per cent, is it
90 per cent, or 70 per cent? They charge
us with being a monopoly, but we can't
find out what that is. How can they
prove we are something that never has
been defined?"

One dictionary definition says:
"A monopoly is the exclusive right,
power, or privilege of engaging in a
particular traffic or business of the
stating absolute possession or control."
But the men who write dictionaries
are not judges sitting in courts of
equity.

Law Not Retroactive.

The other part of the defense is based
upon the assertion that the Standard
Oil combination was formed eight years
before the Sherman anti-trust law went
into force in 1890. The law is not retro-
active. The Standard Oil says it did not
pretend to affect combinations made
previous to its enactment. Standard Oil
makes this explanation:
"When the various oil companies were
combined under trust agreement of 1882,
the laws of the land permitted it. The
business was centralized. When the
Sherman law was enacted, the Standard
Oil business was a single concern, and
is yet. It has combined with nothing
except itself."
In the reorganization of 1899, when the
capital stock of the Standard Oil Com-
pany of New Jersey was raised from
\$10,000,000 to \$100,000,000, and it took
over the stock of twenty subsidiary com-
panies, it will be contended there was
no combination.

Posers for Federal Attorneys.

The charge is that Standard Oil is a
"combination in restraint of trade." The
Standard Oil will ask the court this
question:
"How could there be any restraint of
trade in such a combination of com-
panies between which no competition
existed?"

"Standard Oil capital and Standard Oil
energy have established many new busi-
nesses and created much new traffic. Can
you absorb a thing that has been cre-
ated with your own capital and your
own labor?"

So with these two general theories of
defense, Standard Oil attorneys have
made but little effort to prevent the
Government from getting most complete
and intricate data regarding the busi-
ness. They are willing to admit that
the various subsidiary companies are
controlled by the Standard of New Jersey.
They hardly listened during the
long examinations of witnesses about
the financial affairs of the companies.
They believe that the case hangs on
the general propositions set forth here for
the first time.

DIEHL WILL GET SHIP;
SUCCESSOR DISCUSSED

Capt. S. W. B. Diehl, who has been
serving as judge advocate general of
the navy, will soon be assigned to the
command of a battleship, preferably
the Idaho or the Mississippi. Captain
Diehl has been ready for sea duty for
some time and the announcement that
he is to have command of a battleship
is no great surprise.

There are a number of likely candi-
dates to succeed him, prominent among
them being Commander Henry Phelps,
who is at present on duty in the office
of the Judge Advocate General; Lieut.
Commander Robert L. Russell, executive
officer of the Charlestown, and Lieut.
Alfred W. Prezzy, who is on duty at
Leaves Island navy yard.

No expression as to the probable suc-
cessor to Captain Diehl has been given
by the Navy Department.

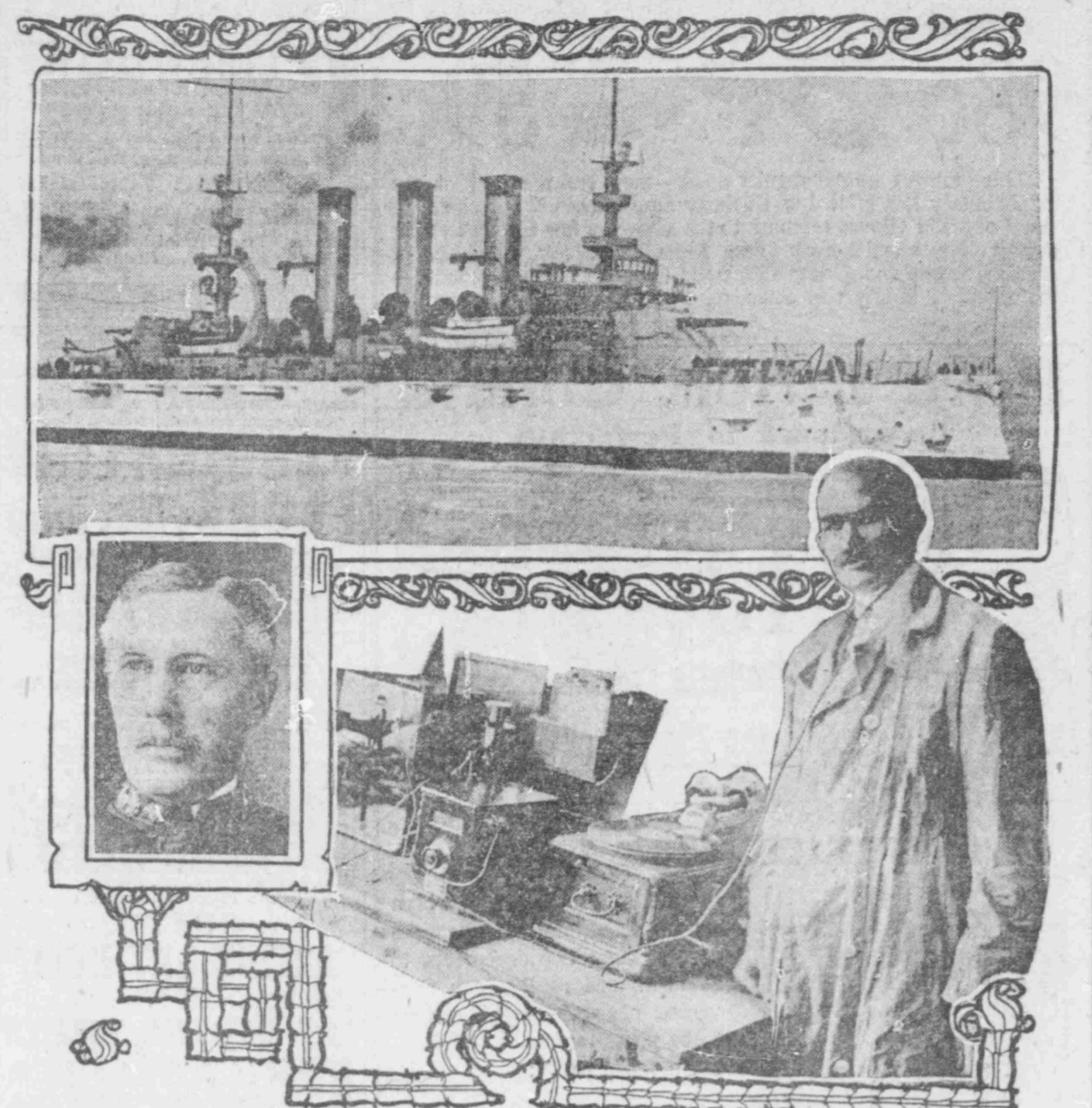
COL. J. W. POWELL'S DEATH
REPORTED TO DEPARTMENT

The Adjutant General of the Army
has been advised of the death of Col.
James W. Powell, United States Army,
retired, which occurred at Denver, Col.,
October 19. Colonel Powell was born in
New York in 1840.

He was brevetted major and lieutenant
colonel of volunteers for gallant
and meritorious service during the civil
war and upon the reorganization of the
regular army he was appointed a cap-
tain of the Forty-second Infantry. He
was retired at his own request after
thirty years' service, September 3, 1890.

INSTALL WIRELESS PHONES
IN THE ATLANTIC SQUADRON,
PLAN OF THE NAVY EXPERTS

Battleship Virginia, on Which a Test of the Wireless Telephone Is Being Made.



CAPT. SETON SCHROEDER,
Of the Battleship Virginia. Wireless Telephone Apparatus, Which May Be Installed in All the Vessels
of the Atlantic Squadron.

New System Being Tried
on Two Battleships
Now.

Admiral Sebree Reports
Favorably on Tests in
His Fleet.

Wireless telephones which have been
on trial on the battleships Virginia and
Connecticut, of the Atlantic fleet, for
several weeks, have been given the
formal indorsement of the Navy Depart-
ment.
Twenty-seven sets have been ordered,
at an expense of \$35,000, exclusive of
the cost of installation. Although these
latest developments of science are not
of great service over long distances,
they are immensely useful when ships
are within range of each other, and the
indorsement of them is looked upon as
a decided step toward improved equip-
ment.

It has long been a handicap to officers
on the quarterdeck that the "smoke
clouds" often obscure the flag signals,
but with these new devices no such con-
tingency is feared. It is probable that
the system will be extended to the six
torpedo boat destroyers that are to
make the cruise to the Pacific, besides
being installed on all the larger vessels
of the fleet. The Glacier and Calgoa,
supply ships, will have the telephone
and it is probable that when the Pacific
fleet sails every boat will be so equipped.
The tests made on the service squad-
ron of Rear Admiral Sebree, now en
route from Norfolk to San Francisco,
have been most satisfactory to the Navy
Department and have caused them to
lose no time in having the vessels of
the Atlantic fleet so equipped.

Although the telephone is the invention
of a Dane, it was developed to its pres-
ent utility by officers of the navy, and
for this reason the greatest secrecy is
preserved concerning its workings. It
is known that the wireless telegraph
is somewhat satisfactory to the Navy
Department, but in detail it is said to be
widely different.

VATICAN OBSERVATORY
TO BE ONE OF FINEST

ROME, Oct. 21.—Reconstruction of
the Vatican observatory, which will
rank among the finest in the world
when completed, is assured by the re-
ceipt of \$200,000 in contributions from
Catholics throughout the world.
Most of the money came from the
United States. Work will begin at once.

Caffeine—in coffee—is
such a direct poison to
the nerve centres of many
highly organized people
that it produces all sorts
of disorders, from stom-
ach and bowel troubles,
palpitation of the heart,
kidney affections, etc., up
to more intricate nervous
troubles, such as paral-
ysis.

The way to keep well
is to leave off coffee and
use Postum, which is a
direct rebuild of the
nerve centres. "There's
a Reason." Sure and well
defined improvement in
health will follow this
course, as can easily be
proven by any person
who values health enough
to make a trial.

ROOSEVELT LIVELIEST
SUBJECT FOR ARTISTS;
HE WON'T KEEP STILL

PARIS, Oct. 21.—Baron Robert Von
obhoff, who recently painted a por-
trait of President Roosevelt, returned
to Paris from the United States a few
days ago. He has a fund of description
and anecdotes relating to his experience
with the President.
As an artist's subject he says Presi-
dent Roosevelt is one of the liveliest
models he ever studied. Four sittings
were given at the White House. In
reality these were "standings" and
"walkings." The artist sketched the
President while the latter was attend-
ing to the details of his busy days,
with the Cabinet members and other
officials or politicians and even re-

YOUNG GIRL SUES
COLLEGE PROFESSOR

NEW YORK, Oct. 21.—Prof. Moses S.
Levussow, teacher of drawing at the
College of the City of New York, is
being sued in the supreme court by Miss
Katherine Esbach, seventeen years old,
for \$100,000 damages for alleged breach
of promise. Miss Esbach came to this
country from Hungary four years ago.
In her application to Justice Blam-
card, Miss Esbach sets forth that she
became acquainted with Prof. Levussow
about two months prior to May 1 last,
and that later he professed love for her.
Their friendship continued until about

September 15, on which date, she says,
she asked him to marry her according
to his promise, and then he refused.
She states the professor had often taken
her to theaters, and that it was under-
stood they were to be married.
Prof. Levussow is about thirty-five
years old, and is well known in educa-
tional and art circles.

"Wonder What Mertz Will
Say Today?"
Store closes daily at 5 p. m.
Saturdays at 9 p. m.
At the Sign of the Moon \$8.40
HERE'S A SNAP!
Take your pick of a new line
of 15 styles in high-grade all-
wool winter suitings and have
a suit built in the
Mertz-way—fit
guaranteed—for... \$8.40
See Window Display
MERTZ and MERTZ Co.
906 F STREET.

Over 60 years established.
THE ARTISTIC
Stieff Piano
DURING OUR
REMOVAL SALE
SEE THE BARGAINS
WE ARE OFFERING
IN ALL MAKES.
Chas. M. Stieff, 521 11th St.
Future Home, 1008-10 F St. N. W.
J. C. CONLIFF, Manager.

COMMERCE CHAMBER
TO AID MERCHANTS

Committee Planning for Out-
of-Town Shoppers for
Holidays.

Plans for the out-of-town shopping
days for the first week in December
now being prepared by the retail trade
committee of the Chamber of Commerce
are rapidly taking shape. The subcom-
mittee on arrangements, of which Julius
Garinkle is chairman, has collected all
the necessary information and will hold
a meeting tonight at the Chamber's
offices, 1214 F street, to bring the plans
into more definite shape.

D. J. Kaufman, chairman of the retail
trade committee, has been working hard
on the proposition for the past week
and is very enthusiastic over it. He ex-
pects a large number of the retail mer-
chants of the city to co-operate in the
movement to have Marylanders, Vir-
ginians, and West Virginians come to
Washington and shop.

Charles J. Bell, chairman of the site
committee of the Chamber of Commerce
today called a meeting for Thursday
afternoon at 2:30 o'clock. A number of
developments in the situation respecting
the choice of a site for the Chamber's
proposed building have taken place in
the last week and members of the com-
mittee expressed themselves today as
expecting some conclusive action at the
coming meeting.

BURR IN BOY'S THROAT;
PHYSICIAN IS SUMMONED

PHILADELPHIA, Oct. 21.—Harold
Boyer, fourteen years old, of 472
Righter street, had his mouth open and
a chestnut burr dropped into it. The
burr stuck so tightly there that a physi-
cian had much work in removing it.
Harold and several other small boys
went chestnutting along the Wissahickon
yesterday.

Young Boyer tossed a club among the
branches. Fearing that it might, in
falling, strike one of his friends, he
spread wide his jaws to yell a warning.
A chestnut burr fell with such accu-
racy that it fell into Harold's gaping
mouth and stuck fast, with its stinging
thorns imbedded in his throat.

RAN BAR IN CLOTHES;
MOOR IS FINED \$500

A fine of \$500 was imposed on Lafay-
ette Moor today by Judge Kimball for
running an unlicensed bar. To the
police Lafayette is known as the
"Walking Speakeasy." When arrested
by Policeman Catts, of the First pre-
fect, the itinerant barroom was dressed
in half pint and pint bottles of whis-
ky.

In every pocket of Moor's clothes a
short black bottle was found, and when
an inventory of his stock in trade was
made the thirst of half a dozen or more
could have been easily supplied.

6-5-4 Is very thin
and very black. Paint it
on. Is better
than enamel.
Dries quicker,
wears longer.
For sale by Rudolph & West (Jobbers);
M. Goldenberg; S. Kann, Sons & Co.;
Barber & Ross; Palais Royal; A. L.
Johnson; Chas. E. Hodgkin, and Wood-
ward & Lothrop.

LOST HIS FINGER
BUT NOT PROMOTED

Lieutenant Cronan Will Be
Commended by the Navy
Department.

It is not probable that Lieut. William
P. Cronan, who lost a finger while at-
tempting to stop the loading breach on
the battleship Connecticut, Saturday,
will be promoted by the Navy Depart-
ment on that account.

A report of the accident has been re-
ceived at the Navy Department, in
which the action of Lieutenant Cronan
is commended for his courage in at-
tempting to stop the breach, but it is
also said there was but slight possibility
of an accident, and that the sacrifice of
the finger was practically unnecessary.
Lieutenant Cronan will be commended
for his action, but no further investiga-
tion of the incident will take place.
Capt. Hugo S. Osterhaus, executive of-
ficer of the flagship, will come to the
Navy Department this afternoon.

FALLS FROM SCAFFOLD.

Michael Doyle, a plasterer, living at
225 First street northwest, fell from the
scaffold on the fourth floor of the build-
ing at 1228 L street northwest this morn-
ing, breaking two ribs and badly bruising
his body. He was taken to the
Emergency Hospital, where it was said
he would recover.



A suit or overcoat
to measure for \$15! In
brown, too, if you prefer.
Think of a garment that's
hand-tailored throughout,
at such a ridiculously lit-
tle price. Of course we
make suits as high as \$50 and
\$60, but they're
no bigger value,
in proportion,
than our offer-to measure
ing at.....
Full Dress and Tuxedos, \$30 up
Write for samples and Fall Style Book.
Newcorn & Green
1002 F St. N. W.
Open Saturday Evenings

ECZEMA NEARLY
ALL HIS LIFE

Face and Neck Affected—Itching At
Night Was Unbearable—Attended
By Six Doctors—Used Arsenic
Treatment Three Months, But

FOUND CUTICURA
THE ONLY CURE

"I had suffered nearly all my life
with eczema of the face and neck. It
troubled me mostly at night when the
itching would become unbearable and
kept me awake a good part of each
night. I had at least six doctors at
different times attending me, but none
of them could effect a permanent cure.
One of them gave me arsenic and I
tried that for three months, but it did
little good, if any. I read a Cuticura
advertisement in the paper about one
year ago and decided to try the treat-
ment. I used only two cakes of Cuti-
cura Soap, one box of Cuticura Oint-
ment, and one bottle of Cuticura Resolvent. It gave me great relief, but
after I had stopped using it for a month
the eczema came back. As the Cuti-
cura treatment was the only thing that
gave me any relief I started it again and
persisted with it until I was entirely
cured, which took from five to six
months, and I have not been troubled
since. I still use the soap as it has such
good healing qualities and does not
irritate the skin as the general run of
soap does. I highly recommend the
Cuticura Remedies to any one troubled
with skin or scalp diseases of any kind.
E. W. McPhail, 1511 Market St., Phila-
delphia, Pa., Jan. 29 and Feb. 13, 1907."

DRY THIN HAIR
Prevented by Daily Shampoo With
Cuticura Soap

Followed by occasional dressings of
Cuticura, the Great Skin Cure, this
treatment at once stops falling hair,
cleanses the scalp of crusts, scales, and
dandruff, soothes irritated, itching sur-
faces, stimulates the hair follicles, sup-
plies the roots with energy and nourish-
ment, and makes the hair grow upon a
sweet, wholesome, healthy scalp, when
all else fails.

Complete External and Internal Treatment for
Every Humour of the Skin. Cuticura consists
of Cuticura Soap (25c) to cleanse the skin,
Cuticura Ointment (50c) to soothe and
Cuticura Resolvent (50c) for the form of Chocolate
Coated Pills (25c per bottle) to purify the blood.
Sold throughout the world. Posters Drug & Chem.
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Pa., New York, N. Y., and London, England.

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- Brussels Carpets, suitable for any room and halls
and stairs. Regular 75c grade. Sale 57 1/2c
- Extra Quality Brussels Carpets, in patterns suit-
able for parlor, dining room, chambers,
and halls and stairs. Regular 90c quality. 67 1/2c
- Wilton Velvet Carpets—the entire stock in the
sale. A variety of pretty patterns, suitable for par-
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- Moresque Wool Brussels Carpets—very durable.
A variety of pretty hall and stair pat-
terns. Regular 75c quality. Sale price... 57 1/2c
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sels Carpets—the best 10-wire quality. A line of
beautiful patterns, suitable for parlor, dining room,
chamber, and hall and stairs. Regular \$1.10 quality. Sale price... 87 1/2c
- Extra Heavy Wool Moresque Brussels Carpets,
suitable for dining room and hall and
stairs. Regular 90c quality. Sale price 67 1/2c
- Velvet Carpets—extra fine quality. A number of
pretty patterns to select from. Regular 77 1/2c
\$1.00 quality. Sale price... 77 1/2c
- Velvet Carpets in a variety of good
patterns to select from. Regular price, 87 1/2c
\$1.15 yard. Sale price... 87 1/2c
- Splendid Wool Velvet Carpets, in many good,
choice patterns, suitable for most every room and
halls. Regular price, \$1.25. Sale \$1.07 1/2
price
- Smith Axminster Carpets—many choice patterns
to go in the sale. Regular price, \$1.25 yard. 89c
Sale price
- Alex. Smith, Bigelow, Hartford Axminster Car-
pets—a choice variety of patterns to select from,
suitable for parlor, bedroom, and halls. Regular
prices, \$1.25, \$1.50, and \$1.75 yard. \$1.12 1/2
Sale price
- Beautiful Moresque Brussels, in red, green, blue,
and tan, with pretty hand borders to match. Un-
usually pretty for bedrooms. Regular 87 1/2c
value, \$1.25 yard. Sale price... 87 1/2c
- Bigelow, Hartford, and French Axminster Car-
pets—a splendid variety to select from, with bor-
ders to match.
A chance to pick up a big bargain in a guaranteed
carpet. Patterns suitable for parlor, dining room,
library, and chamber. Regular values, \$1.27 1/2
\$1.85 and \$2.00 yard. Sale price... \$1.27 1/2

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