

High Court Backs U. S. In Oil Suits Over Prices

Any Combination Which Pegs Rate Is Ruled Illegal

WASHINGTON, (AP)—The Supreme Court gave powerful support yesterday to the Justice Department's current campaign under the Sherman anti-trust act with a ruling that the law prohibits "any combination which tampers with price structures."

In a five-to-two decision representing a fresh interpretation of the disputed, 50-year-old law, Justice Douglas asserted that a conspiracy to affect prices violated the Sherman act even though the resulting prices were reasonable.

"Under the Sherman act," said the youngest member of the court, "a combination formed for the purpose and with the effect of raising, depressing, fixing, pegging, or stabilizing the price of a commodity in interstate or foreign commerce is illegal."

This sweeping ruling specifically sustained Justice Department charges that 12 major oil companies and five individuals had violated the Sherman act by conspiring to raise the price of gasoline sold in 10 Midwestern States—one of a series of anti-trust prosecutions.

Setback in District Court

In District Court, meanwhile, the Justice Department suffered a setback in its first prosecution of a labor union under the anti-trust laws. Justice P. Dickinson Letts directed a jury to acquit officers of an A. P. of L. teamsters local charged with restraining building construction in a jurisdictional dispute. He held that the Government had failed to show criminal intent to violate the anti-trust law.

In his 67-page opinion in the oil case, the longest in years, Douglas said that for more than 40 years the court had "consistently and without deviation adhered to the principle that price-fixing agreements are unlawful."

But the two dissenters—Justices Roberts and McReynolds—contended that "no case decided by this court has held a combination illegal solely because its purpose or effect was to raise prices" and that "the criterion of legality has always been the purpose or effect of the combination unduly to restrain commerce."

Justice Roberts dissents. Justice Roberts, who wrote the dissent, held that the tribunal in 1911 and later had laid down a "firmly established" principle that the anti-trust law prohibits only "unreasonable" restraint of commerce.

Douglas said, however, that Congress had not "left with us the determination of whether or not particular price-fixing schemes are wise or unwise, healthy or destructive."

"It has no more allowed genuine or fancied competitive abuses as a legal justification for such schemes," he said, "than it has the good intentions of the members of the combination. If such a shift is to be made, it must be done by the Congress."

Trial Judge Upheld

The defendants contended they had engaged only "in a voluntary effort to remove distress gasoline" by purchasing the surplus of independent refineries.

They were convicted in Federal District Court at Madison, Wis., but a circuit court reversed the convictions and ordered a new trial on the ground that the trial judge had given improper instructions to the jury. The Supreme Court, held, however, that the trial judge correctly told the jury that it was immaterial whether the price level produced by the defendants was reasonable or unreasonable.

Food Inquiry Next

CHICAGO, (AP)—A high Federal official, who declined to be quoted, said yesterday that the anti-trust division of the Justice Department would launch its next major drive against alleged monopolistic activities in the food industries. Plans call for starting the campaign simultaneously in Chicago and New York. It was said.

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Steinbeck's Okie Novel Wins Pulitzer Award

NEW YORK, (AP)—John Steinbeck's powerful and controversial story of the "Okies," *The Grapes of Wrath*, and the public service performed by the Waterbury, Conn., Republican and American in exposing municipal graft were awarded yesterday the highest accolades of the Pulitzer prize committee for 1939.

Steinbeck's novel, said by its publisher, the Viking Press, to have been read in 12 months by more than 4,000,000 Americans—was found to have been the most distinguished of the year and won the \$1,000 prize.

It deals with the plight of migratory workers particularly in California.

The Republican and American was saluted for the most distinguished and meritorious public service rendered by an American newspaper, and won the \$500 gold medal.

For his dispatches from Berlin, Otto D. Tolson, of the New York Times won the \$500 award given annually for the most distinguished service as a foreign correspondent.

S. Burton Heath of the New York World-Telegram was awarded the \$1,000 prize for a distinguished example of a reporter's work domestically specifically for his exclusive articles which led to the exposure of former United States Circuit Judge Martin T. Manton, who now is in prison for accepting bribes.

For distinguished editorial writing, limited to the editorial page—Burt Howard of the St. Louis Post-Dispatch, \$500.

For distinguished work as a cartoonist—Edmund Duffy of the Baltimore Sun, \$500. Cited was

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John Steinbeck
His Okies Distinguished

Church Urges 'Moral Ban' On Aggressors

Virginian Advocates Joining 'Side of Right'

ATLANTIC CITY, N. J., (AP)—The Methodist Church yesterday advocated a "moral embargo" against shipping of scrap iron, cotton, crude oil, coffee and other "war materials" to aggressor nations as 77th delegates ended a 10-day general conference.

"They refused to ask the U. S. Government to enforce a positive embargo through laws, for fear it would get this country into war," Bishop Ralph A. Ward of Chicago, China, said such a proposal was "too vague" and added: "A moral embargo must be implemented if it is to be more than pious phrases."

But Dr. Ernest P. Tittle of Evansville, Ill., argued the present "moral embargo" against exportation of airplane parts worked out fairly well. He said a positive embargo might drive Japan into alliance with Russia; cause Japan to seize the Dutch East Indies and actually declare war on China; result in all Americans being driven out of China, and in the United States becoming involved in an Asiatic war.

"We can't remain neutral," Dr. William B. Johnson, a missionary assigned to the Kiangsi Province of China, led an unsuccessful fight to have the church favor positive embargo. Dr. Norman B. Harmon of Roanoke, Va., urged the conference to put itself "on the side of right" and added: "We can't remain neutral any longer."

The conference's official pronouncement did not mention the name of Japan in its text. Whether Methodists should join with other Protestant groups in a movement to have Easter fall on the second Sunday of April each year was referred to the committee on interdenominational relations, which will report back to the 1944 conference. At present, Easter falls on the first Sunday after the first full moon on or after March 21.

Enraged School Principal Kills 4 Associates, Hurts 2

SOUTH PASADENA, CAL., (AP)—Flying into a rage during a board of education meeting, Vernon Spencer, junior high school principal, yesterday shot and killed four school attaches, wounded two others and seriously wounded himself.

The dead: George C. Bush, 53, superintendent of city schools; John E. Alman, 50, principal of South Pasadena High School; William Speer, 43, business manager of city schools, and V. V. Vanderlip, principal of the school.

Wounded: Reta Barnett, Sturgeon, junior high school teacher, and Dorothea Talbert, secretary to Superintendent Bush.

Hospital authorities said Spencer's condition is critical and that he may die.

Because of confusion, the fact that most witnesses were either killed or seriously wounded and Spencer's condition did not permit authorities to question him, details of the shootings were not immediately available.

The first reconstruction of the crime by Police Chief Frank Higgins was that Spencer, who recently had won honors on a pistol range as an expert marksman, had had disagreements with the school board and faculty members and that the meeting in the

Dr. Faulkner Dies in Fall From Building

Coroner Says Death 'Probably Accidental'

Dr. Donald MacK. Faulkner, 47, prominent Richmond orthopedist, fell to his death early yesterday afternoon from a window of his office on the fourth floor of the Medical Arts Building, Second and Franklin Streets.

His body struck two low concrete steps in a walk leading from the Franklin Street sidewalk a few feet from the southwest corner of the building. Physicians said he was killed instantly.

Dr. W. T. Graham, with whom Dr. Faulkner was associated, said the physician was alone in his private office at the time of the fall.

Two See Body Fall

Two persons outside the building said they glimpsed the body plunging down the fall. Apparently no one saw the fall begin.

Following an inquest, Dr. J. H. Scherer, city coroner, pronounced the death "probably accidental."

Dr. Graham, Dr. J. T. Tucker, also associated with Dr. Faulkner, could offer no explanation of the accident. They said Dr. Faulkner always seemed to be in good health and seemed to be in good spirits yesterday.

Dr. Faulkner and his wife were building a new home in the Westhampton area and had planned soon to vacate their residence at 1907 Stuart Avenue.

The physician had two daughters, Cloey Virden, 13, and Terry Berryman Faulkner, 10, and one son, Donald M. Faulkner Jr., 6.

Dr. Faulkner was born at Boydton, the son of the late Charles J. Faulkner, well-known Mecklenburg County attorney, and Mrs. Lucy Harrison Faulkner of Amelia.

He attended Episcopal High School and the University of Virginia, where he was graduated in medicine in 1918.

At the university he was elected

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President Asks House To Approve Hatch's Bill

Committee Vote To Reconsider It Expected Today

WASHINGTON, (AP)—President Roosevelt yesterday called for enactment of the Hatch political practices bill as supporters of that Senate-approved measure prepared for a new attempt to obtain action in the House.

En route to Washington from a week end at home in Hyde Park, N. Y., the Chief Executive unqualifiedly endorsed the measure, saying he hoped very much that it would be brought before the House, voted on and passed.

The legislation would regulate the political activities of State employees who derive any part of their salaries from Federal funds. It also would limit individual political campaign contributions to \$5,000 and limit expenditures of national campaign committees to \$3,000,000 per campaign.

Murdoch to Push Fight

The President, who previously had expressed support for the legislation, gave it this new boost on the eve of a meeting of the House Judiciary Committee, at which members said they would seek to overturn the committee's 14-to-10 secret vote last Wednesday, tabling the bill.

Representative Murdoch (D., Utah) said he would make a motion to reconsider the previous vote and then seek to push the measure through to committee approval. He had the announced backing of several Democrats and Republicans.

Since the tabling vote was by secret ballot, there was no record of how the committeemen voted, but Murdoch said that "if all those who said they voted against tabling vote for reconsideration, there is no doubt about the outcome."

Representative Dempsey (D., N. M.), House sponsor of the bill by Senator Hatch (D., N. M.), said last week that 14 committee members had told him they voted against tabling, in spite of the fact that only 10 votes were recorded against it.

Dempsey, meanwhile, obtained 10 more signatures for his petition to bring the legislation to the floor without the Judiciary Committee's approval. This brought the total signers to 113, or 105 short of the number required to lift the bill out of the committee's hands.

Critiques Secret Vote

The measure also was brought up in floor discussion. Representative Anderson (D., Mo.) said its foes were those who foster "the loot and spoils system."

He urged the House to "rise above anything that smacks of political bossism" and do what ever necessary to bring the legislation to a vote. He also criticized the committee's secret vote.

"Can we sit idly by," he asked, "and permit to pass unchanged an action which has been characterized as unequal in the annals of this country for its callous and brazen betrayal of public trust, for its utter disregard and frustration of the public will, and for its violation of the public confidence?"

Representative Creal (D., Ky.), a member of the Judiciary Committee, suggested that House members should read bills before they sign petitions to take them away from committees. He did not mention the Hatch bill specifically.

Power From Atoms Declared Still Remote

ITHACA, N. Y., (AP)—A Cornell University scientist declared last night that there was no immediate likelihood of coal, oil or electricity being supplanted by "U-235," the miracle substance with which science has unlocked the secret of atomic power.

Hans A. Bethe, professor of physics, in a statement to the Associated Press, explained that the scarcity and laboratory cost of isolating "U-235," a rare isotope or chemical twin of the heavy element uranium, but into "the distant future" the production of energy from this source on any commercial scale.

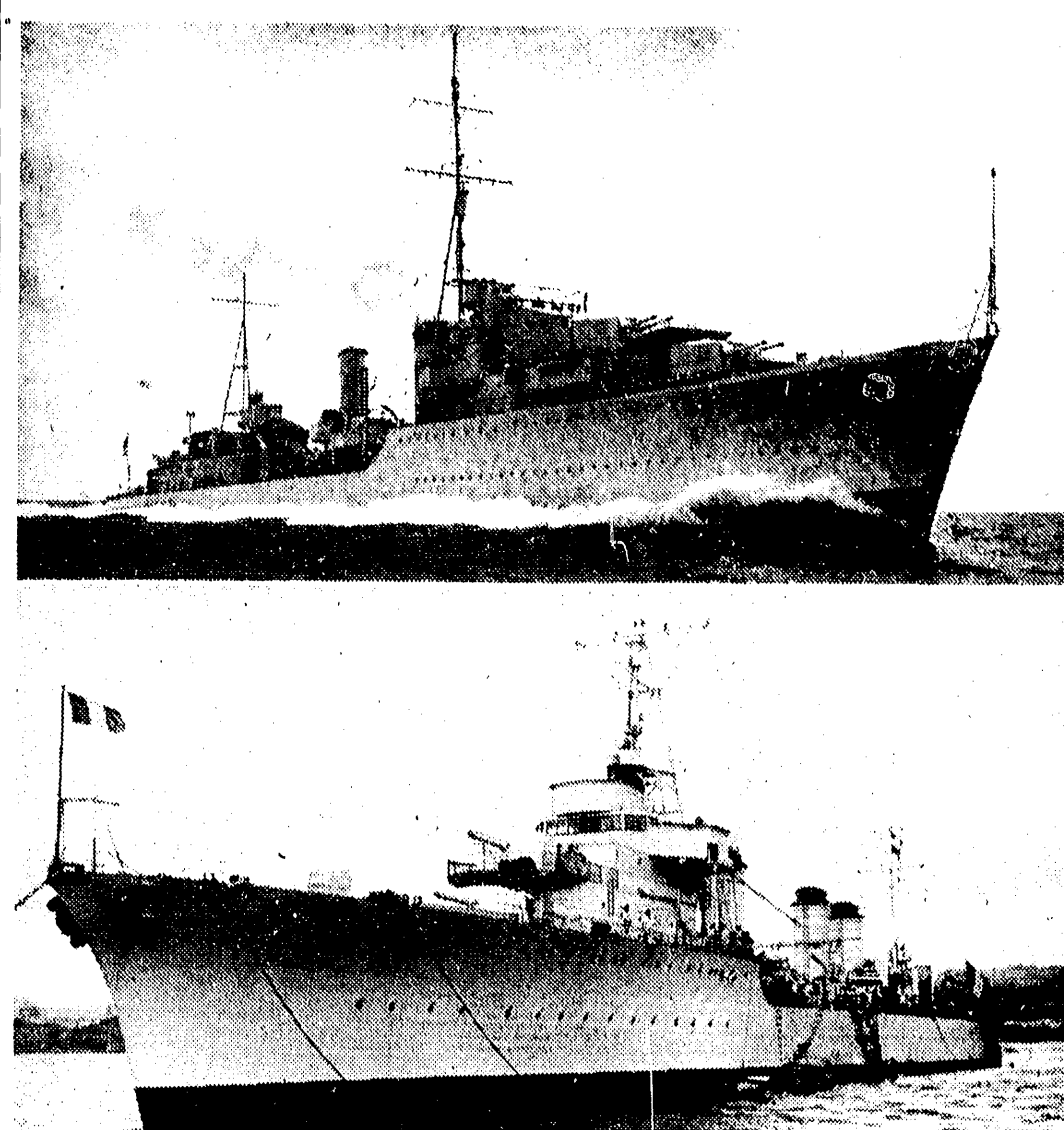
Liberty Bell Ransom Offered to Hitler

HARRISBURG, PA., (AP)—The Pennsylvania World's Fair Commission offered Adolf Hitler \$3,000 yesterday for a replica of America's Liberty Bell, donated to Czechoslovakia when that country became a republic.

Richard P. Brown, State secretary of commerce and chairman of the fair commission, cabled Hitler:

"We understand all bronze articles are being melted down and since we have use for this valuable bell we offer \$3,000 if delivered New York in good condition for use in Pennsylvania building at World's Fair."

Allies Admit 3 Destroyers Sunk; Chamberlain Faces Irate House Today but May Stave Off Defeat



SUNK IN GERMAN AIR RAIDS—Here are two of the three destroyers which the Allies admit have been sunk by the Germans. At the top is H. M. S. Afridi, 1,870 tons, of the Tribal Class. She is largest and most heavily armed destroyer ever built for the Royal Navy. Below is the 2,436-ton French destroyer Bison which had a speed of 41 knots and also was armed heavily. Her normal complement is 209 men.

Egypt Ready To Meet Italy On All Fronts

ALEXANDRIA, EGYPT, (AP)—The guns of a newly arrived squadron of Allied cruisers, reinforcing French and British battle fleets, gleamed in Alexandria harbor last night and British warplanes stood with bomb racks loaded for a quick take-off.

"We are ready to meet Italy on land, sea and air should she decide to fight," said British official circles as this display of naval and air might spread itself out to defend, in any emergency, the vital Suez Canal.

"The test has already started," these sources said of the question whether Italy might decide to fight, hinting the answer was expected within the next seven days.

"In fact, the Allies' attitude is defiant," these spokesmen continued, "because it is tantamount to a reply, not to a diplomatic note, but rather to a naval demonstration of great significance."

"The Allies are fully prepared for any emergency in the fields in which hostilities may take place with Italy, and in event of war being declared, which we still doubt we are absolutely certain of the final issue of such a conflict."

The "naval demonstration" mentioned, went unexplained. However, observers recalled reports that the Italians recently have concentrated naval forces, as well as reinforced their land and air troops in the Dodecanese Islands, in the Aegean between the Turkish and Greek coasts.

The new squadron of Allied cruisers and auxiliaries arrived yesterday to join battleships, cruisers, destroyers, submarines and torpedo boats already here as extraordinary defense precautions were being taken by the Egyptians, Allies of the British by treaty.

The Egyptian coastal defense artillery was just completing a practice cannonade as the last units of the war fleet moved into the harbor.

The Suez Canal, Britain's "lifeline" to her Far Eastern empire, and the supply line to Allied North Eastern forces should Italy block the Mediterranean, was being swept continuously lest an enemy plant mines there.

Governmental orders canceled ordinary visas, and persons entering or leaving the country now must get special permission. All civilians were called upon to declare any firearms, explosives or poison gas in their possession. Egypt has a large Italian colony.

Alexandrians casually read newspaper announcements of the first complete anti-air raid blackout in Egypt's history which will last for a week starting today.

German Overland Expedition Drives Northward in Norway To Relieve Narvik Garrison

BERLIN, (AP)—A German overland expedition driving northward through Norway under the joint direction of Hitler strategy and expert army planning yesterday was reported at the outskirts of Mo, the halfway point along its 300-mile route from Namsos to Narvik.

The drive had the triple objective of: Relieving the German garrison in the Arctic port of Narvik from attacking British, French and Norwegian forces.

Mopping up, en route, the Allied detachments which, left behind in last week's embarkation at Namsos, also are believed to be trying to reach Narvik.

Establishing a powerful air base at Bodo, only 110 miles inland from Narvik, for the hard-hitting "Stukas" ("Sturzkampfbomber" or "dive battle bombers").

Soon after it was announced that Hitler had ordered the overland drive of over 300 miles from Namsos through the wilds of Northern Norway to Narvik, military experts said the most immediate of the three Nazi goals

would be to establish the air base at Bodo. From this site, the "Stukas" would be able to make round trips to Narvik in an hour, to blast at the British and French positions and harass the Allied sea forces which now are attempting to crowd the Germans out of this vital terminus of the rail line running east to the rich Swedish ore mines.

German troops already are reported to be within perhaps half a dozen miles of Mo, northern end of the rail line coming up from Central and Southern Norway and of the improved highway. (In Stockholm, it was reported the Nazis had landed parachute troops at Mo.)

Ahead of the advancing German forces, scouting planes reported they have located the French and British units which are moving north in the same direction and contact between the two was expected hourly.

Mo is approximately 65 miles south of Bodo, and to get to Bodo the Nazi troops must march over

German Press Headlines East War Plotted by Phone

BERLIN, (TUESDAY) (AP)—The German press asserted today that plans for Allied military action in the Balkans this month had been disclosed by interception of a telephone conversation between the French Premier Reynaud and British Prime Minister Chamberlain.

Under large, front page headlines, the Berlin *Zweifelhafte* carried excerpts from the alleged conversation in which Reynaud was quoted as saying that General Maxime Weyand, Allied commander in the near East, had promised to be ready for "ordered action" by May 15.

(How the alleged telephone conversation, which was said to have occurred April 30, was intercepted was not disclosed immediately.)

The paper said Reynaud advised Chamberlain that he should not take the May 15 date too literally.

Chamberlain was quoted as replying, "In an obviously depressed tone" that the preparations "down there seem to be taking more time than are necessary."

Reynaud was said to have answered that there were "many difficulties to be overcome," especially in connection with the Turks, "who are daily making higher demands."

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Norway Case Will Be Aired By Churchill

LONDON, (AP)—Prime Minister Neville Chamberlain, who has guided Britain from Munich to Namsos, lined up his forces last night for the fight of his political life in Parliament while the Allies reported the loss of three destroyers in the Norwegian campaign, the failure of which thus far has placed Chamberlain's government in jeopardy.

The elderly statesman will open two days of full dress debate in the House of Commons today with a lengthy statement on the Norwegian affair. He will defend and explain Britain's military setback in an attempt to stave off a critical offensive bent on breaking the premier and his ministry.

To counter opposition demands for a new government, some of which include the naming of Lord Halifax, foreign secretary, in place of Chamberlain, the prime minister is expected to announce greater power for stocky Winston Churchill, first lord of the admiralty.

Churchill Curbed
A month ago, Churchill was named chairman of a ministerial committee on military co-ordination, but since then Chamberlain has let it be known he himself still was in control.

Veteran political observers weighing the case for the determined opposition against the government's voting power and debating strength expressed the belief the Conservative government would ride out the storm but would be faced with an aroused and fighting opposition on every future measure.

To Churchill, first lord of the admiralty, will go the sad duty of telling the House of the loss of the 1,870-ton destroyer *Afridi*, which was bombed and sunk last week while she was protecting troops leaving Namsos, Norway. The *Afridi* normally carried 219 men and there was no word as to how many were saved, if any.

Polish Ship Sunk
Coincident with this destruction, the Polish naval staff in London announced the loss of the Polish destroyer *Grom* by bomb off Norway, with one officer and 65 men believed lost.

In Paris, the French admiralty admitted the sinking of the big 2,436-ton French destroyer *Bison* by a German air attack on May 3 while escorting troops off Norway. Most of her crew, which normally would be 209 men, was saved.

All three destroyers were sunk while fighting off German aircraft trying to get at troop transports. The troops themselves escaped unscathed, it was reported.

The sinking of the *Afridi* was Britain's forty-seventh acknowledged naval loss of the war. She was the eleventh destroyer sent to the bottom since the war began, and the fifth since the start of the Norwegian campaign.

Was Assisting Troops

The *Afridi* was sunk while conveying troops from Namsos, Norway. She was commanded by Captain P. L. Vian, who previously commanded the destroyer *Cossack* when that warship invaded a Norwegian fjord on February 17 and rescued British captives from the German ship *Altmark*. The *Cossack* was reported by the Germans to have been hit and set afire by shells in the second naval battle of Narvik April 13. The *Afridi* was a new destroyer, completed in May, 1938, at a cost of \$450,000 (about \$1,800,000 at the then current rate of exchange). The ship was fitted as a squadron leader, although not classed as such.

Her armament included eight 4.7-inch guns, seven of smaller caliber and four 21-inch torpedo tubes.

Planes Routed
The *Grom*, 2,144 tons, was completed in 1937 in a British shipyard and had been co-operating with the British in the Norwegian operations. She carried a crew of about 200. The Poles announced they had accepted an offer by the British government to replace the *Grom* by a destroyer now being built.

Naval sources explained that the heavy barrage of anti-aircraft fire put up by the warships kept the bombers away from the troops. Destroyers are more vulnerable to air attack than cruisers and battleships because their decks are not as heavily protected, it was said.

The admiralty also said that three British trawlers, the *Penn*, *Hercules* and *Lenora*, each carrying nine men, were overdue and had been given up as lost.

Bursts of machine-gun fire and a number of explosions off the southeast coast of England during

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