es.

THE WEATHER
Cloudy and cooler today; tomorrow slightly warmer.
Temperature yesterday—Max. 88, min. 66.
☞For weather report see Page 46.

TWO CENTS in Greater New York | THREE CENTS Within 200 Miles | FOUR CENTS Elsewhere in the U. S.

ELS LLED USSION

Throat at Forbid ng.

N ATTACK

lf-Invited to , Were to d Fire.

CITY G. O. P.

Cent Fare Issue vival of "Uni- Proposal.

e throat and con- a doctor's orders, ed last night to set for this even- tmore to consider ication at the polls $100,000,000 bond o be expended at 00 a year for ten w public buildings improvements. t which the Re- ently in control to e approved it, and the voters in the Autumn. The con- his evening was to only ways to con- mpaign for ratify- an amendment to but also methods enditure of the proves favorable. o attend were Re- Democrats, but the by the Governor n who throughout Albany have taken every argument, ions of their own

nce been held this wo Republicans who sympathy with the nds as contemplated uld have attended, as ht, "by their own in- s Governor Smith's e, ex-Governor Nath- other was Repre- Mills. After the d and the invitations names not included, cations to Governor they be admitted, as of State concern and terested.

Consents.

t every view that I estion and will be as the substance of Republican lead- e Governor's letter Republicans was t gracious.

Miller and Repre- rongly opposed to issue. Governor omy the keynote and succeeded in expenditures of with great dis- policy of his suc- hension the jump tures which has e Mills has taken s spoken his mind in public. Ex- kept silent, al- ld his friends— severe restraint

conference called s evening would r Miller's first g line since he

rnor Miller and thought to mark State-wide Repub- st Governor Smith Locally too, the Re- aring to abandon the into which they have gh the faulty strategy leaders in the Legis- reparing an aggressive ocratic opponents, in- Smith.

nt Fare Issue.

n, it was learned last ng Mayor Hylan's loss are issue, because his oard pronounced the e new municipal sub- cent fare, impossible, tax levy, the Repub- g to annex the five- or themselves. They w the proposed new sustained on a nickel ling any considerable xes.

s to be wrought none enture to say, but in oposal yesterday they d confident in their

on Page Two.

75-Mile Wind in Sioux City Levels Homes, Injures Many

Special to The New York Times.

SIOUX CITY, Iowa, June 1.—A tornado which struck the heart of the business section of Sioux City this afternoon caused property damage estimated at $100,000. Many persons were injured, the most seriously being a baby, which probably sustained a broken back.

For ten minutes a seventy-five-mile-an-hour wind blew. Light buildings were overturned, many garages were unroofed, several residences under construction were demolished, walls of a large storehouse were caved in, plate glass windows in stores were blown in and damage to stocks resulted from torrents of rain.

The storm broke a drought which for weeks had been threatening crops of all kinds in Northern Nebraska, Southern South Dakota and Northwestern Iowa.

TRADE BODIES WIN ANTI-TRUST TEST

Exchange of Cost, Production and Price Data Held Lawful by Supreme Court.

LOWER COURTS REVERSED

Chief Justice Taft and Two Others Dissent in Flooring and Cement Cases.

Special to The New York Times.

WASHINGTON, June 1.—In two decisions of far-reaching importance to the business world and the great industries the Supreme Court held today that trade associations do not violate the anti-trust laws in gathering and disseminating among their members information as it costs and quantity of production, stock conditions and sale prices, and cannot be prosecuted for so doing.

The decisions were given in the cases of the Maple Floor Manufacturers' Association and the Cement Manufacturers' Protective Association, both of which had been found guilty by the lower courts of breaking the anti-trust law. The Government contended that under the guise of exchanging trade information these associations had virtually formed and were operating a commercial pool in defiance of the Sherman act.

Three of Court Dissent.

In writing the two decisions, Associate Justice Stone argued that whereas a combination between the various manufacturers in these two trades might have come about through the methods complained of, there was nothing to show that such was the intent, and that, on the other hand, especially in the case of the maple flooring manufacturers, diligent effort was made to keep within the anti-trust laws.

The court was not unanimous on the opinion, Justice McReynolds submitting a dissenting opinion which held the activities of the two organizations had been proved unlawful under the decisions already laid down by the court in the hardwood lumber and linseed oil cases and Chief Justice Taft and Justice Sanford dissented on somewhat similar grounds.

The two actions were considered by industrial interests throughout the country as test cases, in which the final decisions would govern to a large extent the future business methods and manufacturing and selling operations of some of the greatest corporations.

The maple flooring case came from Michigan, where, the Government contended, twenty corporations in Michigan, Minnesota and Wisconsin were banded together to defeat the Anti-Trust act. The cement case arose in New York State, where the Government arraigned the Atlas Portland Cement Company, Allentown Portland Cement Company and nineteen others doing business in Pennsylvania, New Jersey, New York, Maryland and Virginia. The Supreme Court decision overthrew injunctions granted by the lower courts in both cases.

In one opinion Justice Stone declared that the flooring manufacturers, "by their course of conduct, instead of evidencing the purpose of persistent violations of the law, had steadily indicated a purpose to keep within the boundaries of legality as rapidly as those boundaries were marked out by the decisions of courts interpreting the Sherman act."

"It is not open to question," continued the opinion, "that the dissemination of pertinent information, concerning any trade or business tends to stabilize that trade or business and to produce uniformity of price and trade practice. * * * But the natural effect of the acquisition of wider and more scientific knowledge of business conditions on the minds of the individuals engaged in commerce and its consequent effect in stabilizing production and price can hardly be deemed a restraint of commerce, or, if so, it cannot, we think, be said to be an unreasonable restraint, or in any respect unlawful.

"It was not the purpose or the intent of the Sherman Anti-Trust law to inhibit the intelligent conduct of business operations, nor do we conceive that its

Continued on Page Five.

OREGON SCHOOL LAW DECLARED INVALID BY SUPREME COURT

Bench Unanimously Upholds Right of Parent to Dictate Child's Education.

STATE CONTROL REJECTED

Justice McReynolds, in Opinion, Calls Law "Standardizing Children" Unconstitutional.

PRIVATE SCHOOLS JUSTIFIED

State Law Is Characterized as Destructive of "Useful and Meritorious" Institutions.

Special to The New York Times.

WASHINGTON, June 1.—The inherent right of a parent to send his boy or girl to any school he deems best was upheld and the right of a State to insist that the children must attend certain institutions was sharply denied when the Supreme Court declared unconstitutional this afternoon, the Oregon law prescribing that children between 8 and 16 years of age must be educated in the public schools.

The Court, at the same time, declared that to sustain the Oregon law would mean the destruction of thousands of dollars worth of property belonging to the parochial and secular schools, and that this would amount to depriving them of their possessions without due process of law.

Few decisions in years have attracted as much attention as the present one which was rendered unanimously and was handed down by Associate Justice McReynolds.

Charges that the law was backed by the Ku Klux Klan and was aimed at the Roman Catholic Church have been heard on every side since the statute was enacted. The law, however, makes no distinction against parochial schools, and in the case which was decided this afternoon, the Hill Military Academy, a non-sectarian institution, joined with the Society of the Sisters of the Holy Name of Jesus and Mary in opposing the State authorities, who were officially listed as Walter M. Pierce, the Governor; Isaac H. Van Winkle, the Attorney General, and Stanley Myers, the District Attorney for Multnomah County.

The dual fight of the parochial and the secular schools had already been won in the Federal Court for the District of Oregon, but the State officials appealed from that decision to the Supreme Court, which today upheld the lower court's dictum.

Holds Child "Not Creature of State."

"The child is not the mere creature of the State," declared Justice McReynolds in that part of his opinion which dealt with the right of the parent to dictate the school to which his child should go.

"Those who nurture him and direct his destiny have the right, coupled with the high duty, to recognize and prepare him for additional obligations," he continued, speaking for the court.

"We think it entirely plain that the (Oregon) act of 1922 unreasonably interferes with the liberty of parents and guardians to direct the upbringing and education of children under their control. As often heretofore pointed out, rights guaranteed by the Constitution may not be abridged by legislation which has no reasonable relation to some purpose within the competency of the State.

"The fundamental theory of liberty upon which all Governments in this Union repose excludes any general power of the State to standardize its children by forcing them to accept instruction from public teachers only."

It could not be expected that the Supreme Court would touch on the Ku Klux Klan issue because it had not been spread officially on the records of the case, but at one point Justice McReynolds stated:

"The appellees are engaged in a kind of undertaking not inherently harmful, but long regarded as useful and meritorious. Certainly there is nothing in the present records to indicate that they have failed to discharge their obligations to patrons, students of the State. And there are no peculiar circumstances or present emergencies which demand extraordinary measures relative to primary education."

Text of the Court's Opinion.

The opinion delivered by Justice McReynolds was as follows:

These appeals are from decrees, based upon undenied allegations, which granted preliminary orders restraining appellants from threatening or attempting to enforce the Compulsory Education act adopted Nov. 7, 1922, under the initiative provision of her Constitution by the voters of Oregon, Judicial Code, Section 266.

They present the same points of law: there are no controverted questions of fact. Rights said to be guaranteed by the Federal Constitution were specially set up, and appropriate prayers asked for their protection.

The challenged act, effective Sept. 1, 1926, requires every parent, guardian, or other person having control or charge or custody of a child between 8 and 16 years to send him "to a public school for the period of time a public school shall be held during the current year" in the district where the child resides; and failure to do so is declared a misdemeanor.

There are exemptions—not specially important here—for children who are not normal, or who have completed the eighth grade, or who reside at considerable distances from any public school, or who hold special permits from the County Superintendent.

The manifest purpose is to compel general attendance at public schools by normal children, between 8 and 16, who have not completed the eighth

cCooey Joins Tammany Society; Braves Initiate the Brooklyn Leader

y, the Brooklyn Demo- ame a member of the last night. About 200 athered in Tammany ooey's initiation, which nough to be heard ourteenth Street Wig- ge George W. Olvany, f Tammany, was pres- n other Sachems to peace with the recruit. s unanimously elected the Tammany Society der two months ago. e a member, however, the gauntlet" and ac- ions of the order.

John E. Voorhis, the ninety-six-year-old Grand Sachem, who usually presides at initiations, is ill at his home and was not able to be present. Dr. Thomas R. Darlington, former Health Commissioner, who is "Father of the Council," presided in his stead. Following his initiation, Mr. McCooey participated in the initiation of several other new members.

The Tammany Society is a social, benevolent and patriotic organization. It was the original Tammany body and is now allied with the political organization of the same name. Unlike the Tammany political organization, membership in the Tammany Society is not confined to residents of Manhattan.