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"Merrill and the Law"

before the

The Sherman Law should not be judged save in the light of the
circumstances surrounding its enactment and the evils at which it was

Refining the discussion to concrete reasons with which the

[REDACTED]

Section 3 purports to prevent so called tying clauses in contracts

The crowning absurdity of the section is that it applies only to
the acquisition of capital stocks. It says nothing about the acqui-

of identical assets must be operation desiring to take over a

the immediate demand will be for the creation of another Industrial Commission to give thorough and scientific study to the question, to the end that a workable program will be evolved which will command the con-

If not the competitive system of industry under statutes and administrative policies sufficiently elastic to permit of the greatest efficiency in industry consistent with the maintenance of that system, then what? That is the question which causes me to pause in the con-