

decision? The courts decided that railroads could not consolidate along certain plans. The railroads merely proceeded to accomplish the same ends by following other plans. Competition is stifled, just as was contemplated by the merger. Consolidation goes merrily on. Every day the railroad trust seizes another line or two. The rates grow a little stiffer and the burdens upon the people a little heavier with every passing hour. The decision against the merger does not seem to have had any effect upon the eminent financiers who are playing a big game, with the power to exploit the people as the stake. They were told that they were "real naughty," and that if they persisted in their "naughtiness" they would be slapped lightly on the wrist, so to speak. It seems that the threat has had no effect. Why not put a few rich criminals behind the bars to keep company with laboring men who have had the temerity to violate some judge-made laws? That might have some effect.

WHAT A DELIGHTFUL JOKE IT IS!

Newspaper dispatches say that the inquiry in the case of the state of Missouri against the Standard Oil company was resumed February 13, and adjourned after the following two questions were asked of a process server and answered as follows:

"Have you made any effort to serve John D. Rockefeller?"

"I have."

"Have you succeeded?"

"No."

The newspaper paragraphers are having great sport these days in guessing as to Mr. Rockefeller's whereabouts. An officer of the law has made repeated efforts to locate this trust magnate in order to serve upon him a writ commanding him to appear and tell what he knows concerning the alleged violation of law by his great business concern. But the trust magnate is in hiding, and although he is, perhaps, the most talked about man in the world, as he is unquestionably the richest of all men, the authorities seem to be unable to locate him.

Yet this man who is hiding from the officers of the law gives enormous sums of money for the erection of colleges and for the spread of the gospel among the heathen. Wherever his tainted money has touched college or church circles criticism of his methods has been silenced and many men have been led to believe that he is a benefactor of his race and a man whose life may well serve as a model for rising generations.

What an inspiration to the youth of our land that a man whose proud boast it is that within recent years he has given more than \$16,000,000 to one university in the city of Chicago, takes to his heels when he learns that an officer of the law has been commissioned to command him to appear before a magistrate and make a simple statement of fact with respect to his business methods.

When one seriously thinks about it, this is a solemn affair.

Can any one explain how it happens that this man has not, by reason of his flight, lost any of his standing with those who have been ready to stand uncovered in his presence? Can any one explain how it happens that this very serious affair is made the butt of newspaper jokes?

Perhaps the explanation is that, because of the influence which the contributions this man has made to colleges and to churches have had in silencing criticism, he feels that he may do with impunity what men of ordinary means dare not do. And the public, grown accustomed to his wrongdoing, take substantially the same view.

The power of public opinion is great and that opinion when crystallized would very speedily bring this arrogant monopolist to his knees.

Let us imagine, for a moment, that the heads of educational institutions and the men in charge of religious organizations would say to this notorious fugitive from law: "We will accept none of your tainted money until you cease your defiance of authority and your violation of statutes. We will accept none of your ill-gotten gains unless you bring them as a contribution to the conscience fund rather than as a means for the erection of a memorial to your unholy methods."

Let us suppose, then, that the newspapers of the country rather than treating Rockefeller's flight as a good joke gave to it that attention and condemnation which we have the right to expect from newspapers representing the intelligence and integrity of the country.

Let us imagine that every well-meaning man avoids the temptation to find ingenious excuses for this notorious law-breaker and passes judgment on his methods in accordance with the

same rule they apply to the commonest law-breaker in the land.

Let us imagine that that wholesome public sentiment upon which civilization must depend is crystallized and expressed through the channels from which we have the right to expect such manifestations.

How long, under these circumstances, would Rockefeller continue to be defiant? How long would he remain in hiding? How long would his monopoly, which has been guilty of nearly all the crimes in the calendar, exist?

Rockefeller, the builder of colleges!
Rockefeller, the contributor to foreign missions!

Rockefeller, the fugitive from law!
What a delightful joke it is!

EASY TO BELIEVE

Attorney General Moody makes the solemn declaration that Commissioner Garfield did not furnish the department of justice with any evidence against the packers. The strange part of this declaration lies in the fact that Attorney General Moody never cracked a smile when he made it. Commissioner Garfield not only did not present any evidence to the department of justice, but he presented nothing less than an apology for the packers. The Garfield report will for many years to come stand forth as an example of how government officials should not set about to glean facts.

LIMITATIONS ON JUSTICE

Governor Magoon of the canal zone, testifying before the senate committee on canals was asked by Senator Morgan whether the courts as constituted by the isthmian canal commission could deny to an American citizen his inherent right to trial by jury when charged with a capital offense.

Governor Magoon said that presented "a serious question."

The Associated Press report says:

"In a general discussion of the subject Senator Knox said he should not like to decide what the ruling of the United States supreme court would be in this matter. Jury trials are not had in the canal zone, nor in the Philippines, and in the latter the supreme court had upheld the system as applied to the trial of a native Filipino. Senator Knox said he could not say what the decision would be if an American, going to possessions of the United States, was tried and convicted in like manner."

Under imperialism all manner of un-Americanisms are possible. It is likely that the supreme court as at present constituted would sustain the un-American practice in the canal zone just as it did in the Philippines. But it will require more than a supreme court decision to convince the average student of American institutions that denial of the right of trial by jury, as guaranteed in the constitution and emphasized in an amendment thereto, is justified.

Until we embraced the spirit of imperialism the guarantee of the right of trial by jury was always regarded as a very important constitutional provision. Mr. Jefferson referred to it as one of "the fetters against doing evil which no honest government should decline."

In a letter to Thomas Paine, Mr. Jefferson said: "I consider trial by jury as the only anchor ever yet imagined by man by which a government can be held to the principles of its constitution."

In the declaration on taking up arms, it was complained of parliament by the American colonists that "they have deprived us of the inestimable privilege of trial by a jury of the vicinage in cases affecting both life and property."

Among the complaints enumerated in the Declaration of Independence, is that King George was guilty of "depriving us in many cases of the benefits of trial by jury."

In the reply to Lord North's proposition that proposition was said to be "altogether unsatisfactory" because it "takes from us the right of trial by a jury of the vicinage in cases affecting both life and property."

In his first inaugural address President Jefferson said: "Trials by juries impartially selected I deem one of the essential principles of our government and consequently one which ought to shape its administration." In a letter to Dr. Price, Mr. Jefferson said: "I doubt whether France will obtain in its proposed constitution, the trial by jury, because they are not sensible of its value." Another time Mr. Jefferson said:

"Trial by jury is the best of all safeguards for the person, property, and the fame of every individual." At another time he said: "By a declaration of rights I mean one which shall stipulate trials by jury in all cases."

The republican platform of 1900 promised to the people of our new possessions all the liberty they are capable of enjoying. Can it be that when Governor Magoon said that it was a serious question whether an American citizen sojourning in the canal zone could be denied the right of trial by jury he meant that on that, as on other territory where we presume to rule by force, men are to be given all the justice they are capable of enjoying?

BUT WE MUST FORGET IT

Referring to an editorial recently appearing in *The Commoner*—"Facts to be Forgotten"—J. H. Manley of Buckhannon, W. Va., asks leave to amend. Mr. Manley reminds us that republican leaders told us that the tariff was not a tax; they then told us that it was a tax, but that the foreigner paid it; then they said, in effect, that the tariff was a tax but the consumer paid it; but their argument was that the tax made things cheaper. Mr. Manley says: "They told us as late as 1900 that there was no such thing as a trust in the United States save the ice trust in New York, when we all knew that there was a beef trust, a tobacco trust, an oil trust, a shoe and leather trust, a hide trust, and many others we could mention. They would have us believe that under republican rule the people have always been prosperous, but in answer to this I enclose a clipping of an article printed several years ago in the *New York World*. But we must forget these things."

The late Thomas B. Reed after his retirement from the speakership delivered a speech in New York in which he said: "Another thing which led this whole country into the error of 1892 was the history of the last thirty years. During all that time we have been prosperous." The *World* called this "cold, colossal and impudent falsification of history," and said that it must have astonished those among his hearers whose memories were more than one year long. Then this New York paper gave Mr. Reed these interesting reminders:

"The panic of 1873, under republican rule and after twelve years of high tariff taxation, was the most disastrous and the period of business depression for five years thereafter was the most severe of any in our history. It was officially estimated that 3,000,000 workmen were out of employment. Bankruptcy was widespread. A tidal wave of ruin and distress swept over the country."

"From 1881 to 1886, under two republican tariffs, there were labor strikes involving 22,304 establishments and 1,323,203 workmen. Of these strikes 9,439 were for an increase of wages and 4,344 against reductions of wages."

"Mr. Reed's party tinkered the tariff in 1883. In that year there were 9,184 business failures, involving \$172,874,000. In 1884 there were 10,968 failures, involving \$226,343,000. In the next year, still under the republican tariff and currency laws, there was a general business depression. More than 1,000,000 men were out of employment."

"In 1890 the McKinley bill was passed, and there were 10,673 failures in that year, and 12,394 the next, with liabilities in each year amounting to nearly \$200,000,000. The tariff was raised to nearly 50 per cent, but wages either stood still or declined, while the prices of necessities advanced. The protected manufacturers kept all their 'bonus' as usual."

"Tramps and trusts, the twin products of a monopolists' tariff, were practically unknown in this country until we had endured uninterrupted republican rule for a dozen years."

"The worst labor troubles, the bloodiest riots, the most destructive strikes, the most brutal lockouts ever known in any country have occurred here under the high tariffs, bought, made and paid for by the contributions of the republican campaign funds."

But Mr. Manley reminds us that "we must forget all these things."

It will be admitted, we think, that the American citizen must have a very active "forgettery" in order to be thoroughly impressed with the proud claims made by the average republican orator.