

the defendant on all the state's pleadings involving contracts made outside of the state. The company was convicted six years ago of violating the anti-trust laws in making, through one of its agents in this state, an exclusive contract, and the judgment of the court compelled its dissolution. It was then that the company reorganized, represented itself to be an independent concern, and, upon this representation, secured a permit to do business in Texas. Its defense in the recent litigation was that the ownership of a majority of its stock by the Standard did not affect the independence of its management. The jury manifestly held the view that independence in this sense was a fiction and that the Standard's ownership of stock came within the prohibitions of the statutes against conspiracies in restraint of competition."

IN THE DEMOCRATIC primaries for Oklahoma, C. S. Haskell of Muskogee, I. T., was nominated for governor. For United States senators, Robert L. Owen of Muskogee, and Thomas P. Gore, of Oklahoma, were nominated. Referring to these candidates the Guthrie Leader says: "Robert L. Owen is one-eighth Cherokee. He was born at Lynchburg, Va., and was educated at Washington and Lee university. He has been teacher in the Cherokee orphan asylum, for a time edited the Chieftain, a newspaper at Vinita; was Indian agent to the five civilized tribes from 1882 to 1884, organized the first national bank in the Indian Territory; was secretary of the first bar association organized in the territory, and was counsel for the last seventeen years, representing the Indians in various suits against the government, some of them notable. He has been delegate to national democratic conventions and a member of the democratic national congressional committee."

REFERRING TO Thomas P. Gore, an Oklahoma City dispatch carried by the Associated Press says: "He has been blind since he was eleven years of age, when he accidentally shot his right eye out with an arrow gun. Three years before, a playmate, while in a boyish passion, had blinded his left eye with a stone. Gore has been active in politics since, at the age of eleven, he was a page in the Mississippi senate. At nineteen he was a nominee for the legislature of that state and three years later he was populist elector at large. In 1900 he was unanimously selected for congressional standard-bearer by the populists in Texas while he was absent in South Dakota making stump speeches for the fusion ticket. He lives at Lawton, Okla., and has made speeches in all the campaigns since he came to this territory several years ago."

THIS IS A GOOD STORY on Congressman Burton and it is given by the Bellefontaine, Ohio, correspondent for the New York World: "It remained for the editor of the Mechanicsburg Weekly Telegram to score on Congressman Burton, of Cleveland, when Senators Foraker and Dick had tried and failed. The rural editor did it with the following editorial: 'Hon. Theodore Burton, of Cleveland, will deliver the Fourth of July address in Mechanicsburg. It is also understood that the ladies of this community have tendered Mrs. Burton an invitation to spend independence day in Mechanicsburg, and it is more than likely that she will be our guest on the Fourth. She is a most attractive woman, and her appearance here will be a great event in social circles.' Mr. Burton is a bachelor."

IN REFERRING to the Knox boom the New York Press, republican, does not mince words. The Press has an editorial entitled, "Knox's Suit Against the Northern Securities Merger a Big Humbug." The Press refers to Mr. Knox's failure to send any wealthy criminals to jail while he was attorney general, and says he failed to accomplish anything of importance in the way of suppressing unlawful combination. Referring to the Northern Securities case, the Press says: "Over and over again President Roosevelt has praised Mr. Knox for his conduct of this suit. There has been a persistent effort for a long time to make it appear that the Northern Securities prosecution was a tremendous triumph for the people. This effort may be successful so far as the general public is concerned, but students of the railroad problem are not deceived. It must be admitted that insofar as the suit led the supreme court of the United States to utter a thunderous dictum against the merger of competing railroads the action was of some value; but not a great deal. As John R. Dos Passos points out in his searching analysis of the matter, the state statutes had already

expressly prohibited the railroads to combine, and 'the tendencies of judicial utterances and of public thought ran counter to any such combination.' If the action taken by the supreme court at the instance of President Roosevelt and Attorney General Knox was to have any real value it had to come from a specific application of the principle invoked to the particular case in hand, namely, the combination of the competing Northern Pacific, Great Northern and Burlington railroads for the purpose of maintaining rates. If the judgment of the court was to be worth anything to the victims of the combination it would destroy that merger and restore competition between the merged roads. Did this happen? Not at all. Nothing like it. On the contrary, as Mr. Dos Passos points out in spite of the fulsome resolutions by the Pennsylvania convention, 'the organizers of this project, with malice aforethought, took their chances. They reasoned that they could in due course of delay beat the law. And they have succeeded well—very well.' Mr. Dos Passos further shows that 'after months of legal clawing and pulling, during which time the public were mystified by dull, technical legal discussions and maneuvering, the corporation shares immensely increased in value and the original shares were returned to their owners at a handsome profit.'"

THE NET RESULT of Mr. Knox's "prosecution" of the Northern Securities case was in the language of the Press, "nothing." That reckless republican newspaper concludes this more than candid editorial in these words: "Shippers over the roads of the merged companies still continued to pay rates that were kept up just as easily by a criminal conspiracy termed a 'gentleman's agreement' as if the 'holding company' had not been called so many hard names by the supreme court. Shippers over the Great Northern, Northern Pacific and Burlington continued to pay rates just as high as before Mr. Knox filed his bill. Not a dollar of water has been taken out of the stock. On the contrary, one of the companies in the merger has attempted to issue \$60,000,000 more securities. And it was not the federal government but the attorney general of Minnesota that intervened in behalf of the public to stop the meditated outrage. There is ample ground for the assertion of one of the foremost experts in corporation law that 'the Northern Securities litigation was a roaring farce at the expense of the morale of the law.' As for Mr. Knox's share in the joke thus played on the public, it is amply characterized by Mr. Dos Passos in the assertion that 'its progenitors saturated the courts with the idea that the company must be handled tenderly—with white kid gloves—which was unmitigated humbug.' Humbug is the right word for this Northern Securities business. Humbug is the word for all the Knox pretense of enforcing the law against criminal monopolies. Also if Knox had been earnest in his efforts to punish railroad rebaters he would have pointed out that the Elkins law, which relieved rebaters from imprisonment, was a humbug, and he would have urged congress to do what it finally did in spite of his efforts to bedevil the rate law—make it possible for an aggressive attorney general to put rebaters in stripes. When the republican party looks back on the splendid opportunities which were neglected by Attorney General Knox, and considers the insincerity of his campaign against the unlawful trusts, it will be impossible for him to get himself taken seriously as a candidate for the presidency."

THEY HAVE A good joke on the statesman that most do congregate at the Ohio state house. At that institution there has been much discussion for years concerning a mysterious portrait. Finally a young man who hadn't much to do with republican machine politics discovered that it was the portrait of Benjamin F. Wade. The name of "Ben" Wade was once familiar throughout the state of Ohio as it was throughout the United States. He began public life in 1841 as a member of the Ohio legislature; he served on the bench of the state, and beginning with 1851 was elected and re-elected to the United States senate. He took a conspicuous part in pushing the homestead bill; he fought for the repeal of the fugitive slave law; opposed the Nebraska-Kansas bill, served as chairman of the joint committee of congress on the conduct of the war and was president pro tem of the United States senate. At the time of Schuyler Colfax's nomination to be vice president in 1868 "Ben" Wade received a plurality of votes on the first four ballots for the nomination for vice president, but failed to obtain a majority of votes. He died in 1878, but he left his impress upon the

history of his country and the Columbus (Ohio) Press-Post well says: "It would be a good idea for the state officials to spend half a day now and then in the state library, or, better still, for the people to put new men into the building for officials."

A RALEIGH, N. C., dispatch to the Washington Post gives the name of the men who insist on the statement that part of the Cannon speech at the Guilford college banquet was suppressed. They are J. N. and O. E. Mendenhall. The latter was the toastmaster at the banquet, and both are prominent and reputable men. The dispatch says: "The Cannon story stands and will not down. Two as good men as there are in North Carolina both bear testimony to the effect that Speaker J. G. Cannon spoke for states' rights and took the southern view of the negro at the alumni banquet at Guilford college. It is true that the exact language attributed to the speaker might have been other than was actually used by him, and as much was stated in the first dispatch, but the substance of the dispatch was true, according to the two men mentioned. The story has been officially denied and branded as a 'base fabrication,' but those who know the two men who have told what they heard at that banquet know that they have intelligence enough to understand the English language, even when spoken by the 'czar of the house,' and it is also known that their veracity is unquestioned among their fellow citizens. This correspondent has seen a letter, written in an anxious vein, asking if the whole thing can not be hushed up, since what the speaker said was only 'fireside talk.' Whether intended for a few ears or for many, the gentlemen who have furnished the information were by no means bound to keep their mouths shut. There were newspaper men present, some of them representing big state papers. They are keeping a strange silence, if the story is untrue. One of them, according to a gentleman's statement to this writer, told a man at the banquet that the speaker's secretary said to the newspaper men, 'It will never do to publish that speech.' The same informant says that he exacted a promise of silence."

AFTER ALL THE relations between Taft and Foraker in Ohio are not so badly strained. The Washington correspondent for the New York World says: "President Roosevelt today extended the olive branch to Senators Foraker and Dick when he appointed General William V. McMaken collector of internal revenue at Toledo. The Dick followers are working for peace in Ohio, and it is even proposed that Foraker make the speech at the national convention, presenting Taft for the presidency. The senator performed a similar service for McKinley in 1896 after the peace terms had been arranged. Foraker is so anxious to be returned to the senate that it is believed he will consent. In announcing the appointment of McMaken President Roosevelt said he selected him because he was the choice of Senators Foraker and Dick, State Chairman Brown and Representative Southard, and because he had been highly recommended by the officers of the National Rifle association, especially General Drain, president of that organization, who called upon the president today. Senator Dick was the first to indorse McMaken who is one of the brigade commanders under Dick, the major general of the Ohio national guard."

THE NEW YORK Evening Post is "bewildered" by the midnight conference at the White House over the question whether Harriman is to be prosecuted. The Post says: "The interstate commerce act speaks of 'the duty of the commission' to prosecute violators of the law, and talks about evidence which shall be 'satisfactory to the commission.' It never occurred to the framers of the law that it would be necessary to have the cases laid before the cabinet and the president. But no one should suspect that political considerations have been injected into what the law intended to be purely a judicial process. It is not to be imagined that Mr. Roosevelt was arguing last night with his advisers, one of them being a former counsel of Harriman, over the question whether it would be good politics to start a thundering suit against Harriman in the present state of financial apprehension, and with elections pending. No; the commission and its lawyers were simply doing their duty in seeking the very highest legal opinion. To discover precisely what the law is, what the courts will hold, and what judges will get rapped over the knuckles if they do not decide 'right,' it was absolutely necessary to apply to the White House."