Knapp still contends that "it is not for the commission to determine whether Mr. Harriman has violated the criminal law." But strange as it may seem, in almost the same breath he comes out flatly and acquits Mr. Harriman of crime in the method he used and thereby determining that it is the business of the commission to find that Mr. Harriman did not violate the law. This is not mere inconsistency.

Let us quote further from Mr. Knapp's statement: "Whether any of these transactions were in violation of the criminal provisions of the anti-trust law, it is doubtless true that Mr. Harriman secured immunity by being called as a witness. This question was carefully considered by the commission and it seems plain that it was more important to develop and expose the actual facts, and there appeared no other way to get to the bottom of some of these transactions except by putting Mr. Harriman on the stand."

So the interstate commerce commission, despite their protestations that prosecution of Harriman was none of their business, did actually determine that question. They "carefully considered," without consulting the attorney general, who by law is supposed to advise them, that Mr. Harriman should be put outside the power of the department of justice, for whom the commission pretends to have so much respect, to bring him to the bar of justice.

Mr. Knapp's attempt to excuse the commission's action by saying that "there appeared to be no way to get to the bottom of these transactions except by putting Mr. Harriman on the stand" seems rather lame. Mr. Knapp probably never heard of the United States grand jury, and if he is right in his surmise that "Mr. Harriman has secured immunity from prosecution by being called as a witness by the interstate commerce commission" then the whole Harriman investigation is worse than a farce.

For what in that event will this investigation have accomplished? Nothing has been added to the information concerning Harriman's methods, not already known. The commission's report in fact could hardly succeed in making Harriman and his practices more odious than Harriman himself has made them. Probably much less of value has been extracted by the polite inquiry of the commission than would have been developed before a federal grand jury. Certainly the investigation has not checked Mr. Harriman's illegal operations. On the contrary it seems to have only succeeded in giving Mr. Harriman such an immunity bath that he is now in a position where justice can not reach him. It certainly is Harriman's turn to laugh.

The immunity bath given him by the interstate commerce commission is not the only thing that Mr. Harriman can laugh about. It now transpires that the President Roosevelt who was so outraged by Harriman's unholy Alton deal, is the same Theodore Roosevelt who, as governor of the state of New York, did his part to make that same unholy transaction possible. President Roosevelt can put individuals into the Ananias club with impunity, but he can hardly go behind the record. In February, 1900, a special act, known as the McEwan bill, passed the assembly and two weeks later the state senate. It was signed by Governor Roosevelt on February 26. Both in the assembly and in the senate the bill was attacked as a gross piece of favoritism, as it made the three per cent bonds of the Chicago and Alton Railroad company a legal investment for savings banks in New York state. These are the bonds which, in 1899, were sold to those who control the stock of this road (Mr. Harriman and a few others) at sixty-five cents on the dollar, and later after Governor Roosevelt signed the act, legalizing these bonds as a savings bank investment, they were sold out at a large profit. Thus did Governor Roosevelt play a conspicuous part in what is politely termed the Alton re-organization and rightly called the Alton swindle. Of course at the time that Governor Roosevelt signed this measure, he and Harriman were close friends. Since then Theodore Roosevelt's opinion of Mr. Harriman has changed, and of course, it is only natural that his views about the Alton deal should also have changed. Consistency, thou art, after all, a jewel.

North Carolina is not the only state that is having trouble with the wonderful discovery of the Roosevelt administration that the general government "is vested with inherent powers, in addition to its expressed and implied powers." It would seem that the recent unanimous decision of the United States supreme court in Kansas vs. Colorado (a decision, by the way, which every American should read) would be enough to relegate that colossal legal blunder to innocuous desuetude. And the attorney general like the pride of Goldsmith's Deserted Village "even though vanquished can argue still." If North Carolina has its Pritchard, Glen Echo has its Bonaparte. And if this be treason, make the most of it.

Now Glen Echo is a little town in Maryland near the district line. Glen Echo has ordinances and Maryland has laws limiting the speed of automobiles. Glen Echo also has a mayor and a town marshal who dare commit the unpardonable offense of obeying their oaths and enforcing the laws. Several speeding diplomats on recreation bent were arrested.

Who ever heard of such impudence? Just and about the same spirit that a notorious Bowery politician wanted to know "what was the constitution between friends," the state department here wanted to know of Mayor Garrett and Marshal Collins of Glen Echo what were the speed laws to diplomats. The secretary of state in fact, seemed to care more about pleasing his disgruntled diplomatic friends, than the safety of American pedestrians at Glen Echo. He immediately took a hand in order to prevent Garrett and Collins from enforcing the law they had sworn to execute. Diplomacy failing, the ever ready department of justice was drafted for the war on Glen Echo. The able attorney general at once handed down one of his ready made opinions to the effect that Glenn Echo had no jurisdiction over the conduit road upon which reckless autoists were daily violating the law.

In order to sustain his contention the attorney general cited an act of the Maryland legislature passed over fifty years ago, which he claimed ceded the land upon which the road was built to the national government. Everybody took it for granted that the attorney general was an able lawyer, and knew what he was talking about. All the diplomats and speeding autoists at once congratulated him upon his legal find. Then the unexpected happened. A Washington lawyer, Edmund B. Briggs, got it into his head that the opinion of the attorney general was a veiled attack upon the police powers of the states. He took the trouble to look up the law which the attorney general had cited. And here is what he found:

> "Section 1. Be it enacted by the general assembly of Maryland, that if the plan adopted by the president of the United States for supplying the city of Washington with water should require said water to be drawn from any source from within the limits of this state, consent is hereby given to the United States to purchase such land and to construct such dams, reservoirs, buildings, and other works, and to exercise concurrently with the state of Maryland such jurisdiction over the same as may be necessary for the said purpose."

Surely here is no grant of land that gives the federal government jurisdiction of the police powers of the state over the soil upon which the conduit road is built "for the said purpose" seems to limit the jurisdiction of the national government to matters involving the water supply of the city. And even as to those purposes its jurisdiction is merely concurrent with that of the state of Maryland.

Can it be possible that the attorney general is mistaken? Surely he is a pretty good lawyer or President Roosevelt would not have made him attorney general. But just where the water supply of Washington is involved in the speed limit of autos is not quite apparent. It would indeed be interesting to know at what particular rate touring cars should be operated by diplomats in order to produce, in the opinion of the attorney general, the most desirable effect on the water.

The attorney general may be a great lawyer, but like the secretary of state he may only be a great "corporation" lawyer. And here is a distinction with a difference. The attorney general certainly has had little success after all in finding a statute with which to prevent Garrett and Collins from enforcing a good law. With a little less labor he could have considerable success in finding a criminal statute with which to prevent Rockefeller and Harriman from violating the law. If the attorney general will only do this, the public will soon forgive and forget his Glen Echo blunder, but will he?

Nothing more amazing has ever proceeded from a federal court than the decisions rendered within the last week by Judge Pritchard of the federal court of North Carolina. The state of North Carolina, through its legislature, enacted a law fixing the rates that railroads should charge for passenger service within the state, it further established penalties for the violation of the law. Employes of the Southern Railway, which happens to be owned by one Thomas F. Ryan, violated the law and the penalties were imposed by the local courts. On appeal to Judge Pritchard the action of the courts in North Carolina were set aside. He declared that the penalties prescribed by the state law would amount to confiscation. The authority of the federal judge who was appointed by President Roosevelt, extends also into Virginia. There, too, he has handed down a decision in opposition to what millions of the people of this country imagine is the president's policy. And in Virginia he has gone far enough to insist not merely that the action of the state legislature in fixing the railroad rates is unconstitutional and void, but he has issued another order restraining every newspaper in Virginia from publishing the order of two cents a mile by the state railroad commission or any other order of that sort made by that commission.

WILLIS J. ABBOTT.

Thread

And now it is thread upon which the trust system has laid its unholy hand. The Chicago Tribune (republican) prints this editorial:

"If street car fares were to be jumped to seven cents and then to ten cents the entire community would be up in arms. If the price of the glass of beer were to be advanced thus there would be wild indignation among the beer drinkers. To the woman five cents is as much the natural price of a spool of cotton thread as to a man five cents is of a glass of beer. The price of thread, raised a short time ago to seven cents a spool, has been put up to ten cents. Will the women of the country submit uncomplainingly, or will they call upon the men to join with them in demanding a return to the old price?

"There are women who will protest against the advance in price not because they will feel it but "as a matter of principle." There are other women who will be hard hit. The garment workers who buy their own thread will earn a few cents less a week. That will be no trivial matter, for their earnings are scanty enough at best. With them every cent counts. When the coin which used to buy two spools of thread buys only one they feel it keenly. Their finances are disarranged.

"Raw cotton costs more than it did a few years ago. There have been recent advances in the wages of the cotton spinners. But as an offset there have been improved processes of manufacture and a rapid increase in the volume of sales. Whatever net increase there may have been in the cost of production is not enough to justify a 100 per cent advance in price. There would be no such advance if there were any real competition in the manufacture of cotton thread. The industry is practically monopolized by one great concern, and it is utilizing its monopoly for the oppression of poverty stricken sewing women.

"The women of the country do not take a deep interest in the prosecution of railroads which pay rebates or of such industrial concerns as the tobacco trust. If the government were to attack the cotton thread monopoly they would all sing the praises of the department of justice.

"Perhaps they will be gratified. It was reported recently that the law officers of the government had started a preliminary inquiry into the affairs of the American Thread company with an eye to beginning legal proceedings. It is generally believed that while the company bears an American name it is controlled by foreigners. The Coatses and Clarks, who are British manufacturers of cotton thread, are understood to dominate the affairs of the English Sewing Cotton company, which in turn controls the American Thread company. It is not pleasing to be dictated to by a domestic trust. It is even less so when an alien trust exploits American consumers.

"There is nothing to justify the recent sharp advances in the price of spool cotton. They are made only on the principle of charging all that the traffic will bear. The trust believes the consumers can pay ten cents a spool and the intention is to make them pay it."

ANOTHER REASON

Senator Foraker gives three of the four reasons why he opposed the rate bill. The three given are: "Thought it unwise; thought it unconstitutional; thought it unnecessary." The fourth reason, which Senator Foraker did not give, is this: The interests responsible for his election and retention in the senate are violently opposed to being regulated.