

writer is going to finish up by reprinting a bit of verse he wrote several years ago, and which appeared originally in the Inland Printer. It is appropriate to the occasion, and besides it will help fill the space without undue mental effort. The poem is entitled "Only a Printer."

Only a printer! His finger tips
Give voice again to long dead lips,
And from a past and hoary age
Recall the words of seer and sage.
No painter he—
But line by line he tells the tale
That color gives to canvas pale,
And masters old before us stand
With brush and palette clasped in
hand,
So we may see.

With patient toil, while others sleep,
He makes the ages backward creep,
And knights in armor ride and fight,
"For God, my lady, and the right."
No player he—
But by the magic of his hands
The curtain rises in all lands,
And actors for a season rage
Their few brief hours upon the stage,
So we may see.

Only a printer! His magic trade
Hath all earth's scenes before us
laid,
He moves his nimble hands, and lo,
The world with knowledge is aglow!
And by the magic of his art

Grandfather's Cure for Constipation

GREAT medicine,—the Sawbuck.
Two hours a day sawing wood
will keep anyone's Bowels
regular.
No need of pills, Cathartics, Castor Oil,
nor "Physic," if you'll only work the Saw-
buck regularly.

Exercise is Nature's Cure for Constipation
and,—a Ten-Mile walk will do, if you
haven't got a wood-pile.

But, if you will take your Exercise in an
Easy Chair, there's only one way to do that,
because,—there's only one kind of Artificial
Exercise for the Bowels and its name is
"CASCARETS."

Cascarets are the only means to exercise
the Bowel Muscles without work.

They don't Purge, Gripes, nor "upset
your Stomach," because they don't act like
"Physics."

They don't flush out your Bowels and
Intestines with a costly waste of Digestive
Juice, as Salts, Castor Oil, Calomel, Jalap,
or Aperient Waters always do.

No—Cascarets strengthen and stimulate
the Bowel Muscles, that line the Food
passages and that tighten up when food
touches them, thus driving the food to its
finish.

A Cascaret acts on your Bowel Muscles
as if you had just sawed a cord of wood, or
walked ten miles.

That's why Cascarets are safe to take
continuously in health or out of health.

Because they move the Food Naturally,
digesting it without waste of tomorrow's
Gastric Juice.

The thin, flat, Ten-Cent Box is made
to fit your Vest pocket, or "My Lady's"
Purse. Druggists—10 Cents a Box.

Carry it constantly with you and take a
Cascaret whenever you suspect you need
one.

Be very careful to get the genuine
made only by the Sterling Remedy Com-
pany, and never sold in bulk. Every tab-
let stamped "CCC."

The future's curtains draw apart
So we may see.

Only a printer! His magic spell
Preserves earth's sweetest story
well;
Of how, on Calvary's cruel tree
The Savior died to make men free.
A prophet he—
For by his art he makes the book
Wherein the weary soul may look,
And looking, see the promise blest
Of home, and love, and endless rest—
Eternity!

But there goes the signal for the
"German lunch," and the little
woman is showing signs of hungry
impatience. That's all for this week.
—W. M. M.

What Judge Landis Said

(Continued from Page 5)

"The real question here is whether the defendant accepted the concession knowingly, and in determining this it need not be affirmatively shown that the defendant had actual knowledge of the lawful rate. The defendant must be presumed to have known that which a diligent endeavor made by an honest man in good faith to ascertain the lawful rate would have disclosed to him. The burden of this diligent endeavor is not to be diminished or increased by the supposed existence or absence of a lawful rate on some other road equal in amount to the rate accepted by the shipper. To adopt the defendant's contention would be to impose on the occasional shipper who can not employ a traffic manager and who is not expert in traffic matters a more rigid requirement than that imposed upon the continuous shippers, by excusing the latter on account of what his large business might enable him to know of rates on other roads from penalties which would be imposed upon the former for the same act. Moreover, it is to be observed that what a shipper might know respecting rates in force on one road would not inform him of what rates were lawfully in force on another road. The most that can be said for the defendant's contention in this regard is that the shipper might assume the same rates to be in force on competing lines. But the law does not allow him to assume. He must know what he can ascertain by inquiry. The rate once established and available to him on application he must pay.

Hardships Not Impressive

"The court is not impressed by the doleful predictions of counsel for the defendant as to the hardships upon the honest shipping public to be anticipated from the enforcement of this rule. The honest man who tenders a commodity for transportation by a railway company will not be fraudulently misled by that company into allowing it to haul his property for less than the law authorizes it to collect. For the carrier thus to deceive the shipper would be to deliberately incriminate itself, to its own pecuniary detriment, which it may safely be trusted not to do.

"The only man liable to get into trouble is he who, being in control of the routing of large volumes of traffic, conceives a scheme for the evasion of the law and connives with railway officials for its execution.

Information was Refused

"For the guidance of the court in determining the penalty to be fixed in this case, the court requested counsel to furnish information as to

what, if any, corporation held the stock of the defendant Standard Oil Company of Indiana; what the outstanding capital stock of such holding company was, and what its net earnings and dividends were for the three years covered by the indictment. This information, which the court deemed it his duty to obtain in order that he might advisedly exercise the discretion required by law in fixing the punishment, the defendant's counsel, after deliberation, refused to give. The court, therefore, caused subpoenas to be issued requiring the presence here of the principal officers of the Standard Oil Company of Indiana and of the Standard Oil Company of New Jersey. Defendant's counsel thereupon applied to the court to recall these subpoenas, representing that such principal officers were not in possession of the information sought by the court, and suggested that the subpoenas be limited to a certain person who, it was stated, had the information and whose name counsel offered to give to the court.

"In response to the court's inquiry, however, as to whether such person would testify or refuse to answer, should that course be adopted, the statement was made that he might decline to answer on the advice of counsel. Therefore, being of the opinion that if there was to be such refusal to testify it ought not to come from some subordinate selected by the defendant for that purpose, the court declined to recall the subpoenas. Accordingly they were duly served. On the examination of the president and secretary of the Standard Oil Company of New Jersey it appeared that a very large proportion of the stock of the defendant Standard Oil Company of Indiana was held by individuals for the stockholders of the Standard Oil Company of New Jersey; that the outstanding capital stock of the Standard Oil Company of New Jersey was approximately one hundred million dollars; that the annual dividends of that company during the three years covered by the indictment were approximately forty per cent and that its net earnings for the period mentioned were approximately two hundred million dollars. It also appeared from a certified copy of a resolution of the stockholders of the Standard Oil Company of Indiana increasing its capital stock, that of its million dollars capital all but four one hundred dollar shares were owned by what is called 'Standard Oil Trust.'

"The enforced attendance and testimony of these witnesses was resisted as extra-judicial and unwarranted. The rule governing the proceedings, as found in Bishop's New Criminal Law, volume I, sections 948 and 950, is as follows:

"The entire transaction in which a crime was committed may embrace more of wickedness than the indictment charges; or there may be other circumstances of aggravation, on the one hand, or of mitigation on the other. Therefore, if the law has

given the court a discretion as to the punishment in pronouncing sentence it will look into any evidence proper to influence a judicial magistrate to make it heavier or lighter * * * Or this sort of evidence may be delivered to the jury at the trial if with it is the assessment of the punishment. But we have authority for the proposition that in such a case the aggravating matter must not be of a crime separate from the one charged in the indictment—a rule perhaps not applicable where the court determines, after verdict, the punishment. * * * This evidence, thus addressed to the discretion of the judge, need not be attended by the formalities required on the main issues before the jury. The court will now, if it sees no reason to order otherwise, listen to ex parte affidavits. And even hearsay evidence, inadmissible on general principles, has under special circumstances been suffered on this issue. A witness may be compelled by subpoena to be present.'

Quotes Defendant's Counsel

From the defendant's formal refusal to furnish the court with this information subsequently brought out on the hearing, the court quotes the following language of counsel:

"I will not be understood as saying that upon the application for judgment upon the verdict either party may not urge considerations which may be fairly made from the evidence introduced before the court upon the trial. And it is proper for the defendant to present circumstances which he could not introduce in evidence upon the trial in mitigation of the penalty. The defendant here reserves its rights in that respect, and whenever the question is considered as properly arising in the case, whether now or at some later day, the defendant will be prepared to present such considerations as it may be advised are proper, if there is occasion thereof."

"In view of this statement, and at the conclusion of the supplementary examination of the officers of the Standard Oil Company of New Jersey, above referred to, the court offered to hear any evidence that might be submitted by the defendants as tending to show that neither it nor the Standard Oil Company of New Jersey had ever violated the interstate commerce law before, such evidence to be considered by the court in mitigation of punishment.

"On the following Monday the defendant's counsel presented to the court its formal reply, denying the propriety of such an inquiry and declining of its own motion to submit anything. From this document the court quotes the following:

"For this defendant now to assert its Innocence of matters that it is not charged with or attempt to show that it has been innocent of any wrongdoing in connection with matters outside of this record, when there is nothing before the court charging it with such wrongdoing, would present a situation unheard of

THE PRIMARY PLEDGE

I promise to attend all the primaries of my party to be held between now and the next Democratic National Convention, unless unavoidably prevented, and to use my influence to secure a clear, honest and straightforward declaration of the party's position on every question upon which the voters of the party desire to speak.

Signed.....

Street.....Postoffice.....

County.....State.....Voting Precinct or Ward.....

Fill out blank and mail to Commoner Office, Lincoln, Nebraska.