

In Anglo-Saxon jurisprudence. The court, in the absence of anything to the contrary, paying no attention to the gossip of the street or the charges of the mob, and guided by the fundamental law of the land, must certainly presume the complete innocence of this defendant of any prior violations of the interstate commerce law, and fix its penalty, if any, solely upon the record in this case.

"And again: 'If the occasion, however, shall ever arise in an appropriate proceeding, where this defendant can, without any waiver of its legal rights or legal status, subject itself to an investigation of its having heretofore violated the interstate commerce law, it will avail itself of that opportunity, and it will certainly appear that since the passing of that law there has been no violation of its provisions by either the Standard Oil Company of Jersey or by this defendant; but on the contrary it has been the fixed policy of these companies since their organization and the passage of the interstate commerce law to strictly observe not only the letter but the spirit of all interstate commerce laws, and that such laws have since their passage met with the entire approval of the administrative officers of these companies.'

Calls It "Insolence."

"Waiving the question of the studied insolence of this language, insofar as it may be aimed at the present occupant of the bench, the court can of course only leave to the discretion of the Standard Oil company the wisdom and propriety of a hundred million dollar corporation gratuitously inaugurating agitation about the 'mob.' The point of this incident is that when in compliance with defendant's previously expressed reservation the court offered to hear evidence going to the question of the Standard Oil company's prior good behavior, an offer which was announced by the court in the presence of the president, vice presidents and secretary of the Standard Oil Company of New Jersey, their counsel, after conference, declined to present any witness to testify on this subject, choosing rather to stand upon the law's presumption of innocence. Of course, on the trial of a defendant for a specific offense this presumption is indulged in favor of that defendant as to that offense, but where, as in this case, the crime charged was the acceptance of a preferential railroad rate, in violation of a law that had been on the books for nearly twenty years; where during a period of eighteen months nineteen hundred carloads of property were shipped at an unlawful rate, which amounted to but one-third of the rate available to the

No Delay

In keeping social or business engagements caused by nervous or sick headache, or other pains or aches by those who have learned the merits of Dr. Miles' Anti-Pain Pills. They simply take a tablet when the symptoms appear, and they are quickly dispelled. In fact

Dr. Miles' Anti-Pain Pills

will prevent, and also cure, all pains of every nature, and are absolutely harmless. The soothing influence upon the nerves and muscles, quiet and refresh the irritated conditions. "Dr. Miles' Anti-Pain Pills always cure my headache, and the beauty of it is it costs such a trifle. I am glad there is such a remedy for people who must work, sick or well. Headaches never prevent me from keeping my engagements."—
MRS. G. N. GRIFFITH, Santa Ana, Cal.
The first package will benefit, if not, the druggist will return your money. 25 doses, 25 cents. Never sold in bulk.

general shipping public; where the convicted defendant's transportation affairs were in the charge of an expert traffic official of at least ordinary intelligence and many years' railroad traffic experience, and who was a frequent visitor at the general freight office of the railway company; where the unlawful rate was shown only by a paper appearing on its face to be a special billing order, and which directed that settlement for service rendered at the rate which it authorized should be made through the railway company's auditor's office instead of at the railway station or freight office, as is done by the general public and where the defendant when brought to trial persistently maintains that the constitution of the United States guarantees to it the right to make a private contract for a railroad rate, the court is obliged to confess that he is unable to indulge the presumption that in this case the defendant was convicted of its virgin offense.

"The law prohibiting preferential railroad rates was passed twenty years ago. Its adoption was preceded by vigorous opposition interposed by those who had been the beneficiaries of the vicious practices its enactment was designed to abolish. Immediately thereafter these persons set about to devise means for its evasion. The records of the courts and of the interstate commerce commission show the employment of a large variety of schemes to accomplish this result. During the period since 1887 congress has repeatedly endeavored to effectively amend the law with a view to the accomplishment of its great object. Finally in 1903 the Elkins law was passed.

Fine Not Enough

"The court recalls that at that time the earnest hope was very generally entertained that at last a means had been devised that would put an end to preferential railroad rates, and yet, beginning a few months thereafter, the Standard Oil company procured 1,900 carloads of property to be shipped at unlawful, secret rate. And for this offense the Elkins law authorizes punishment only by fine, an obvious defect. However, it is the business of a judge to administer the law as he finds it rather than to expatiate upon the inadequacy of punishment authorized for its infraction.

"It is the judgment and sentence of the court that the defendant Standard Oil company pay a fine of \$29,240,000.

"One thing remains: It must not be assumed that in this jurisdiction these laws may be ignored. If they are not obeyed they will be enforced. The plain demands of justice require that the facts disclosed in this proceeding be submitted to a grand jury with a view to the consideration of the conduct of the other party to these transactions. Let an order be entered for a panel of sixty men returnable at 10 o'clock on the morning of August 14. The United States district attorney is directed to proceed accordingly."

A DIFFERENT THING

"I suppose all you boys in the country here," said the city boarder, "are fond of bathing in the creeks and ponds."

"Waal," replied the country boy, "not when you call it that."

"Call it what?"
"Bathin';" the only thing we care for is swimmin'."—Philadelphia Press.

BIG BULLIES

Japan is playing the big bully with Korea, which has been struggling along a good many years with a backboneless government. Great Britain,

though, has bullied many weak peoples into submission, and the United States did something much like bullying in appropriating the Philippine islands. However, Spain neatly bullied us out of \$20,000,000 in that connection.—Cincinnati Enquirer.

TRAVELING POSITION with Tobacco Manufacturer now open. Good pay and promotion. If industrious and energetic, experience is not necessary. Danville Tobacco Co., Box 606, Danville, Va.

PATENTS SECURED OR FEE RETURNED.
Free report as to Patentability, Illustrated Guide Book, and List of Inventions Wanted, sent free.
EVANS, WILKENS & CO., Washington, DC

LOFTIS SYSTEM Diamonds on credit
YOU CAN EASILY OWN A DIAMOND OR WATCH or present one as a gift to some loved one. Send for our beautiful descriptive catalog. Whatever you select therefrom we will send on approval. Pay one-fifth on delivery, balance in 8 equal monthly payments. Your credit is good. Our prices are lowest. As a pure investment nothing is safer than a Diamond. It increases in value 10 to 20% annually. Written guarantee of quality and value. Catalog free. Write today. Do it now.
LOFTIS OLD RELIABLE ORIGINAL DIAMOND AND WATCH CREDIT HOUSE.
BROS. & CO., Dept. 1109, 92 to 95 State St., Chicago, Ill.

THE GREATEST OF ALL MUSICAL INVENTIONS—THE TWO HORN
DUPLEX
PHONOGRAPH
FREE TRIAL FREIGHT PREPAID
It is the one phonograph that gives you all the sound vibrations. It has not only two horns, but two vibrating diaphragms in its sound box. Other phonographs have one diaphragm and one horn. The Duplex gets all the volume of music; other phonographs get the half. Not only do you get more volume, but you get a better tone—clearer, sweeter, more like the original. Our **FREE CATALOGUE** will explain fully the superiority of The Duplex. Don't allow any one to persuade you to buy any other make without first sending for our catalogue. **Save all the Dealers' 70% Profits**
The Duplex is not sold by dealers or in stores. We are Actual Manufacturers, not jobbers, and sell only direct from our factory to the user, eliminating all middlemen's profits. That is why we are able to manufacture and deliver the best phonograph made for less than one-third what dealers ask for other makes not so good.
DUPLEX PHONOGRAPH Co., 133 Patterson St., Kalamazoo, Mich.
Each horn is 30 in. long with 17 in. bell. Cabinet 28 in. x 14 in. x 10 in.
NO MONEY DOWN Seven Days' Free Trial
We will allow seven days' free trial in your own home in which to decide whether you wish to keep it. If the machine does not make good our every claim—volume, quality, saving, satisfaction—just send it back. We'll pay all freight charges both ways.
All the Latest Improvements
The Duplex is equipped with a mechanical feed that relieves the record of all the destructive work of propelling the reproducer across its surface. The needle point is held in continuous contact with the inner (which is the more accurate) wall of the sound wave groove, thus reproducing more perfectly whatever music was put into the record when it was made.
The Duplex has a device by which the weight of the reproducer upon the record may be regulated to suit the needs of the occasion, thus greatly preserving the life and durability of the records. These are exclusive features of the Duplex and can not be had upon any other make of phonograph. Plays all sizes and makes of disc records. Our Free Catalogue explains everything.

VOLUME VI "THE COMMONER CONDENSED"
WILL SOON BE READY FOR DELIVERY
A POLITICAL HISTORY AND REFERENCE BOOK
As its title indicates, this book is a condensed copy of The Commoner for one year. It is published annually and the different issues are designated as Volumes I, II, III, IV, V and VI, corresponding to the volume numbers of The Commoner. The last issue is Volume VI, and contains editorials which discuss questions of a permanent nature.
Every important subject in the world's politics is discussed in The Commoner at the time that subject is attracting general attention. Because of this The Commoner Condensed is valuable as a reference book and should occupy a place on the desk of every lawyer, editor, business man and other student of affairs.
OCTAVOS OF ABOUT 480 PAGES EACH; BOUND IN HEAVY CLOTH, AND WILL MAKE A HANDSOME AND VALUABLE ADDITION TO ANY LIBRARY.
TO NEW OR RENEWING SUBSCRIBERS
One Year's Subscription to The Commoner... } Both \$1.50
The Commoner Condensed, Cloth Bound... }
To subscribers who have already paid the current year's subscription
Cloth bound, 75c. By Mail, Postage Paid.
These prices are for either volume. If more than one volume is wanted, add to above prices 75 cents for each additional one in cloth binding. Volume I is out of print; Volumes II, III, IV and V are ready for prompt delivery.
REMITTANCES MUST BE SENT WITH ORDERS.
Address, **THE COMMONER, Lincoln, Nebraska.**