

mental statute, necessitating a new interpretation whenever a case arises involving an alleged violation of the act? Why should it not take its evidence before a grand jury, as it does in all other criminal cases, and follow the same procedure as in the case of John Doe who is accused of making moonshine whisky? No restraining orders are issued against John Doe. He is not haled into court to show cause why his distillery should not be closed by reason of its violation of the internal-revenue laws. We are quite unable to see why a different course should be pursued with trusts that violate the Sherman act.

We are told that the business of the country can not be conducted if this statute is enforced. This is equivalent to saying that the business of the country consists of combinations and conspiracies in restraint of trade, and that the only way to carry on trade is to restrain trade. Business that is dependent on such practices ought not to be conducted, and in the long run the country will be the better off without it.

Chief Justice White declared in his opinion that the Sherman law goes no further than the common law. Business which can not conform to the common law has outlawed itself.

Potentially Mr. Taft and Mr. Wickersham have won a tremendous victory in the court of last resort, but whether or not this victory serves a great public purpose depends upon the uses to which it is put. If corporations that violate the anti-trust law may purge themselves by reorganization after the illegality of their practices is established, and then proceed about their business as before, the Sherman act will forever be a rope of sand. But if the act is enforced in its entirety big business will bend to it.

This decision should mean the end of test cases. Big business knows what the law is and it has very able attorneys who know what the law is. If it deliberately violates the law let it be treated like any other criminal.

"Guilt is personal." If the United States government will sternly hold to that principle and apply it to all violations of the Sherman act, big business will soon be as active in finding ways to respect the law as it has heretofore been in finding ways to evade the law. Even a John D. Rockefeller would rather adjust his commercial practices to the provisions of the Sherman act than go to jail.—New York World.

#### WHY NOT INDICT MORGAN?

The government has commenced proceedings against the steel trust for violation of the anti-trust law. The complaint asserts that this monopoly has "acquired a power which is a menace to the welfare of the country."

All of which is very well, but why not get at the root of the matter by prosecuting J. Pierpont Morgan personally? Such action would not only breed real respect for the Sherman law, but it would also convince the people of the administration's good faith, now so sadly doubted. Until the organizers and head men of these menacing monopolies are sent to prison, evasion and open defiance will continue.

The Sherman law is a criminal statute. Guilt is personal. No better opportunity for criminal prosecution could be offered to Attorney General Wickersham, for Morgan stands clearly out as the real and responsible head of the Steel trust. He received \$29,000,000 for organizing it; it was in his library that the Tennessee Coal and Iron deal was consummated; he sent Gary and Frick to Washington to "dupe" President Roosevelt, and finally, it was Morgan who signed the recent statement that the corporation was not in violation of the anti-trust law, and that it would not reorganize. His guilt is proved even if he did not boldly admit it.

The government has indicted officials of the Lumber, Turpentine, Beef and Shoe Machinery trusts. Why should Morgan be granted this strange exemption? And, more than any other that could be devised, the criminal and personal prosecution of J. Pierpont Morgan, the trust master, would put an end to big business' insolent defiance of the law.—Denver News.

#### ONE REALLY RESPONSIBLE MAN

The steel trust was organized by J. Pierpont Morgan. His fee, as disclosed in the testimony before the Stanley committee of the house investigating the steel trust, was approximately \$29,000,000. He got the largest share of the profit. Incidentally he acquired the power. Logically his should be the heaviest punishment.

The Sherman act is a criminal statute. And although the government has caused the indict-

ment and conviction of the heads of the Turpentine trust, the indictment of officials of the Beef trust, the officials of the Shoe Machinery trust, it has taken no steps looking toward the criminal prosecution of J. Pierpont Morgan.

One need have no personal prejudice against Mr. Morgan to inquire why the government makes fish of one and flesh of the other. One man or several men indicted for violation of the Sherman law all men similarly charged with its violation ought to be indicted.

Mr. Morgan is the head and front of the trust system in America. He is the master genius who invented stock watering and high finance. His indictment and conviction would do more to restore public confidence in the integrity of our institutions than a thousands reams of speeches.

There is no less reason why J. Pierpont Morgan should be whipped with the lash of justice than the man who robs widows and orphans. Why does the Taft administration not proceed against this man highest up—the man really responsible?—Dubuque (Ia.) Telegraph-Herald.

#### MR. BRYAN'S PLATFORMS

The Kansas City Journal is still paying Mr. Bryan personal compliments at the expense of the principles and policies for which he fights. Flattering as these compliments are, they are not deserved. Mr. Bryan's strength has been the strength of his platforms—the only personal element being confidence in his devotion to the things he advocates. Some of the reforms are stronger now than when he was defeated, but a majority would have supported his platforms at the time but for the coercion practiced on the voters by financiers and employers. For the benefit of the Journal's editor a few reforms are enumerated:

More money in 1896. No one now doubts that we then needed more; the prosperity enjoyed since then would have been impossible without a larger increase in the volume of money.

Opposition to imperialism in 1900. Republican party denied that it intended imperialism and now recognizes that there is neither honor nor profit in a colonial policy.

Tariff reduction; advocated in all of his campaigns, but most prominent in 1908. It is coming—it can not much longer be delayed.

Popular election of senators. It was in the platforms of 1900, 1904 and 1908. Principle has been indorsed by both senate and house—the fight is practically won.

The income tax. Mr. Bryan has fought for it in three campaigns. The necessary amendment has been submitted and nearly enough states have ratified it.

Publicity, BEFORE THE ELECTION, as to campaign contributions. Opposed by republican party when demanded by the democratic platform of 1908. Now a law.

Criminal punishment of trust magnates—a growing demand for it.

Opposition to every private monopoly—sentiment growing every day.

Initiative and referendum, though not in national politics, have been advocated by Mr. Bryan for fifteen years. During that time they have been adopted by nine states.

Guaranty of depositors—adopted in four states and partial protection of depositors of the nation secured by postal savings bank.

These are some of the things Mr. Bryan has advocated. Will the Kansas City Journal deny that they are growing?

#### MISSOURI WILL BE "SHOWN"

Former Governor Joseph W. Folk and Speaker Champ Clark have agreed that the democrats of Missouri ought to have the opportunity of again expressing their preference as to the democratic candidate for the presidency. The Missouri democracy is already on record for Governor Folk but the friends of Speaker Clark think they should go on record again and democrats generally subscribe to the doctrine that the majority has the right to rule and that every member of the party should be given an opportunity to register his preference.

It is not certain whether a primary may lawfully be held at the time suggested by Mr. Clark, but some means will be found for obtaining the expression of choice and at all events a primary may be held next year.

Regardless of the time for the holding of the primary Governor Folk and Speaker Clark have made a good beginning in showing perfect willingness to submit their claims to the rank and file of the party. The next step ought to be a clear and explicit statement by each of

these gentlemen—a statement directed to the democrats of Missouri—explaining the candidate's position upon the important questions now before the people.

Missouri democrats will require of every man who seeks nomination at their hands an explicit statement as to his position with respect to pending questions. They will not be satisfied with any generalizations. They will expect clear cut declarations for present day purposes. They will want to know just what the position of the candidate is upon the tariff question, the trust question and the remedy, and in order to learn of his present day tendencies they will want to know his opinion of the recent Standard Oil and Tobacco trust decisions. The election of senators by popular vote, the income tax, publicity of campaign receipts and expenditures, the Aldrich currency scheme and the trust question generally are subjects upon which the democrats of Missouri will demand direct and explicit statements.

The Commoner congratulates Governor Folk and Speaker Clark on the good beginning they have made and it urges them to take another step forward by issuing an address to the Missouri democrats dealing with those great questions in which the people are just now so deeply interested.

#### THE MAKING OF A MAN

The Lincoln (Neb.) Journal gives the following report of the Y. M. C. A. meeting last Sunday at which Mr. Bryan spoke on "The Making of a Man:"

"It took only eight minutes for the Oliver theater to be filled to capacity yesterday with men who wished to hear W. J. Bryan open the winter series of Y. M. C. A. Sunday afternoon meetings. At 2 p. m., two hours before the speech-making began, the crowd began to gather and at 3:30, when the doors were opened, the sidewalk was jammed. Eight minutes later the theater was filled to its seating capacity, with 150 additional listeners standing. Later room was provided on the stage for 100 more. State Chairman W. J. Hill presided and opened the meeting with a statement of the association's plans for its Sunday afternoon series of twenty meetings. He introduced A. R. Talbot and E. J. Burkett, leaders of the two committees which are to lead the membership campaign during the next week. Short speeches by each of these preceded Mr. Bryan's address. The development of the three phases of man's life, physical, mental and spiritual, was the theme of Mr. Bryan's address. This trinity, as stated in the fundamental principle of Y. M. C. A. endeavor, Mr. Bryan said, was expressed in the growing man. First, the youth develops his physical side, said Mr. Bryan. Then his mental activities broaden and strengthen. Finally he finds his spiritual self and in this development he rounds out his self. With any of these three essentials missing, a man can not be considered to have attained a satisfactory place in life."

#### THE REASON

Speaking at Chicago, and referring to the suit against the Steel trust, President Taft said: "We have a condition of lawlessness to deal with. We have had it for twenty years. Men have gone on organizing combinations in violation of the anti-trust law on the theory that it either could not or would not be enforced. The supreme court has held that this lawlessness must be stamped out. There is no discretion in the executive to suspend a single statute. It is his duty to enforce the law and to direct the prosecution of those who violate it. There is a vast difference between uniting plants to reduce the cost of production and uniting to suppress competition, to restrain trade and control prices. A jury could find that difference in two minutes. It is a question of evidence and fact."

All this being true why does Mr. Taft refuse to proceed against the Steel trust and the Standard Oil trust magnates under the criminal clause of the Sherman anti-trust law? One reason is that the supreme court in the Standard Oil and Tobacco cases made it practically impossible to punish trust magnates criminally.

#### A DESERVED RECOGNITION

The elevation of three Americans to the position of cardinals is a deserved recognition of the American portion of the Catholic church. With Cardinals Gibbons, Farley and O'Connell in the United States and Cardinal Falcono as an American advisor at Rome the Catholics of the United States will enjoy a largely increased influence at the vatican.