

had been emasculated; that Wall street and the trusts had won a notable victory and that lawless wealth would hereafter wiggle derisive fingers from the tip of scornful noses at the law officers of the government.

The World-Herald did not incline to that view at the time, nor does it now. The incident at Pittsburg is only one of many happenings which go to confirm our belief that the Sherman act was never held in so profound respect, nor viewed with such a wholesome fear, as it is by the "malefactors of great wealth" at the present time. In the whole country there is hardly an organ of special privilege that is not now denouncing the Sherman law, deploring the supreme court decision, and declaring that "something must be done" to take "business" out from under the shadow of fear and forebodings that the law and the decision have caused.

The stock cry is that it is impossible for "big business" to tell, under "the rule of reason" whether it is violating the Sherman act or not. And the fact is, we strongly suspect, that every big corporation that is making this complaint does so because it knows very well that it is violating the law, and that the law, as the supreme court has construed and defined it, can be enforced against it.

From quite the other extreme—that is from the most radical sources—it is complained that the court construction of the law has made impossible the enforcement of its criminal penalties. The best way to find out whether this be true is to try it. And the way to try it is to elect a democratic president who is in favor of enforcing the law as a criminal statute because he believes that "guilt is personal." If it is found that the fears now expressed are well grounded it will not take long to so amend the law that it can be enforced criminally as well as civilly.

Here is a defense of the supreme court decision which put the word "unreasonable" in the anti-trust law—a decision for which the trusts have worked for nearly twenty years—a decision which violates the spirit if not the letter of the constitution in that the court has AMENDED the law. Let the World-Herald editor print the law against burglary or larceny with the word "unreasonable" inserted, and its readers will then see how absurd that paper's position is. Of course, the trusts would like the law repealed entirely, but they were mighty glad to get the decision which the World-Herald indorses. The demand for the enforcement of the criminal clause would be all right if it was coupled with a demand for legislation restoring the present law and carrying out the democratic platform, but to praise the decision is to oppose legislation and that means to wait several years for the supreme court to decide that the criminal clause of the law is worthless and then all the work will have to be done over for we will then be where we were twenty-nine years ago when the fight began.

#### THE NEXT NATIONAL CONVENTION

Several cities are pressing their claims for the national convention. The Commoner does not care to take sides in this controversy but it ventures to suggest that the place should not be selected with reference to the claims of any candidate. It looks now as if there would be quite a rivalry among candidates, and the local environment of the convention ought to give courteous treatment to the various aspirants. The first thing to be considered is the accommodation of the visitors. No city should be selected unless it is able to furnish the necessary hotel accommodations for those who will attend. The second consideration is expense to the delegates. The more centrally located place is the better, other things being equal. The third consideration is the fund that can be raised. There are certain expenses attendant upon a convention which are usually paid out of the fund given by the city that gets the convention. There is a local advantage to hotels, newspapers, street cars, railroads, etc., and those having pecuniary interest usually subscribe to a fund which is given to the party organization. While this ought not to be a controlling factor it is a matter to be considered. But whatever else may be said in favor of a city let it be sure that the various candidates will receive fair treatment at the hands of the local papers.

#### A MORE IMPORTANT QUESTION

Speaker Clark has allowed himself to be forced into another utterance on annexation. He says: "Nine-tenths of the people of this country favor the annexation of Canada and I don't care who hears me say it. I am willing to make this proposition: You let me run for president on a platform calling for annexation of Canada, insofar as this country can accomplish that end, and let President Taft run against me, opposing annexation. Why, I would carry every state in the union."

Now that reciprocity is dead it may do no harm for Mr. Clark to air his views on this matter, although there seems to be no good reason why any American should seek to stir Canadians to unfriendliness by thrusting such

a question into the arena of politics. The public is not specially concerned in Mr. Clark's opinion on annexation but it might welcome a statement from him on the Standard Oil decision and the means of protecting the public from it.

#### THE OHIO VICTORY

Editorial in Denver News: In Ohio, Newton Baker, a Tom Johnson lieutenant, was elected by the democrats and independent republicans—in Toledo Brand Whitlock was re-elected by the independent party for the fourth successive time—and in Cincinnati, the democratic ticket, largely supported by disgusted republicans, swept into office and put the finishing touches to the complete demolition of the "Cox gang." Of all the popular victories won last Tuesday the Cincinnati triumph is the most splendid, for George B. Cox, controlling the republican party, has owned the city for twenty years, dominating all conventions and naming every candidate. Henry T. Hunt, the democratic candidate for mayor, was the prosecuting attorney who had Cox indicted a year ago, and whose remarkable fight to send the boss to the penitentiary was only defeated by a corrupt judiciary.

It can not be conceded, however, that these democratic victories in Ohio are indicative of Governor Harmon's strength. Whitlock and Baker are both anti-Harmon men, and during the Cox crusade, Hunt continually made the charge that Governor Harmon was rendering all aid and sustenance to the Cox-controlled "machine."

There can be no doubt, though, that the Ohio results fell heavily on President Taft. He stood for the opposition to Baker and Whitlock, and in Cincinnati went to the length of making personal pleas for the election of the republican ticket.

#### NOT THE ONLY REASON

The Houston Post is not always accurate in its statements when it has a position to sustain. For instance, in attempting to put Governor Harmon and Governor Wilson in the same class, it says: "Mr. Bryan's objection to Governor Harmon is that he did not vote the ticket in 1896." The Post is mistaken, as usual. Mr. Bryan does not urge Mr. Harmon's failure to vote the ticket in 1896 as an insurmountable objection. It puts the democrats on inquiry and suggests that they find out WHY he did not support the ticket then and whether he now recognizes that the real issue in 1896, as now, is the issue between plutocracy and democracy. The objections to Mr. Harmon are numerous and will be presented as occasion requires, but the Post will please observe that Governor Harmon's failure to support the ticket in 1896 is not the only objection that is made to his candidacy.

#### NO ACCIDENT

Vilas, Colo., Oct. 31, 1911.—Editor The Commoner: I believe that I am voicing a common sentiment in saying that I hope The Commoner will be literally inundated with commendations for the stand it has taken in the Taft-supreme court packing affair. In his Minneapolis speech Mr. Taft said, or is quoted as saying, that, "I am proud that I was able to get men who could and did render such a far-reaching decision." So there was no accident about it, he was simply "able to find the men to make the decision." The court-packing charges is a little the hottest shot that W. J. Bryan has yet sent into the trust camp, and may there be no let up until the whole country is turned into an interrogation point for William Howard Taft and the whole trust crew to gape at. Sincerely,

S. M. KONKEL.

#### LET THE PRESIDENT ANSWER

Will the president tell us how he thinks the court, as now constituted, would decide the merger case if it came up again? Does not the reasoning of the majority in the Standard Oil and Tobacco cases reverse the decision in the merger and Trans-Missouri cases? Why does not the president admit that the court has virtually destroyed the Sherman law? He can then favor amendments strengthening it.

#### HIS POINT OF VIEW

Mr. Taft's point of view is shown by the fact that instead of explaining why he did not prosecute the steel trust officials criminally he is explaining why he began even an equity suit. It is the public who have a right to demand an explanation—not the trusts.

#### A PARALLEL CASE

The emperor of China, finding that his government has provoked an insurrection that he finds difficulty in suppressing, issues an appeal to the people in which he confesses mistakes and lays the blame on advisors. Perhaps President Taft may find the appeal suggestive. He has been through the west and found revolt against his administration—how would it do for him to throw the blame on his advisors?

Below will be found an extract from the Chinese emperor's appeal, slightly modified to suit the president's case. Here is what the oriental ruler says—behold how his experience coincides with the president:

"The Chinese emperor says: 'I have reigned three years (this is about the time President Taft has reigned) and have always acted conscientiously in the interest of the people. (Let us concede that the president has done the best he could), 'but,' continues the Chinese emperor, 'I have not employed men properly, as I am without political skill. I have employed too many nobles (representatives of plutocracy) in political position which contravenes constitutionalism (on railway matters) (and on other matters) (one) (several) whom I trusted deceived me. Hence public opinion was antagonized (there is no doubt of it.) When I urged reform, officials and the gentry seized the opportunity to embezzle (and turn authority to private advantage.) Much of the people's money has been taken (by high taxation and by the predatory interests), but nothing to the benefit of the people has been achieved. On several occasions edicts have promulgated laws (on the trust question, for instance), but none of them has been obeyed.

"The people are grumbling (very loudly), yet I do not know. Disasters loom ahead (big ones), but I do not see (but I know they are coming). The whole empire is seething (ask the progressives if it isn't here). The spirit of our nine deceased emperors (not to speak of distinguished lines of presidents) are unable to enjoy the sacrifices properly while it is feared that the people will suffer grievously (in addition to what they have already suffered). All these things are my own fault, and I hereby announce to the world that I swear to reform, and with our soldiers (the democrats and progressive republicans, who are the only ones who have done any fighting), and the people to carry out the constitution faithfully," etc., etc.

Isn't there a striking similarity between the situation here and in China? But will the president be as quick to recognize it?

#### CONGRATULATIONS TO PHILADELPHIA

The people of Philadelphia, democrats, insurgent republicans and independents alike, are to be congratulated upon the election of Rudolph Blankenburg to the office of mayor. For many years Mr. Blankenburg has persistently and consistently fought for good government and he may reasonably be expected to give to the people of Philadelphia the best administration they have ever had. Mr. Blankenburg's success after years of patient effort and repeated defeat should serve as inspiration and encouragement to reformers everywhere.

#### MAKING FUN OF THE SUIT

When the marshal served the summons on Mr. Carnegie in the anti-trust suit the latter gave the marshal an autographed photo as a souvenir. Did a burglar ever treat a sheriff that way? And Mr. Rockefeller greeted the marshal with, "I am glad to see you." Did a constable ever receive such a greeting from a man arrested for petty larceny? If we had a president who would enforce the criminal law against the trust magnates they would not joke about it.

#### AN OHIO QUESTION

"Equity Series," the national organ for the Initiative and Referendum league, says: "Ohio has a democratic governor. The platform on which he was elected declared for the initiative and referendum. He served his term without 'lifting a finger,' for direct legislation. He has now been re-elected. The prospect for him doing anything for direct legislation during his present term seems no better than during his past term. He aspires to the presidency. Let us look elsewhere for our presidential timber, until the leaders in Ohio appreciate and join the nation-wide movement for more power in the hands of the people."