

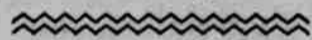
said, "Lawson is an anarchist." Of course Mr. Lawson does not think so and no doubt he was greatly shocked when he learned what Dunne had said.

Nevertheless all who heard Mr. Lawson at Ottawa or Fairbury, or who read his speeches in the newspapers, must have been impressed by his contemptuous attitude toward the law and the power of the people to secure reforms through the law. Mr. Lawson frankly informed his auditors that they were unacquainted with the successful methods by which courts, legislatures and city councils are and can always be corrupted. His description of Roosevelt's impotence to control the rich lawbreakers, when he said that the president was as powerless as a bull in a balloon, was a characteristic Lawsonism. If the most powerful ruler the world has known is as powerless as a bull in a balloon the natural inference is that law and legislation are useless. This is sheerest anarchy. It is something with which populism was never associated in its day of most radical protest.

The populist was always an optimist. He had, it is true, a keener sense of the wrongs that were being heaped upon the people than had the members of the older parties; he condemned in unmeasured terms the inequalities and injustices produced by a privileged plutocracy; he demanded that the barterers be driven from the temple and that the thieves be expelled from the seats of the mighty, but he was never an anarchist. He saw with clear vision the ills that festered and corrupted the body politic, but in his heart there was always hope, for he believed that God reigned and that the right would triumph. While he understood better than most of his countrymen that there was such an evil as frenzied finance he never dreamed that it could be destroyed by a gambler's cast of the dice.

Populists declared that corporations should be subjected to such governmental regulation and control as would adequately protect the public, that special privileges should be withdrawn from trusts and monopolies, that the government should own and control the railroads, that the cities should own their public utilities and that the government should enact a general law uniformly regulating the power and duties of all incorporated companies doing an interstate business. They favored an eight-hour work day, postal savings banks, a franchise tax and government ownership of the general telegraph and telephone systems. They demanded these reforms because they realized that the laws of the land could not be enforced so long as they were controlled by "the system" which Lawson is now fighting. They believed that legislation could be made effective, that politics could be purified, that inequalities could be removed, and they pointed out the means by which these reforms could be obtained.

Such was the foundation of populism, and in these things populists believe today. Their doctrines have found favor outside the party ranks and are making slow but sure progress. This is no time for despair even though it be preached by a converted financier. Populist hope is saner and safer today than Lawson despair.



PUNISH THE BIG CRIMINALS

Fifteen years have passed since the Sherman anti-trust law went into effect. In all that time only one man has paid the penalty provided by the criminal clause. Was he a trust magnate? Did he conspire to fix prices and to destroy competition?

If such a man had been convicted under the anti-trust law and had served a year in the penitentiary, the people would have reason to feel encouraged in their contest with the privileged and protected thieves by whom they are being robbed. But the only man who ever served a penitentiary sentence under this act was Eugene V. Debs, a labor leader, who found all the enginery of the law working smoothly and swiftly to punish him.

According to the decision of the court Eugene V. Debs conspired in restraint of trade. This conspiracy consisted in a combination which interfered with interstate commerce, but was in no sense such a combination as primarily the anti-trust law had been designed to prevent. Granting that the law was correctly interpreted by the court, it is pertinent to ask why it should be so difficult to convict and punish the member of a corporation who consciously and maliciously conspires in restraint of trade when it was so easy in 1894 to convict and punish a labor leader who did not dream that he was violating the law? The explanation, of course, is not far to seek. Power, money and federal officialdom, dressing ranks, charged down upon the unhappy labor leader with determined ferocity and soon had him impaled on their steel. But power, money

and federal officialdom combine with equal determination to save the Mortons, Rockefellers and Havemeyers, at whom the law was especially aimed.

It is to this criminal clause of the Sherman act that the people must pin their faith. It can be enforced in spite of technicalities and other legal obstructions, if Judson, the eminent St. Louis legal authority is to be believed. Civil proceedings have no terrors for the trust offender and simply wear out the people. But the criminal prosecution against the corporation culprit has never been given a fair test. As a matter of fact, the potency of the criminal clause in the Sherman act is only beginning to be realized. Mr. Judson has pointed out how effective it can be made. In his brilliant analysis, which was epitomized in The Independent last week, he shows that the trust lawbreaker can be brought to justice by means of this criminal clause unless the supreme court's decisions with reference to this law have been wholly fallacious.

The enforcement of such a law, however, should begin before an indictment is rendered. The people must keep careful watch of the processes by which indictments are secured. A grand jury is often persuaded to return an indictment on evidence insufficient to convict. Those ministers of the law who are interested in protecting the corporation culprit will furnish only enough evidence for an indictment, while striving to ignore or conceal such evidence as will make conviction certain. If the people are to guard all avenues by which the trust magnate may hope to escape punishment they must elect honest prosecuting attorneys in the states and a chief executive of the United States who will choose federal prosecutors who are honest and fearless. A president who fails to select such prosecutors and who fails to insist upon the enforcement of the criminal as well as the civil penalties of the anti-trust law does not deserve to represent the people in that high office, nor can he expect long to retain their confidence and esteem. No act of his administration has injured President Roosevelt more than his blocking of the Morton prosecution. If the guilty packers are to be punished it must be in direct antagonism to those sophistries with which the president deluded himself when he sought to shield his friend. What an example this, our president, author of the beef trust investigation, has set for the ministers of the law whose duty it is to prosecute the indicted packers!

The people will sincerely hope that there were no flaws in the process by which the indictments were secured and that the criminal clause of the anti-trust act may have a full and fair test at last.



New York's "Smart Set" has just been blackmailed to the extent of several hundred thousand dollars. Evidently there is a still smarter set.

Most people these hot July days will think that Lieutenant Peary on his way to the North pole is more to be envied than a millionaire.

The indications are that the Panama canal will be completed about the time aerial navigation supplants navigation by water.

Even though the peace plenipotentiaries do not secure peace they will be able to report an "enjoyable affair."

It is right to question the acts of public officials, but we should be cautious about questioning motives.

He who is quick to anger burns up many friends and opportunities in the fire of his wrath.

Terrible Teddy should take down his trusty rifle and go after the wildcat bankers.

Elihu Root sacrificed money for honor and Roosevelt considers it a great sacrifice.

"The long talk" is becoming as popular with the president as "the big stick."

Lawson's remedy is the best advertised patent remedy of the day.