

tion of this pernicious system. The people of Nebraska by electing him to the supreme court as Judge Holcomb's successor will make a good start in the irrepressible conflict between popular rule and railway tyranny. They cannot begin too early, but they may delay until it is too late. If they would free Nebraska from railway and Standard Oil bribery they should reject the deceits of veteran pass-holders and obtain a "square deal" by restoring the state government to a basis of political purity and personal honesty.

WHERE THE DEPARTMENT OF JUSTICE FAILS

The Structural Steel association met day before yesterday in New York city to consider the advisability of advancing prices. After a lively discussion it was decided to make no change. If a majority of the members had favored an increase the cost of construction of buildings where structural steel is used would have been increased throughout the United States. A few men meeting in New York can arbitrarily raise or lower the cost. * * * The other day notice was sent out that there was to be a meeting of the steel plate pool at Pittsburg to consider the expediency of raising prices. The steel rail pool has its meetings. So have other associations which control the manufacture and the price of various iron and steel products. There is no secrecy about the meetings or the action taken at them. The consumers are promptly notified of changes in price. The various branches of the iron and steel industry are controlled by combines which do not shun publicity, and whose existence is a matter of common knowledge. The anti-trust law has no terrors for the steel pools and associations. Each of them has established a profitable monopoly and will not relinquish it until forced to do so by the courts. * * * There is another trust which calls for action by the Department of Justice. That is the anthracite coal trust. It has been in existence for years, but has never been molested. The combine is perfecting its monopoly. Only the other day the Lehigh Valley railroad absorbed the firm of Coxe Bros. & Co., and the Central Railroad of New Jersey is negotiating for the Lehigh Coal and Navigation company's mines, railroads, and canals. The firm of Coxe Bros. was the largest of the independent producers of coal. When all those producers shall have been absorbed the monopoly of the coal roads will be complete. The more compact and stronger the coal trust becomes the more exacting will it be.—Chicago Tribune.

For fifteen years the Sherman anti-trust law has been on the statute books. In all that time, as The Independent recently pointed out, only one man has suffered the prison penalty. Eugene V. Debs, labor leader and socialist, served a sentence in the Illinois penitentiary for violating the provisions of a law which is commonly described as an "anti-trust law."

There is an irony in that prison sentence inflicted upon the unfortunate Debs which should appeal to those who constitute our Department of Justice if they still believe in the reign of law, in equal and exact justice to all and in special privileges to none.

In the Debs case the combination in restraint of interstate commerce was not incorporated. There was no question of a trust. It was merely a question of conspiracy between certain individuals to interfere with interstate commerce. Had a trust been involved, had a trust magnate been brought to bar, no prison sentence would have been inflicted. The proof is to be found in the recent history of the beef trust prosecution. An agent of the packing firm of Schwarzschild and Sulzberger pleaded guilty to the charge of soliciting rebates from railway companies. He was required by the court to pay a fine, but the prison penalty was not imposed because the convicted man pleaded ill health and asked for mercy. If Debs had pleaded ill health and had asked for mercy, would he have escaped the penitentiary? In the light of history let those who read these lines judge for themselves.

In the foregoing instances of conspiracy in restraint of trade cited by the Chicago Tribune the proofs are ready at hand for the Department of Justice. Those who attended the meetings and conspired to fix prices are a thousand times more guilty in the eyes of the law than the labor leader who, while conducting a strike, performed acts in violation of a law which he did not dream could ever be used to convict him of a crime—for it was an anti-trust law, the celebrated Sherman anti-trust law that should be a terror to trust criminals, but seems to be a rack upon which to rend the well-meaning workman.

Under the Sherman anti-trust law as it has been defined by the courts, it is an offense punishable with a year in jail and a fine of \$5,000, either or both:

1. To make any contract of any kind to restrain trade among the states or with foreign nations.
2. To make any combination of any kind to restrain interstate trade.
3. To monopolize or to attempt to monopolize interstate trade in whole or in part in any article, without combining for that purpose.
4. To combine with others in any way to monopolize any part of interstate commerce.

The law is sound, but remains innocuous because it has not been

enforced by the Department of Justice. The conduct of the beef trust prosecution indicates that the government is lax in the enforcement of the law even when a defendant pleads guilty.

Every little while we see it reported in the press that the government is "going after" such and such a trust next. Here again is revealed dereliction upon the part of the Department of Justice. Apparently the government can handle only one case at a time. There are hundreds of trusts in the country openly violating the law every day in the year, but the Department of Justice pursues the even tenor of its way as though it had all eternity in which to secure fair play for the present generation.

WHAT OF WEAKLINGS AND LAGGARDS?

So often has President Roosevelt reiterated his opinion of weaklings and laggards that it is familiar to all Americans. Speaking on the subject of the Panama canal the other day the president said:

"And just the same thing is true in any great enterprise in civil life; there are always weaklings who get trampled down or lose heart, and there are always people who listen to their complaints."

This is characteristically Rooseveltian. Some strong men pity the weak and laggard while others despise them. To the latter class President Roosevelt seems to belong. His antipathy toward the weakling is as characteristic of Roosevelt as pity for the weak is characteristic of Mr. Bryan or Mr. Watson.

By the weak is not meant the poor, but those who are faint of heart or lacking in will power and those who are vicious. Toward such men some show great charity, others only contempt. And yet the Christian is enjoined not only to give alms to the poor, but even to visit those who are in prison. Charity should be the meed of all who suffer on this round globe.

The man who is born to a rich estate, who never knows what it is to live from hand to mouth, nor what it is to fear for the future, is apt to feel contempt for the weak man who cannot meet all the ills of life with a heart brave for contention and triumph. The strong of this world too easily condemn and despise the weak; too infrequently do they heed the complaints of the weaklings and laggards. If they were more charitable toward the weaknesses of men, even while condemning those weaknesses to the full measure of individual responsibility, they would not find it in their hearts to be ruthless and "the weaklings who get trampled down" would be much less numerous than they are today.

BOYCOTT AS RAILWAY WEAPON

In Tom Worrall's book on the grain trust he makes it clear that the railways interfered to support the Nebraska Grain Dealers' association in contests with independent dealers. A railway agent was summoned to reinforce the trust whenever the battle grew hot and the independent dealer thought he saw a chance to triumph. Then the railway Mephistopheles coolly informed the independent dealer that unless he consented to enter the trust and abide by its rules to stifle competition his elevator would be moved off the right-of-way.

This is a fair example of the favoritism shown powerful interests by the railways. It is, however, a species of wrong-doing that a good law could cope with most effectively. It is doubtful whether any law now on the statute books covers such acts of intimidation. If not, the legislature should enact a law that would make the offense a felony. Any railway agent or official, who, by word of mouth or by any writing, should utter threats designed to intimidate a business man in the conduct of his business, could then be sent to prison. This would have a tendency to prevent agents of corporations from using the boycott as means to aid trusts or corporations.

In denouncing "Bryanism and anarchy" Secretary Taft is evidently bidding for the presidential nomination on the old platform of barrel and boodle which won such notable triumphs in three campaigns.

Senator Dolliver says the campus at the University of Chicago "smells of oil." Were he to visit the campus of the Nebraska university he would detect a similar odor and it's crude oil at that.

President Roosevelt is quick to use the "big stick" on the "weak and laggard," but is very cautious about the way in which he wields it against the railways and corporations.

Judge Letton should surrender the tainted transportation.