

GOSSIP OF STATE CAPITAL

By COL. FRED A. OLDS

Observer Bureau, Holleman Building, Raleigh

Raleigh, Feb. 18.—Now that we are to have the plaster replica of the famous statue of Washington by Canova and are to have also a very fine marble bust of the distinguished William A. Graham, and there is already on the walls of the Capitol the bronze commemorative of the Edison Tea Party, it looks something like a beginning. The State has quite a large collection of paintings now, but that started only in 1887, when the first every cloudy day, visitors to the Chief Justice Ruffin, which was for awhile in the Governor's office but which is now in the Supreme Court room. Now the State has portraits everywhere in the public buildings. Those in the Supreme Court room have been very attractively labeled with metal name-plates, and those at the Executive Mansion ought to be treated in the same way. This is a sort of preface to the fact that the tablet above referred to is very badly placed in the Capitol. Shadow falls upon it and almost every day, and certainly upon every cloudy day, visitors to the Capitol served striking matches in order to see it. The writer had suggested that it be placed some twenty feet to the left of where it now stands. There it could gather whatever light there is in the never-to-be-bright rotunda of the Capitol.

There is a growing sentiment in North Carolina in favor of co-education of the sexes and it is going to be found that the children grow up together in the lower schools, then pass into the high schools, so that there are years of association. This will bring about a more intimate and similar associations in the institutions which are higher still. Such is the comment made by thoughtful people.

The fact that Raleigh's public schools are so close on the fifth year is a subject of no little regret here. Meanwhile the books have been opened for registration for the election for a special tax of 15 cents for the township schools and the mayor makes a powerful appeal for the schools. The whole matter has been very unfortunate and has caused no little hard feeling, some of it quite bitter in fact. The mayor does not know what to do with their children. In two or three cases they have been sent away to other points to get the benefit of a full term. Though it seems quite reasonable to carry, yet it is said there is some opposition to it and people are heard going around the streets talking against it.

One of the visitors this week is a man who always gets a warm welcome to Raleigh—ex-Gov. Thomas J. Jarvis. He has received no end of compliments on his splendid address before the Legislature last week. He says things look extremely good in his section of North Carolina. He is very proud of Greenville, which, indeed, is a little gem of the East. The Training School for Teachers, which is a big thing, too, and is going to play a great part in the development of eastern North Carolina. Beyond a doubt improved teachers have improved scholars and improved scholars have improved conditions and the public and private schools are so playing a great part in North Carolina's upbuilding. The way to take in the case of a great many of the schools is going to be the agricultural feature and it will not be long before there will be high schools, model farms or something along that line and there are going to be district public schools like those in Georgia and in so many great States in the West.

It seems that railway development is going to be another feature of 1909. Some big interests, it is rumored, are casting their eyes over the North Carolina field. The Seaboard Air Line and others at the Norfolk and Southern, it is said, both of these being roads with futures. The Seaboard Air Line did extremely well in 1908, actually making money under a receivership that it did the previous year under ordinary conditions. Some of the roads have had a fashion of making a tremendous loss in earnings and that sort of thing some times brought about by heavy cutting of all sorts of expenses and of work really needed.

Talking with Mr. Ernest Martin, one of the owners of the Martin Hosiery Mills here, a day or two ago he spoke about the movement in the South to make finer goods. The mills, for example, has its use had only one known as 178-needle machines in making hose and has now discarded these and put in 240-needle machines, which are 240-needle machines. Everything that can be done to get the most out of a pound of cotton is what North Carolina needs and this applies to the whole South. There has been a great many ways and means to produce goods and to New England has been left the flier work, but now the tables are being turned, somewhat, at least.

There is now a vogue of the automobile. Has the auto come to stay or will it run a race for awhile with fashion as did the bicycle and then go out of favor as early as the latter, smashing forty great firms and making idle no end of plants in which millions upon millions had been invested? People swore the bicycle had come to stay and that sort of thing began; in other words, that it was a vital thing as the sewing machine, but it was not so. There are others who say that the automobile people will go the same way and that the theatrical people, now so harassed by the moving picture shows, will only have to bide their time to see the latter pass away and be relegated to the same way and that there is some many forgotten things are put to catch the dust.—But it really looks as if the auto and the moving pictures are fixtures.

And this reminds me of the fact that a great many automobilists enjoy the machines mainly for the thrill. The machines are capable of much and yet are so fascinating, however, in bowling along on a fine road on a fine day, figure to yourself what zest there is in a night run through the woods. The road in mighty good company. The bright acetylene gas lamps throw a glare far ahead, almost like that

of electric lights, while above the duller light of the headlights adds something at least to lighten the gloom. The clouds hung low, the trees bordered the roadside, often hugging it close, and along miles of tortuous track, on the crest of a long ridge of "divide" our route lay, part of it, in fact, almost all of it, through what used to be the great manœuvre grounds of the North Carolina troops. Many old soldiers will remember the place when they are told that it was once "Camp Mangum." Now most of it is a wild tangle of scrub oaks, with pines here and there.

Our route the evening in question led from the black-lead mines and all their tangle of pits and galleries, honeycombing the swelling hills and dense forests, up a slope and then through a jungle growth, mostly of trees which had not been touched until the new ones literally shove these aside; scrub-oaks and black-jacks, those trees which follow pines and which hang on like grim death in any sort of situation. With the motor and the ceaseless sound of the siren we rushed along, taking the turns in the most approved style, and had some three miles of thrill without a glitch in it. A glow of the sky which marked the Raleigh light seemed many miles distant and yet in a direct line was near, and the radiation rose in the upper air rather like that of an aurora. Cabins along the line were lit up, and the demon of a machine rushed by and though used to such things in the daytime they plainly showed their surprise. The whole thing showed the possibilities of a night run which would be a hand at the wheel and there were beauties at every turn, utterly undreamed of in the more prosaic daylight.

Monday evening at the reception given by the Daughters of the Revolution to their president general, Mrs. Fitz, Chief Justice Clark was among the notable guests and he spoke to me about a movement about which something has been heard to a greater or less degree these six or eight years, namely, to move the State capital from Raleigh to Greensboro. There are people who have treated this matter somewhat in earnest, but the North Carolina world generally takes it as a jest. It is very safe to say that the Herring bill will be defeated. The fathers acted wisely and well when they selected Raleigh as the capital. If one looks at the map of the State and balances the advantages of the two cities, it will be seen that wisdom they showed, when after full deliberation they chose this particular place. They named a territory about the size of the District of Columbia, within which they placed a city, the location of which the Legislature were to locate the capital. The site was to be bought and part of the money arising from the sales of the lots was to be applied to public use; that is, the capital was to be a public city, as the case of a State city, and so it has remained.

We are moving back, at least some of the gentler sex are, to the days of our great grandmothers and even further back still for the short-waisted gowns with sweeping skirts, very scanty in everything but length below, are quite along the line of those dear old gowns which are in the fashion of the day. This is the way Raleigh bellowed, dressed in revolutionary apparel, did not look so amazingly old as might be supposed when she was surrounded by a bevy of beauties in late-day gowns of pretty nearly the same cut. The sheath dress has not come to North Carolina yet and may not arrive, but the dilettoire is a fairly close rival of it. A lady recently very warmly described a gown of this class as containing very little cloth and leaving very little to the imagination. It takes a woman to say such a thing as that. A man would never think of it.

I believe I've written something about the use of the horsehoe as a good-luck emblem. It will be interesting to people in the various communities in North Carolina to keep their eyes open as they walk about, whether in the city or in the country, and see how many horsehoes are used, generally over doors. A day or so ago, out in the suburbs, a house which looked exactly like a tavern for some other resort for ghosts, as seen by the horsehoe over the door, was of its tumble-down doors and with a few more by way of good measure nailed here and there—above windows and on the sides of the facade—was a horsehoe, and a good-luck emblem. But all of them together will not save the house. Voiceless and eyes on the ground, there, a reminder of its former greatness, when it was a mansion, and of the transition stage, when ordinary people lived in it, who thought much more of horsehoes than they did of paint and improvements.

It is very interesting to look about when a legislative session is on to see how many there are of what a wit here calls superstitious people of all sorts of clerks, assistants here and there, sweepers and that sort of thing. Away back yonder in the campaign people had been promised places and the builders had to make good. The Legislature at every turn investigates to see how many extra hands it has and some of the investigations have been very amusing indeed. It must be said in all frankness that some of the things that are done are much above the average. During this entire term there has only been one such word, not a case of public drunkenness or public misbehavior, and as a result most of the members have been in their seats, very not many years ago once in awhile one would be absent on account of booziness, and there would be talk about expulsion and that sort of thing, but nothing has been heard of this this year. Some of them may drink on the sly, but if so they have a happy way of not violating what some wicked people call the eleventh commandment. "Thou shalt not be found out."

And by the way, in not a few minds this lack of commandment, not inspired by any manner of means, is a good deal more of a force than the other ten which are inspired.

All of us have seen boys who, whenever they have witnessed some wonderful play or stunt of any kind do something in an imitative way, but a couple of Raleigh youngsters of very tender age, have brought out an entirely new stunt, which followed the thrills they got by seeing Tom Dixon's play, "The Clansman." The father of one of the boys tells the story. His youngster of 8 years saw the fiery cross which the Ku Klux sent around in the play and he and his comrade got a quantity of small pieces of lightwood, very cleverly fastened them together and so made a cross which, when everything was quiet, they put up in one of the best of the numerous pieces of fat pine which composed it. There was a smell of smoke and the parents rushed in to find the boys looking at the blaze. In a few moments the boys would have been on fire. When asked where they got the idea they said at once from "The Clansman."

This was a boy's experiment. It remained for Raleigh engineers who run a station boiler to do a stunt which is perhaps superior to this one. He wanted to know if the draft under the boiler was all right and crawled in, luckily leaving the manhole open, and was there when the boiler was with oil and told his assistant to touch these off in the forward portion of the boiler, and see if everything was all right while he got in the rear. The draft was stunning. The draft was so fine that in a moment there was a yell and a rattle of iron and out came the gentleman, through the manhole, his assistant declaring that his hair and whiskers were blowing and that he had a closer call than he had.

Recruiting for the regular army in North Carolina is quite a feature, and Captain Winston, who is of very notable military record and who is stationed here for eastern North Carolina, says that during the twenty-five months which he has been here the average number of recruits has been 30, though last month it was 45, which breaks his record so far. This he has enlisted 750 men, and he says they are of a very fine type, much desired in the army. In the western recruiting district, with headquarters at Chicago, the western enlistments are about 40 each month. Captain Winston says men from the mountain region enter the army more easily than those from the flat country, and that three-fourths of the recruits are from the mountain region and they see a great opportunity ahead of them. This is that such numbers of them come from western North Carolina.

Tuesday evening Mr. Charles N. Evans, of Wilmington, so well known in the banking world of North Carolina, was at the meeting of the chamber of commerce and made a delightful talk. He was introduced by President Charles E. Johnson, who told a good story about him, every word of it true. Mr. Evans was a page some twenty-five years ago in the Legislature, which breaks his record, he was one day young Evans was sent to the postoffice to buy some stamps and was given a \$10 bill with instructions to buy \$5 worth. Those were the days when the boys would reads through which they blew spitballs of paper, and when young Evans was returning to the Capitol with the stamps, the \$5 and some paper, he saw a man in a dark suit and a gun and thoughtlessly tore off a corner of the \$5 bill and fired away. When he got to the Capitol he found the mutilated bill and was in great grief, but he went to the banker here, who looked at it and said there was enough of it left to redeem it, and so Charles' great joy another bill was given him in exchange. President Johnson said from that moment Mr. Evans made up his mind to be a banker and that he is known as a top-notch in the profession.

Passing mention has been made of the fact that Attorney General Pickens has been called upon to make a ruling as to the distinction between a using-jenny of native construction and one of foreign construction, and noise and whirl known as a merry-go-round, so often seen at fairs and other gatherings, and which rakes in the nickels so rapidly and is therefore a subject of taxand for license. The correspondence, however, is too funny to be passed by so lightly. The following is the letter written by the man who was in trouble and who was lifted out of it by the ruling, his letter being addressed to "The Attorney General." "Hon. Sir not thinking of law and not knowing I would have to pay license I built arude merry-go-round to have a little fun with the young folks and I may as well tell you I will have to pay license before I can run the thing will you please advise me along this line and help me out if you can it is only a handmade concern with a few benches to sit on and it is in a small country place of about 250 inhabitants and twenty miles from any town or railroad and I can only use it about an hour on Saturday evenings when the weather permits which only gives me 12 hours a year at the very best, please relieve me as you can as I would like to run it a little now I got it done trusting you will consider this and I may as well say I am a very happy man. The reply of Attorney General Bickett is a very happy combination of law, Latin and humor and is in these words: "Your letter has been carefully considered. The plain reading of the statute would seem to make you liable for a license of \$5 to the State and \$5 to the county. However, I am persuaded the Legislature never intended the law to apply to the simple device you have gotten up for the simple amusement of a pastoral people—20 miles from the railroad. From your description, using-jenny instead of a merry-go-round. This is my official construction of the machine. The law is silent as to a flying-jenny and therefore it cannot be taxed. Expressing my own opinion, I really ought not to be taxed. Think of the hundreds of laughs, the thousands of delicious sensations of childhood that

would be crushed, murdered by the heavy hand of the tax collector. I have in litera haeret in cortice is a truth as old as the hills. This office will not do violence to it. It will stand for such sticking in the bark. In a few moments you will be good about the county license I will make the State Treasurer do the same, and if he cuts up about it I will cut it myself. The children shall ride, even if they equal live twenty miles from a train. Equal and exact justice to all demands it. Respectfully submitted.

T. W. BICKETT, Atty. Gen.

A WAR-TIME SMOKE.
It is queer how things come about. The writer was speaking to Mr. Michael Bowes, of Raleigh, who has already been written about as the States' powder-maker during the war. About the John White blockade-runner story written for The Observer, Mr. Bowes, who is yet a very active person, here said, "I can tell you a story myself about blockade-running. The last trip the blockade-runner Advance made I got a box of cigars brought over, which I had ordered and for which I paid \$100 in Confederate money. As the money was then at the rate of about \$100 for a silver dollar, my cigars cost me 7 cents apiece, there being 100 in the box. I had business at Goldsboro to do and I took two of the cigars with me. There was only one passenger car on the train, that being the ladies car, as it was termed, but as there were no ladies on it when the train started I lit a cigar and began to smoke. The first station two ladies came aboard, both dressed in homespun and with sate bonnets, so common then; everything being home-made. They were smoking, too, and said 'How good that tobacco smells.' I apologized for smoking in that car and thereupon one of the ladies remarked that she wished she had a pipe of tobacco, for she loved it dearly, but had never in her life smoked a cigar. I thought I would be gallant so I offered this lady my other cigar, which she took, put in her mouth and began to smoke. I was smoking in order to get a line. As soon as her own cigar was going, she gave the one I had been smoking to her friend, and there I was smoking my cigar but enjoying the smoke which the lady had just put in her mouth. They were perfectly happy and confided to me that at least they understood what I meant like a cigar better than a pipe, for there was a lot more in it. It was the most curious occurrence in my life. That is the way my pair of really fine Havana cigars went."

HOW THE BLIND TIGER SCHEMES
A very good story was told this week by a member of the Legislature at the reception given by the Biological Society at the Agricultural and Mechanical College. Somebody made some mention about the prohibition laws here and the blind tiger, etc., whereupon a story was told about a blind tiger here in Raleigh. People here are yet laughing at the trip through the Federal building, which was made by a blind man who had a court room in, made by that admiral jurist and enforcer of the laws, Judge Boyd, in the course of which he found some scores of flasks and other vessels containing various liquors. The story is that some of the jurors in the Federal Court got very dry themselves and one man, who had a particularly keen eye for a blind tiger, saw a negro who he thought was the right person to approach, told him he wanted some liquor, and when asked how much, said about a pint, whereupon the negro said, "Boss, if you give me the bottle and three dollars, I will give you the liquor." The juror gave him the money and away he went, leaving the package in the juror's hand. The juror didn't come back until the juror had returned, tired of waiting, concluded to look in the package, and lo and behold there was the pint wrapped up in a newspaper. One would have thought that the juror would have told him he had the liquor all the time. Any way, he took a pull at the bottle and it was soon among the pile of "dead men" over which Judge Boyd threatened his sharp question in the prohibition days, the darkey flask-sellers used to range through the building and get bags full of bottles and sell them, but now there is no need for these artists. Even a blind tiger would not dare buy them. He might steal them or slip them out on the sly, but so modest are these people that they don't want to do anything public.

THE TABLES TURNED; HOW THE CAT KILLED THE CUR.
A few days ago the writer took advantage of a charming afternoon to spend a few hours in a country rambling behind a pack of very good foxhounds, which were not overly plentiful, but were overly sharp, and when they wanted a place of refuge they simply dashed under the thick mat of honeysuckle, which sometimes covered the ground, for once in this they were safe and the dogs could do nothing. But the curious thing about the hunt was a side line. Very near the Stables' Home and exactly at the place where are the remains of the Confederate breastworks, an old negro woman was heard weeping and wailing and ahead of her was a stout negro, carrying in her apron a curnig, one of the brown kind, with much curly hair, which negroes so dot on and which are so numerous in North Carolina, and which a negro once told me was "Jus' er dawg," this being a very good description, by the way. This dog was dying, evidently, his eyes were glazing and his limbs were stiffening, and in a few moments he was put down in the path, gave a kick or two and that was the last of him. Then it was found that an ordinary cat, one of those gray forgers which slip about in the woods or fields half tame or half wild, had been fighting with this dog in a marvellous hollow for nearly an hour, and had finally killed the dog, which weighed five or six times as much as the cat. The cat seemed to have severed the windpipe, for no blood was visible. Children had seen the animals fighting and naturally thought the dog would win out, but this was the time when

the cat turned the tables and worried the dog to death.
ANOTHER ILLUSION DISPELLED.
How our illusions are dispelled. Nine people out of ten will speak to you about the beautiful teeth negroes have and will say they wish the white people had such. The teeth of the black people seem whiter by contrast with the dark faces. A dentist will tell you in a minute that their teeth are, as a rule, much worse than those of whites, because they pay so little attention to the care of them.
FRED A. OLDS.

SLAVEHOLDERS' DESCENDANTS.
They Are Not a Small But a Large Part of the Southern Population.
Macon Telegraph.
To judge the expressions of Northern writers and speakers, the conclusion has been reached in that section that the descendants of the slaveholders of the old South are a very small minority and are but slightly represented in the activities and prosperity of the South to-day. It is sometimes even confidently asserted that the slaveholding class of the old South was a much less than half of the whole white population.

And yet a mere glance at the census figures for 1860 will show that this impression is altogether without basis. The slaveholding class was a minority class, not a small one. There were in 1860 about four million slaves and about four hundred thousand slaveholders. That number of slaveholders would be a family—a very moderate estimate for that period—would mean a population of two millions belonging to the slaveholding class. Now, the white population for the whole South, including Maryland, Kentucky, Missouri, was a little less than eight million, and therefore fully one-fourth of the people south of the Potomac and the Ohio belonged to the slaveholding class.

The proportion was very much greater in some States and parts of States, and considerably greater in the eleven States of the Southern Confederacy as a whole. In those eleven States were found more than 3,500,000 of the 4,000,000 slaves, and no doubt fully 450,000 slaveholders. By the same moderate allowance of five to a family, we get a slaveholding class of 1,750,000, or about one-third of the 5,448,462 of the population, in the eleven States of the Southern Confederacy. Barring the all too slight element that has been received since the war from the North and foreign countries, we may safely conclude that about one-fourth of the population south of the Potomac and the Ohio, and that one-third of the population in the eleven States that formed the Southern Confederacy, are of slaveholding ancestry. Everywhere in society, in business, in politics and in the professions—the sons of slaveholders are conspicuous among the leaders testifying to the absurdity of the notion that the element in the South is "played out."

This misapprehension is built upon another that preceded it. The comparatively few large "slave barons" of the past generation, and of the present, was supposed. The smaller planters and the business and professional men of the towns held the bulk of them in small lots of three, six, or ten, twenty, forty, sixty, and so on, according to circumstances, need and wealth. The owner of five hundred to a thousand slaves was less common than is the multi-millionaire of our time.

POEMS.
By His Majesty Mutsuhito, Emperor of Japan.
The Independent, New York, Feb. 18.
Hisakata no
Sora ni harukaru
Fujii no ne no
Takaki wo hito no
Kokoro no Ganai
Fujii's cheer-out peep,
Stands proudly soaring 'gainst the cloudless sky;
Would that the man's heart
Soared just as high as that.
Matsurogito
Idete kikinu to
Gomodeki ni
Yunori harikeri na,
Niwatori no naku.
Methought I sat before my Council Board,
Engrossed in pressing business of the state.
'Twas out a dream; for presently the Cook and I woke to Life's Realities.
Toki hakaru
Utsuwa no maye ni
Arinagara,
Tayumi gachi nari,
Hito no kokoro wa!
Poor human heart! so weak that 'e'en the blandest of the winds
With tireless tick measuring the steady hours,
Shames it not into unwearied energy.
Fuki zabubu
Kaze no mani-manai
Sasawarete
Iye no uchid made
Tsumori yuki kana.

Bleak blots the Winter's blasts; the whistling flakes
Drift at the wind's behest; and, swept the against
Windows and doors, make bold to invade my house.

In the Japanese cycle, this year is the year of the Cock.
POEMS.
By Her Majesty Haruko, Empress of Japan.
The Independent, New York, Feb. 18.
Tantai koshi
Fumi arite koso,
Shirare kore
Totsu mi-oya no
Kami no mi-ida wa.

Had we not had our books.
An heirloom of the Ages, writ of yore,
In which we read the ancient comings-forth
Of our god-ancestors (and learn that we, Their offspring, must be godlike in our lives).
Kaku bakari
Magumi amaneki
O mi yo ni
Umare au koso
Ureshi kari kere.
Only to have been born in such a reign
When the Imperial Meroy is so wide,
Perfading all the land, is joy enough.
Ayamatai
Koto wo onoeba,
Karae mo no
Koto ni me mado wa
Tsumushimaretsutsu.
When we fear
To slip or err, we wisely take good heed
And run the smallest deed so heedfully

NEW YORK AND WASHINGTON GOSSIP

In private circulation in New York to-day, in the hands of eight or ten leading lawyers and students of affairs, is a memorandum which contains the germ, at least, of Mr. Taft's tentative plan for the better regulation of corporations and trusts. The plan for the utterances of the President-elect have already indicated, this proposition would dovetail into the present Bureau of Corporations and the present Interstate Commerce Commission. But, confidentially, Mr. Taft is now wondering whether the solution of this whole regulation problem will not be the same, and there, if whether the public will not ultimately and in reality demand (as a measure not necessarily of keeping competition alive actually, but rather of perpetuating potential competition) that the so-called trusts shall keep below a certain figure when it comes to calculating what their profits shall be. This necessarily would imply the existence of a central authority, the machinery in the Bureau of Corporations, through which the facts relative to the profits of industrial combinations, as well as the prices charged, would become known, and there, if not in the previous process of determining what the prices are (and, under the plan, ought to be) would come the rub. These learned New York lawyers, when discussing the proposition, realize that the questions involved are of the utmost difficulty, if not impossible of solution by such a method.

But this is not the only symptom that the trust problem is coming to require an immense amount of study by the Taft administration. In the recent tariff hearings it appeared, from the statements of Judge Gary, chief justice of the Supreme Court, and Mr. Carnegie, as well as from the utterances of the eleven States of the Southern Confederacy as a whole. In those eleven States were found more than 3,500,000 of the 4,000,000 slaves, and no doubt fully 450,000 slaveholders. By the same moderate allowance of five to a family, we get a slaveholding class of 1,750,000, or about one-third of the 5,448,462 of the population, in the eleven States of the Southern Confederacy.

Barring the all too slight element that has been received since the war from the North and foreign countries, we may safely conclude that about one-fourth of the population south of the Potomac and the Ohio, and that one-third of the population in the eleven States that formed the Southern Confederacy, are of slaveholding ancestry. Everywhere in society, in business, in politics and in the professions—the sons of slaveholders are conspicuous among the leaders testifying to the absurdity of the notion that the element in the South is "played out."

This misapprehension is built upon another that preceded it. The comparatively few large "slave barons" of the past generation, and of the present, was supposed. The smaller planters and the business and professional men of the towns held the bulk of them in small lots of three, six, or ten, twenty, forty, sixty, and so on, according to circumstances, need and wealth. The owner of five hundred to a thousand slaves was less common than is the multi-millionaire of our time.

At all events, the continuance of actual and active competition in such a matter is evidently of increasing moment, and since on this account the ordinary kind of competition with which you are familiar would serve its purpose (of protecting the public) less and less efficiently, the problem of providing a quasi or potential competition in the shape of government control is equally of increasing moment.
It is in this condition of affairs which has doubtless inspired Mr. Carnegie to project his plan by which all prices could be regulated by an industrial council. He would first propose a tariff commission. This, no doubt, would look in the direction of an industrial court by first determining what may be the differential between the cost of labor and the cost of the finished product; and then presumably it would seek to determine what is the "reasonable profit" promised to American manufacturers by the Chicago platform of the Republican party. Then, he says, would come the supreme industrial court, to pass upon prices, which he declares to be even a larger question than the tariff, and apparently one inevitably growing out of it.
The expert accountant has not yet appeared to tell the ways and means committee, or even any interest appearing before it in the recent tariff hearings, what the tariff on our country's American labor costs and foreign labor costs may be. There have been gropings, but only gropings, for what the manufacturers apparently expect the committee would consider a "reasonable profit" to be. Evidently there are questions, however, which some governmental authority must look into if the wishes in names of only the largest corporations, or the combinations and trusts, in other words—and there are many of them—are to be regarded, for evidently government would insist upon as a defense, would have to be intelligently and thoroughly and justly worked out. Some authorized representative of the public would have to do it. Taft's tentative plan, or the latter over into it; and this means that there would be something doing in and about the Bureau of Corporations, which would require new machinery, which would have to be provided by law, as with the additional powers desired and thought to be necessary by many for the interstate Commerce Commission. But note the troubles of Senator La Follette and others to provide a physical valuation of the railroads. This has not encountered merely the opposition interests, but also the opposition of the public. It is a doubtful question entertained by many whether adequately to enable the Interstate Commerce Commission to represent the public would be to do it. The matter of rate-carrier's prices—would be possible under the constitution. Other economists than Mr. Harriman believe in monopoly—if it

is adequately regulated in the interest of the public—by this quasi or potential competition that I have spoken of—whether he believes in such a kind of competition, or any competition, automatic or otherwise. The tariff discussion and the Taft and Carnegie plans serve to start a discussion of the real problem—how to harmonize an economic tariff law with the changes involved in the immense and apparently increasing growth of trust operations, while at the same time providing through the proper governmental agencies an effective means of regulation. As it regards the advertisement, "Think it over."

New attention has lately been drawn, not merely in New York and Washington, to the fact that other combinations or associations are about the business of automatic manufacturing. Each member pays a royalty to a company owning certain patents. The recent St. Paul dispatch that the manufacturers of Portland cement were about to form a similar alliance was premature, but there was something in it, and apparently they will succeed with it. The Hurry and Seaman patents, so-called, by which the multiple automatic production of Portland cement is possible, are owned by a certain company. It has collected royalty, but there have been quarrels over the use of these patents, and, as yet, no patent law has not been illegal, have yielded. The patent system appears to result itself gravely enough to this process of allying all contending companies, or to the effect of a patent not to contend, and this is another condition, rather than a theory, which confronts the lawmakers, who think, no doubt rightly, that in the interest of the public, the real people—that they must further regulate the trusts and combinations.

Meantime has just come out, perhaps at the physiological moment, an adverse report by Mr. Nelson, of New York, from the Senate Judiciary committee, upon the so-called civil federation bill to amend the Sherman act, and to provide for the regulation of other eminent lawyers and those other eminent lawyers mean to do it. Innumerable decisions of the courts, many of them the highest, are quoted, and appropriately enough Judge Taft tends to quote from the bench as deciding that however reasonable the prices fixed by a combination or association may be, and however little such combination or association may tend to restrict or oppress monopoly, it is nevertheless completely void at common law because in restraint of trade and tending to a monopoly and it follows that the question of reasonableness or unreasonableness in reference to such efforts to fix prices does not enter, because the tendency involved in protecting the alliance in a reasonable way is in restraint of trade, and tends to unreasonable prices, and this would not be protected by the courts.

Senator Nelson's report speaks of the four classes of remedies against combinations, contracts and monopolies: namely, by criminal prosecution, by injunction, by seizure and confiscation of trust goods while in transit from one State to another or from one country to another, and by action for triple damages in behalf of any party injured; and he points out that all these remedies have been applied, and evidently he and his fellow-practitioners of the Senate Judiciary committee want them all to be continued to be applied, for they declare that the civil federation bill to amend the Sherman act would render it nugatory in regard to criminal prosecutions, and that civil remedies would labor under the greatest doubt and uncertainty. "To destroy or undermine it at the present juncture," says the report, "is a course which is as obnoxious as ever to the rights of the public, would be a calamity."

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TRIAL BY JURY.
Reduced to an Absurdity in the Cooper Murder Case.
New York Evening Post.
Trial by jury reaches its acme of absurdity in the case of the murderers of Senator Carmack, now pending at Nashville. After more than three weeks of elimination of the intelligent, a jury was found on Saturday which contains four absolute illiterates, two others who can barely read, while all twelve swear that they have not read a newspaper since the shooting, some adding, with a fine superiority like that of Mr. Talbot, that they had not read a paper for ten years. So much for the ridiculous laws in America, ostensibly aiming to secure impartiality in a jury, but really obtaining stupidity. Better openly choose the jury from the idiot asylums and the ranks of the defective. We sincerely hope that the Nashville jury will be capable of following the evidence and doing its duty; but certainly the law of Tennessee has done its best, not only to prove that it is an ass, but to make sure that the really competent ones will be barred from trying an issue, not only of life and death, but of civilization itself. Perhaps we needed such a ghastly exhibition in order to induce lawyers and judges to set about the long delayed reform of our jury laws.