

EDITORIAL BRIEFS

The Democratic politicians are in favor of office for revenue only.

The Standard was not able to pour oil on the troubled waters last Monday.

The roosters may leg eggs in Kansas, but the Asheville chickens laid in a supply of liquor.

When the Standard Oil trust is dissolved, wonder where the New York Democrats will look for campaign funds?

The whiskey found in Asheville must be a very bad variety as they are now hauling it in the city sanitary wagons.

Secretary of War Dickinson has resigned his job, which has caused some to wonder if he is really a Democrat after all?

When Simmons starts up his old machine in the Senatorial race next year he will find that it is badly in need of repairs.

Under Democratic "good government" the sound of the pistol is almost as frequent as the chirp of the English sparrow.

Simmons' swamp lands may be very extensive, but hardly sufficient for breast-works during the political battle next year.

The Baltimore Sun asks what would you do if you owned Baltimore? Why, we would sell it and invest the money in North Carolina, of course.

If the Democratic politicians love the farmer, as they pretend, they would not increase the farmers' taxes in order to pay more salaries to Democratic pets.

What politician was it that requested the Government to make a soil survey along the line of the Norfolk Southern Railway before that road was built?

Senator Owens (of Oklahoma) says that legislators are controlled by corporations. And we, too, think that Senator Owens is himself a member of a legislative body!

Ten barrels of whiskey was seized in a chicken-coop in Asheville Saturday night. That is prima-facie evidence that the Asheville chickens have been dealing in liquor.

The new assessment is not only for the purpose of increasing the taxes but they will raise them sufficient to pay all the assessors for their month's work—and then some!

Some of the papers are wondering why the President appointed Hon. Henry L. Stimson Secretary of War. But it was probably because Secretary Dickinson had resigned.

If the private residences in Asheville keep two thousand gallons on hand for family use, wonder how much the blind tigers, who have to supply several families, carry in stock?

The woman mayor of Hunnewell, Kansas, has declared she will make that town "dry" or resign. If she doesn't resign in the mean time, Asheville might do well to put in a bid for her services.

The Democrats in Congress have grown tired tinkering with the tariff and the hot weather makes them want to go home. But some of them will find it even hotter at home when they come up for re-election.

Some of the most ardent free trade Democrats are now willing to leave some tariff on wool in order to keep the party united for the next presidential fight. This is only further evidence that the Democrats place principle before principle.

Woodrow Wilson made a speech in Los Angeles, Calif., some days ago in which he advocated individual freedom in politics. If the voters in the South should follow Wilson's advice the South would go Republican at the next election.

ORDERS FOR BUTLER'S SPEECH.

Mr. J. L. Ramsey Believes It Will Be a Valuable Vote Winner if Sent Out in Pamphlet Form—Says if One Hundred Thousand Copies Can Be Distributed, May Cause Overturn of the Democratic Oligarchy.

The Caucasian has received a number of letters containing orders for Ex-Senator Butler's Raleigh speech when it is printed in pamphlet form. The following is a copy of a letter the Caucasian has received which high complimented the speech:

"Editor of The Caucasian-Enterprise: "It is gratifying to learn that you will re-publish the great speech made by Ex-Senator Butler at Raleigh during the last campaign. I read it as it appeared in your paper some months ago, and believe it will be a valuable vote-winner if sent out in pamphlet form. I doubt if a greater speech has ever been delivered by a North Carolinian. If a hundred thousand copies of this speech can be judiciously distributed throughout the State between campaigns it may cause the overturn of the Democratic oligarchy.

Truly,
"J. L. RAMSEY."
"Scott's, N. C., May 14, 1911."

One letter received yesterday contained an order for fifty copies of the speech and other letters contained orders for 5 to 20 copies each. As soon as The Caucasian has received sufficient orders to pay the actual cost of printing, the speech will be printed and all the orders filled in regular order. If there are others who desire copies for themselves or for distribution The Caucasian hopes they will send in their orders right away. See the blank for the purpose on the editorial page.

TO SELL CANAL BONDS.

Secretary of Treasury Invites Popular Subscriptions—Bonds Will Pay 3 Per Cent and Will Be Non-Taxable—Will Probably Be a Rush of Bidders.

Washington, D. C., May 16.—Secretary MacVeagh to-day invited popular subscriptions to a \$50,000,000 issue of Government bonds to reimburse the treasury general fund for expenditures on account of the Panama Canal. Treasury officials expect the loan will be largely over-subscribed, and in distributing the new securities the Government announced its intention is to give preference to smaller bidders.

The new securities will bear 3 per cent interest, payable quarterly: will be in denominations of \$100, \$500 and \$1,000. They will be dated June 1, 1911, and will be payable in fifty years.

By provision of law, the new bonds will not be available to National banks as the basis of circulation. Inasmuch as they are the first the United States has ever issued with such a restriction, much interest is attached to the price they will bring. According to law they cannot be sold at less than par. The premium which the new Panama Canal Bonds can command will reflect the national credit of the United States as it compares with that of the great nations of Europe. Inasmuch as the postal savings bank law fixes the par value of a postal bank bond bearing two and one-half per cent interest at \$100, it is agreed that the 3 per cent Panama Canal Bonds must bring more than par. How much more is conjecture. The estimates range from slightly above par of 103.

Checks and postal orders will be accepted for the new bonds—something which never has been done before. Although the issue is designed for private bankers, national banks which bid for the bonds will be allowed to deposit them as security for Government deposits.

FORTUNE SUNK WITH STEAMER.

The Merida Which Was Wrecked Off North Carolina Coast Had on Board \$1,000,000 in Bar Silver and Over \$300,000 Belonging to Passengers—No Lives Lost.

New York, May 13.—Fifty-six miles off the coast of Hatteras in thirty fathoms of water lies Merida, the 1,300,000 ward line steamship, on board which is sixteen tons of bar silver worth \$1,000,000, while locked in her purser's safe are some \$300,000 of passengers' and ship's money and diamonds and other jewels, the value of which is unknown, but it will be thousands of dollars. On the ill-fated steamer is also the baggage of 300 passengers and the crew.

The total loss is estimated at \$3,500,000, none of which can ever be recovered by diving, according to H. Middleton, the third officer of the steamer. "Thirty-one fathoms," he said, "means 186 feet and I understand that divers could not live in pressure at that depth."

All the passengers and crew were rescued after midnight last night and only one person, a woman, was injured.

MUST AMEND THE LAW

Meaning of Sherman Anti-Trust Law Must be Made Plainer.

JUSTICE HARLAN'S VIEW

His Construction of the Law in Case Against Standard Oil Would Make Any Change Unnecessary. But the Majority of the Supreme Court Have Put a Different Construction on the Law—Justice Harlan Says Court Has Changed the Law Instead of Construing It—The Immediate Effect of the Decision—Success of Postal Banks—Some False Economy.

(Special to The Caucasian.)

Washington, D. C., May 16, 1911.—The long looked-for decision of the Supreme Court of the United States in the case of the Government's suits to dissolve the Standard Oil Company and the American Tobacco Company for violation of the Federal anti-trust law were handed down on yesterday; that is, the decision of the Supreme Court in the Standard Oil case was handed down, which unquestionably defines the lines and limits of the decision in the American Tobacco Company's case which was withheld, but which is expected to follow next Monday.

On its face the Government wins a victory, in that the Supreme Court Court holds that the Standard Oil trust is an illegal combination in restraint of trade, and orders that that company must be dissolved, allowing it six months' time within which to effect the dissolution under the law and according to the terms of the decision. There is, however, another side to the decision, which apparently robs the Government of most, if not all, of its victory.

A Mixed Victory.

While the court holds that the Standard Oil Company is an illegal combination or trust, yet, in defining the scope and effect of the Federal anti-trust law, it holds that this law does not prohibit combinations in restraint of trade as contended by the Government under the strict letter of the law, but only covers combinations in "unreasonable" restraint of trade, or combinations that result in "unreasonable" restraint of trade. The word "unreasonable" does not appear in the text of the law.

Thus it will be seen that the decision as now handed down seems to restrict the effect of the law so that in the future no corporation, trust or monopoly can be declared illegal, even though its operations are in restraint of trade, resulting in the breaking up of competition, etc., unless these discriminations and restraints shall be determined by the court in each individual case to be "unreasonable."

Justice Harlan's Dissenting Opinion.

Associate Justice Harlan, in a vigorous dissenting opinion, while agreeing that the Standard Oil Company was guilty of violating the law as found by a majority of the court, yet held that that corporation should have been held guilty even if its offenses had amounted to any restraint of trade as the law provided, instead of amounting to a gross "unreasonable" restraint of trade.

Justice Harlan points out that the law does not permit violation of its terms in a small degree any more than in a large degree. He says that the decision of the court in reading the word "unreasonable" into the text of the law amounts to pure legislation on the part of the court. He says that the function of the court is to construe the law, and not to amend it. He further points out that it is the exclusive function of Congress to enact laws and to amend laws, and that the court, in dealing with the constitution and with the laws, should interpret them and not usurp the legislative power to amend them.

The Immediate Effects of the Decision.

The Associated Press this morning, following the decision on yesterday, announced a great boom in stocks in Wall Street. The general tone of the press is that the decision is very gratifying to all of the corporations and trusts and will cause the stock market to recover from its lethargy and to continue to rise.

Up to Congress to Amend the Law.

There has been to-day much discussion on the part of Congressmen and public men as to the effect of the decision, and the general sentiment seems to be that it is now up to Congress to amend the Federal anti-trust law so as to heal the breach which

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TALKING ADJOURNMENT.

Hot Weather Makes the Democrats Tire of the Tariff—May Adjourn About Middle of June.

Washington, D. C., May 15.—Although the special session of Congress is but little more than a month old, talk of adjournment has already become general and the suggestions are not all one-sided. Republicans in both branches have been hinting that a recess during the hot months would not interfere with legislation at all, while many Democrats in the House are beginning to believe they will be through with all the legislative program they care to enact within another week.

High temperature, a sample of which was experienced last week in Washington, served to stimulate in the minds of Democratic representatives more interests in summer resort matters than in tariff questions. For several days they have been considering the possibility of getting through by June 15th. The House expects to have before it the revised woolen schedule within a week or ten days. There has been much missionary work during the past week to unite the factions for an agreement upon a revision which will be in the nature of a compromise between the advocates of a revenue tariff on free wool and the champions of no duty on raw wool. While many Democrats have openly declared for free raw wool, all have agreed to abide by the caucus decision.

The Democrats believe that this matter can be disposed of in the House without much delay and are urging that this end initiative legislation for the session. Outside of that feature of the tariff, with perhaps some revision of the cotton schedule, there is little before the House. The caucus decided a month ago to make this a tariff session.

GOMPERS AND MITCHELL FREE.

Supreme Court Reverses Decision of Lower Court in the Contempt Proceedings in the Case of the Buck Stove and Range Company.

Washington, D. C., May 15.—The United States Supreme Court to-day reversed the decision of the Court of Appeals of the District of Columbia sentencing President Samuel Gompers, of the Federation of Labor Unions; John Mitchell and Frank Morrison, officers of the American Federation of Labor, to jail for contempt of court in connection with the injunction suit of the Buck Stove and Range Company.

The Court dismissed the entire case holding that the imposition of jail sentences was unwarranted by the contempt nature and that the District Supreme Court should have imposed fines only. The decision, which was read by Justice Lamar, held that the cases were purely civil contempt, punishable by fine only, and since the differences between the stove company and the Federation of Labor is now eliminated, the Court believed that the entire case should be dismissed outright. This decision is one of the highest ever won by labor in this country, because it involved the imprisonment of three of the biggest labor leaders. The unionists regard the decision as a turning point in the unionists' fight in America. President Gompers was on train en route from Philadelphia to Washington when the decision was rendered. Justice Lamar's document was the most exciting in many details. The decision was unanimous.

AFTER SAMUEL GOMPERS AGAIN.

Washington, D. C., May 16.—Less than twenty-four after the decision of the Supreme Court yesterday which revoked the jail sentences of Samuel Gompers, John Mitchell and Frank Morrison, President, Vice-President and Secretary, respectively, of the American Federation of Labor, in litigation against the Buck's Stove and Range Company, of St. Louis, Mo., Justice Wright, of the District Supreme Court, to-day began proceedings anew for alleged contempt against the labor officials, which the Supreme Court held yesterday was punishable by fine only.

Speaking of the action of Justice Wright to-day, President Gompers said: "Justice Wright can go just as far as he likes. He will find we are not running away—not even from him."

Justice Wright, who imposed the sentences upon Messrs. Gompers, Mitchell and Morrison, to-day appointed Jos. G. Darlington, Daniel Davenport, and Jas. N. Beck, counsel for the Buck's Stove and Range Company, as a committee to inquire "forthwith" into the question of whether the labor leaders had violated the court's order. They were instructed to report to the court whether, in the opinion of the committee, the labor leaders were guilty of contempt in violating the injunction against the publication of a so-called boycott list in the American Federationist, the official organ of the Federation.

STANDARD OIL LOSES

Supreme Court of United States Hands Down Decision in Case Against Oil Trust.

DISSOLUTION IS ORDERED

Court Decided That the Standard Oil Company of New Jersey is a Conspiracy of Monopoly in Restraint of Trade—Was a Long and Hard-Fought Case—Court Also Sustains Safety Appliance Act—No Decision in Case Against the American Tobacco Company—Decision May Be Handed Down on May 29.

Washington, D. C., May 15.—The Standard Oil Company of New Jersey and its nineteen subsidiary corporations were declared to-day by the Supreme Court of the United States to be a conspiracy and combination in restraint of trade. It also was held to be monopolizing interstate commerce in violation of the Sherman anti-trust law.

The dissolution of the combination was ordered to take place within six months.

Thus ended the tremendous struggle of years on the part of the Government to put down by authority of law a combination which it claimed was a menace to the industrial and economic advancement of the entire country.

At the same time the court interpreted the Sherman anti-trust law so as to limit its application to acts of "undue" restraint of trade and not "every" restraint of trade. It was on this point that the only discordant note was heard in the court. Justice Harlan dissented, claiming that cases already decided by the court had determined once for all that the word "undue" or "unreasonable," or similar words, were not in the statute. He declared that the reasoning of the court in arriving at its finding was in effect legislation which belonged in every instance to Congress and not to the courts.

Ever since the degree in this case in the lower court, the United States Circuit Court for the Eastern District of Missouri was announced, hope had been expressed by the "business world" that the law would be modified as not to interfere with what was designated honest business. To-night that section of the opinion calling for the use and "rule of reason" in applying the law is regarded in many quarters as an answer to the "business world."

Opinion Contains More Than Twenty Thousand Words.

The opinion of the court was announced by Chief Justice White. In printed form it contained more than twenty thousand words. For nearly an hour the Chief Justice discussed the case from the bench, going over most of the points in the printed opinion, but not once referring to it in order to refresh his memory. Before him sat a distinguished audience of the most famous men of the country. Senators and Representatives left their respective chambers in the Capitol to listen to the epoch-making decision of the court. Most eager to hear were Attorney-General Wickersham and Frank B. Kellogg, special counsel of the Government, who had conducted the great fight against the Standard Oil. None of the brilliant array of counsel for the corporations or individual defendants were present in the court during the reading of the opinion. To-day, as on previous decision days for months past, rival broker agents with messengers in line to the various telephone and telegraph instruments throughout the Capitol were on hand, but to their dismay the announcement of the decision was not begun until an hour after the closing of the stock markets.

Decision in Case Against American Tobacco Company Expected May 29th.

Many expected that the decision of the court dissolution suit against the tobacco corporations would be handed down immediately after the decision in the Standard Oil case. This was not done, however, but the decision is expected on May 29th, the last decision day of the court until next October.

The opinion of the court to-day was construed to mean that the tobacco case, like every other case in which restraints of trade are alleged, must be subjected to the new test of reasonableness of the restraint, as laid down in the Standard Oil decision.

By far the greater portion of the opinion of the Chief Justice was devoted to the justification of the court in requiring that the "rule of reason" be applied to restraints in trade before they were held to be violations

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DEMOCRATS HAVE SERIOUS BREAK.

Chairman Henry Denounced for His Attempt to Usurp Power—Actions of Rules Committee Side Up Trouble.

Washington, D. C., May 14.—That Democratic members of the House seeking to usurp functions of a caucus by nominating the members of committees which will investigate the so-called steel and sugar trusts, created to-day the most serious break that has occurred in the Democratic ranks of the House since the opening of Congress.

Chairman Henry was denounced by Representative Fitzgerald, Chairman of the Appropriations Committee, with having made an "unwarranted assumption of authority" for the Rules Committee. Other Democrats declared that the action of the Rules Committee, if ratified by the House, would be a complete abrogation of the principles for which the Democrats had stood, namely, the selection of committees by action of the Democratic caucus.

Two lists of names, one being the proposed steel trust committee and the other the sugar trust committee, were submitted by Mr. Henry in the form of privileged resolutions, which he asked the House to adopt.

Immediately questioned by Democrats who had not been consulted as to the authority by which the Rules Committee offered these names, Mr. Henry said about 150 Democrats had approved the Democratic list and Republican members were named by Minority Leader Mann.

The steel trust investigating committee was approved before the Democrats woke up to the full effect of the situation. The resultant fight fell upon the sugar trust committee; and a continuation of the struggle finally was averted by the action of Democratic Leader Underwood in adjourning the House while the resolution was still pending.

Mr. Henry denied that there had been any assumption of authority, or that the action of the Rules Committee would defeat the whole Democratic principle of the election of committees by the party caucus and the whole House.

Democrats protested that they had never been consulted by the Rules Committee.

DISASTROUS FOREST FIRES.

Heavy Loss to Farmers in Western Maryland and West Virginia—Two Men Have Died in the Flames.

Cumberland, Md., May 14.—Cumberland is enshrouded in smoke from forest fires which extend at intervals through the mountains west and south of here a distance of at least two hundred miles. Along the line of the Western Maryland and the Baltimore and Ohio Railroads in the Alleghenies vast acreages are in flames.

Near Moore, Tucker County, W. Va., ninety-five miles southwest of Cumberland to-day, John Verner, a farmer, dropped dead while fighting the fire which was burning over his land. This is the second known fatality. On Friday Miffin C. Gregory, engaged seven years, was burned to death near Buckhannon, W. Va. During the excitement of fighting the fire Gregory was lost sight of and later his charred body was found.

Belington, W. Va., has been surrounded by fire for the last forty-eight hours and thousands of acres have been burned over, taking fencing, small buildings and valuable timber fires. State Forest Warden, J. A. Vigness, is on the ground directing the work about Belington. There has been a stiff breeze and the whole Laurel Hill Mountain, between Belington and Elkins, has been burned over. There has been no rain for several weeks and the unusually dry condition makes their progress of the fire rapid.

Work on the large band saw mill operated in Belington was suspended and the fifty employees were taken to the mountains to assist in making rings and back firing. Practically all work is suspended and all able-bodied men are fighting fire.

The forest fire situation at Lonscooking is serious. Orchard tracts recently purchased by Duncan R. Sloan, Fred R. Sloan, Dr. H. K. Hodgson, Dr. George D. Campbell and others are within the danger zone. Fences have been burned and several hundred fruit trees just planted have been destroyed.

Rush for Gold Field in Canada.

Winnipeg, Man., May 13.—A special from Moose Jaw, Saskatchewan, says that while excavating for an electric street railway system a laborer found a gold nugget which mining experts pronounce a higher grade of gold than has before been discovered on this continent. A rush was on to-day for the new gold field and already half the town has been staked out as claims.