

judge of the children's court, Lindsey said, he knew of 700 children who had been orphaned through easily preventable explosions in the mines. He said further that there are three times as many men killed by explosions in Colorado mines than in other states. Judges of the Colorado Supreme Court, he said, have been owned by the public utility corporations "as they owned their office boys." They have also controlled district attorneys and governors, he declared. But conditions are now improving. Some judges and district attorneys have acted independently although they know that they are "booked for political slaughter." When the federal troops are withdrawn, he declared, the contending parties will be at each other's throats with possibility of repetition of Ludlow. The constitutional guarantee of a republican form of government to the states, he held, would justify the President in forcing consent to arbitration. When asked by Commissioner Garretson about the effect on the public mind of the report of the military commission, Judge Lindsey replied: "We regard that report and the commission as a huge joke. It was men judging themselves, and it caused public indignation."



The Commission on Industrial Relations has delegated to Professor John R. Commons the work of drafting legislation extending Federal activity in mediation and conciliation of industrial disputes. On conclusion of the hearings in New York City, hearings in other industrial centers are to be held, including Paterson, Philadelphia, Boston and Chicago.



#### Supreme Court Decisions.

The Supreme Court of the United States on May 25 overruled the Interstate Commerce Commission which had forbidden the division of rates between railroads and owners of tap lines, who are also owners of industrial plants, the products of which these tap lines are used to transport. On the same day the court held all claims for damages due to loss of the Titanic, limited to the salvage from the wreck and the passenger and freight money collected. The decision is based on the fact that the Titanic disaster was due to striking an iceberg rather than another British ship. Claims filed, amounting to \$13,000,000, are thus reduced to \$91,000.



#### A Monopolistic Victory.

At Los Angeles on June 1, Judge Maurice T. Dooling of the Federal District Court declared invalid an order issued in 1909 by President Taft, withdrawing from entry 3,000,000 acres of oil lands in California. The decision gives undisputed possession to the Standard Oil Company and the Midway Oil Company. The lands are esti-

mated to be worth from \$250,000,000 to \$1,000,000,000. The press dispatch says that since this decision is in effect the same as one rendered by the court in Wyoming, the government will not appeal.



#### More Disclosures in Railroad Financiering.

Testifying before the Interstate Commerce Commission on May 29, J. H. Willard, president of the Baltimore and Ohio, added to the story of frenzied finance. He said that in 1909, J. P. Morgan sold the Cincinnati, Hamilton and Dayton railroad to the B. and O. When Mr. Morgan took over the C. H. and D. there were outstanding obligations amounting to \$23,000,000 constituting a first lien against it. Additional obligations were then incurred, bringing the total to \$50,000,000, and in this condition the road was sold to the B. and O., which agreed to assume responsibility for this indebtedness and to buy by the year 1916 the 80,000 shares of C. H. and D. common stock held by J. P. Morgan & Co. at a minimum price of \$34 a share and a maximum of \$44, in accordance with the decision of a board of arbitration. There is furthermore a legal question to be settled of the responsibility of the B. and O. for \$7,500,000 of obligations of the Pere Marquette road now in the hands of a receiver. The C. H. and D. has been unable to meet interest on its obligations for the past year and the stock for which the B. and O. must pay \$34 a share has at present no value. The transaction occurred before Mr. Willard became president of the B. and O. The road was represented in the deal at the time by a committee containing its then president, Oscar Murray, and Samuel Rea, now president of the Pennsylvania. Since Willard became president the B. and O. has borrowed \$81,000,000 of which \$23,000,000 has been used to rehabilitate the C. H. and D. [See current volume, page 514.]



Mr. J. P. Morgan, Jr., is reported in a newspaper interview on May 25 to have denounced as untrue assertions regarding his father made by Charles S. Mellen to the Interstate Commerce Commission. Mr. Mellen had charged J. P. Morgan, Sr., with withholding facts from him concerning the New Haven road, which as president of the road he should have known. [See current volume, page 514.]



#### Roosevelt's Public Statements.

That he would have seized the anthracite coal mines during the strike of 1902, had arbitration not been agreed to, was asserted in the course of testifying in a law suit on May 27 in New York City by former President Roosevelt. The law suit was one brought by A. D. Wales against the United Mine Workers for \$200,000 on the ground

that he had proposed the plan which finally led to settlement of the strike. Ex-President Roosevelt was called to testify to show that the plan adopted was his and not Wales'. In testifying Mr. Roosevelt is reported as saying:

I made up my mind that I would have to take drastic action unless the miners and the operators got together. I conferred with both sides and found the attitude of Mr. Mitchell and the miners to be entirely reasonable, while that of the operators was entirely unreasonable and offensive. I intended to send in the United States army and take possession of the coal fields and only wanted to get the authority. I told Senator Quay that I was going to take drastic action and that the people of the East were going to get coal and get it right away. I told him that I wanted him to arrange with Governor Stone of Pennsylvania to make a formal request on me for federal troops at any time that I might advise him that I was ready to act. I was to notify him when to make the demand. I told General Schofield that I was going to send only a general who would regard the situation as one of practical civil war and take orders only from me as commander in chief of the army. He was not to pay attention to any court orders or to any other authority than me. General Schofield agreed to that.

Further on he said that he said nothing of his intentions to any member of his Cabinet. Being asked whether he intended his action to be Constitutional he replied: "I intended my action to be Constitutional as the Constitution was construed by Abraham Lincoln." [See current volume, page 514.]



Before sailing for Spain on May 30, ex-President Roosevelt issued a public statement in which he commented on existing conditions as follows:

There is widespread apprehension among our people. The pinch of poverty is felt in many a household. We cannot ignore the conditions which have brought about this state of things. The cost of living has not been reduced. Not the slightest progress has been made in solving the trust question. It has been shown that the reduction of the tariff in no shape or way helps toward this solution. The economic conditions are such that business is in jeopardy, and that the small business man, the farmer and the industrial wage worker are all suffering because of these conditions. The truth simply is that the only wise and sane propositions, the only propositions which represent a constructive governmental progressivism and the resolute purpose to secure good results instead of fine phrases were the principles enunciated in the Progressive platform in connection with the trusts and the tariff alike. Our policies would have secured the passing around of prosperity and also the existence of a sufficient amount of prosperity to be passed around. Throughout the country all I can do to emphasize these facts will be done.

He said further that his chief duty for this year is in New York State and announced his intention

to continue his fight against the Barnes machine and the Murphy machine.



#### Washington News.

A delegation of business men from Chicago and other cities of the Middle West called, on May 28th, on President Wilson. They told the President that a general business depression exists and asked, in view of this, that the administration's trust program be modified. To the pending trade commission bill they had no objection, but they asked that the bills be dropped forbidding interlocking directorates and regulating issues of railroad securities. The President, in replying, said—that in his judgment nothing was more dangerous for business than uncertainty; that it had become evident through a long series of years that a policy such as the Democratic party was now pursuing was absolutely necessary to satisfy the conscience of the country and its perception of the prevailing conditions of business, and that it was a great deal better to do the thing moderately and soberly now than to wait until more radical forces had accumulated and it was necessary to go much further. That while he was aware of the present depression of business there was abundant evidence that it was merely psychological; that there is no material condition or substantial reason why the business of the country should not be in the most prosperous and expanding condition. He urged upon his visitors the necessity of patriotic co-operation on the part of the business men of the country in order to support rather than to oppose the moderate processes of reform, and to help guide them by their own intimate knowledge of business conditions and processes.

[See current volume, page 514.]



With the avowed purpose of exempting labor and farmers' organizations from prosecution under the anti-trust law the House, on June 1, adopted the following amendment to the Clayton bill:

That nothing contained in the anti-trust laws shall be construed to forbid the existence and operation of fraternal, labor, consumers', agricultural, or horticultural organizations, orders, or associations, instituted for the purpose of mutual help, and not having capital stock or conducted for profit, or to forbid or restrain individual members of such organizations, orders, or associations from carrying out the legitimate objects thereof.

Nor shall such organizations, orders, associations, or the members thereof be held or construed to be illegal combinations or conspiracies in restraint of trade under the anti-trust law.



The result of a referendum vote taken by the Chamber of Commerce of the United States on the interstate trade commission bill was announced on June 1. The bill was approved by a vote of 522 to 124. It represents the sentiment of 245 commercial organizations in 35 States.