

# Ohio's Big Stick for the Trusts

## The Law that is Making her Oilmen, Icemen, Coalmen, Harvestermen and Even the Laundrymen Behave Themselves.



Attorney General Wade H. Ellis, Who is Backing Some of the Prosecutions.

Chase Stewart, Real Father of the Ohio Anti-Trust Law.

E. T. Humes, Prosecuting Attorney of Delaware, O., Who Brought the First Prosecution.

oday, after a visit to her par-  
and Mrs. Thomas Ingram,  
and Mrs. E. B. Bucknerfeld,  
Thomas and the Misses Jes-  
Anna, returned on the 27th  
Boston, F. E. T.  
Ceswick returned from F. E. Is-  
terday.  
and Mrs. Wm. MacLeod, who  
living in Bass River, returned  
to Shawmut, Maine.  
McDonald of Lowell, Me., is  
his father, John McDougall, of  
her.

HARCOURT.  
URT, Sept. 25.—The remains  
Margaret Clarke, relict of the  
ert Clarke, took place from her  
residence here today. Inter-  
ing in the Presbyterian church  
ceased died on Wednesday at  
e. She had reached the great  
and was universally re-  
Her surviving sons and  
are: Robert and Jacob of  
John of Newcastle, David of  
Mrs. Stewart of St. John,  
Grant of Montana, and Mrs.  
ackhouse of St. George. Her  
ded the funeral.  
at the Methodist parson-  
J. H. Chubbuck, Chris-  
obinson and Miss Margaret  
Beersville were married.  
unn and Miss Clara Reid at-

G. Coates of Rexton spent  
here and left last night for  
where he will study six  
ownsend and Stavert return-  
day from Newcastle.  
ev.) Geo. H. Beaman was re-  
by her mother and bro-  
lex. Fullerton, from Albert,

SACKVILLE.  
LLE, Sept. 25.—The death of  
an old daughter of Mr. and  
ey Crossman occurred on  
en Harper, daughter of Sen-  
of Port Townsend,  
n, left on Thursday for  
where she will take a course  
son College.  
d, Miss Hester Wood and W.  
on on Thursday for England.  
Mrs. F. A. Harrison are re-  
ngratulations upon the ap-  
riage of Hiram Crossman of  
and Miss Myra Lockhart of  
was solemnized on the 20th  
B. H. Thomas officiated.  
arge, wife of Rev. W. H.  
llstream, is visiting friends  
George and bride returned to  
their honeymoon trip.  
J. W. Crowell of Mt. Alli-  
nity faculty and bride have  
Sackville.

There, men who combined to in-  
crease the price and diminish the  
size of the sick child's piece of ice  
have been fined or sent to jail.  
There, too, the coalman, oilman,  
the harvester machine man, and  
even the laundryman, have been  
called before the bar to explain  
why they have conspired to raise  
prices of necessities.

The Vacuum Oil Company, a child  
of the Standard Oil, has been forced  
out of business; the Standard Oil  
is under the ban, with John D.  
Rockefeller himself cited to ap-  
pear before the courts in Septem-  
ber. Dozens of representatives of  
the Bridge Trust have been in-  
dicted, and the end is not yet. In-  
deed, the fight appears scarcely to  
have begun.

And all through a law—the Valen-  
tine-Stewart Anti-Trust law—  
which, although on the statute  
books for eight years, has not  
been made seriously operative un-  
til within the last twelve months  
or so. Since then it has been  
busy almost every day.

Under this law there is no question  
as to the meaning of the word  
"trust" in Ohio, or as to when  
the law is being violated. Each  
point is defined beyond the shad-  
ow of a doubt.

THE institution at Findlay,  
Ohio, of criminal proceedings  
against John D. Rockefeller,  
head of the Standard Oil Company,  
and his announcement that he would  
defend himself, have focused the at-  
tention of the whole country on the  
Valentine-Stewart Anti-Trust law.

Attention was attracted to the law  
so widely in this case, not because  
it had not been at work before, but  
because the game it sought to cap-  
ture was so big. The violators of  
the statute in Ohio have been un-  
comfortably aware of its presence  
for quite a time.

The law was drafted and intro-  
duced into the House of Representatives  
by Representative Chase Stewart, of  
Springfield, early in 1898. Senator  
Valentine, of Bucyrus, introduced it  
into the Senate. Following an im-  
portant opinion, handed down in  
Texas, the bill was modified. Con-  
siderable rivalry followed as to which  
branch of the Legislature should be  
given credit for it, and in the mix-  
up the Senate won. It is known, how-  
ever, as the Valentine-Stewart Anti-  
Trust law, although down on the  
statute books at Senate bill No. 336.

Under this law a trust is defined as  
follows:  
"A combination of capital, skill or  
acts by two or more persons, firms,  
partnerships, corporations or as-  
sociations of persons, or of any two or  
more of them, for either, any or all  
of the following purposes:  
"1. To create or carry out restric-  
tions in trade or commerce.  
"2. To limit or reduce the pro-  
duction, or increase or reduce the  
price of merchandise or any com-  
modity.

TO STIFLE COMPETITION  
"3. To prevent competition in  
manufacturing, making, transporta-  
tion, sale or purchase of merchan-  
dise, produce or any commodity.  
"4. To fix at any standard or fig-  
ure, whereby its price to the public  
or consumer shall be in any manner  
controlled or established, any article  
or commodity or merchandise, pro-  
duce or commerce intended for sale,  
barter, use or consumption in this  
State.  
"5. To make or enter into or exe-  
cute or carry out any contracts, ob-  
ligations or agreements of any kind  
or description by which they  
shall bind or have bound themselves  
not to sell, dispose of or transport,  
any article or any commodity or any  
article of trade, use or consumption  
below a common standard, figure or  
fixed value.  
The penalty for the violation of

any of the provisions of this law is  
a fine of not more than \$5,000 or  
less than \$50, or imprisonment of  
not less than six months or more  
than one year, or both fine and im-  
prisonment.

Several other provisions are made  
in the measure, including a charge  
of \$50 per day against a corpora-  
tion that violates the law after pro-  
per notice has been served on it by  
the Attorney General or a prosecuting  
attorney.

The success achieved within the last  
year in enforcing this law makes it  
plain that public sentiment must be  
backed with a fine degree of ad-  
ministration of justice. At the  
time the law was passed, the prop-  
hecies were many that it would  
prove another dead letter. For a  
while the predictions were good.  
With the revival of the Roosevelt  
spirit, indictments began to fall in  
showers in several counties of the  
State.

Over three hundred years ago  
the first prosecution was begun in  
1905, five years after it became a  
law. This was really a test case.  
Early in that year a petition signed  
by several hundred working men of  
the city was presented to Pro-  
secutor E. T. Humes of Delaware  
county, requesting him to make an  
investigation into the Delaware Coal  
Exchange, composed of eight of the  
leading coal dealers of that city. A  
copy of the constitution and by-laws  
of the exchange was placed into the  
hands of the Prosecutor, showing  
that the exchange was in direct vio-  
lation of the law.

Immediately the charges were laid  
before the Grand Jury. On January  
14, 1905, indictments were returned  
against eight dealers, all members of  
the Delaware Coal Exchange.  
The wheels of the law moved swift-  
ly for awhile. The coal men were ar-  
rested, and their cases assigned to  
the February term of court.  
At the trial before Judge Coyner,  
of the First Sub-division of the Fifth  
Judicial District, the coal dealers  
pleaded not guilty, and a demurrer  
was filed to the indictments attack-  
ing the constitutionality of the crim-  
inal sections of the law. After a  
hearing held on the demurrer, the  
court overruled it and held the law  
constitutional and the indictments  
valid.

Thereupon the defendants entered a  
plea of guilty, and a motion was filed  
by their attorneys in arrest of  
judgment. This motion was over-  
ruled by the court, and a sentence of  
\$100 and costs was passed on each  
of the eight dealers. Attorneys re-  
presenting the dealers then filed a  
motion for a stay of execution of  
sentence. This was granted by the  
court, and on March 19 a petition in  
error was filed in the Circuit Court  
of Delaware county.

The cases were called in the Cir-  
cuit Court at its June term, in 1903,  
and heard before Judges Voorhes, of  
Coshocton; McCarty, of Canton, and  
Winch, of Cleveland, who were trans-  
ferred from the Eight Circuit to sit  
in the case, in place of Judge Dona-  
hue, then traveling in Europe.  
At this hearing, the judgment of  
the Court of Common Pleas was re-  
versed, and the criminal section of  
the Valentine act held unconstitutional.

Convinced that the eighth of the  
Circuit Court was wrong, Prose-  
cutor Humes appealed to the County  
Commissioners of Delaware county for  
permission to take the cases to the  
Supreme Court of Ohio for final  
adjudication. The Commissioners,  
however, refused to stand the ex-  
pense.

So great was the confidence of the  
determined young Prosecutor in the  
validity of the law that he did carry  
it to the Supreme Court, agreeing in  
advance to pay the expenses of the  
case out of his own pocket.  
The case of the State of Ohio vs.  
Perley W. Gage was selected to test  
the constitutionality of the act. Gage  
was the president of the exchange.  
It was presented to the Supreme  
Court late in February, 1905, and on  
March 31, 1905, the court handed  
down its decision, sustaining the  
contention of the Prosecutor, holding  
the criminal section of the Valentine  
Anti-Trust law constitutional and the  
indictment valid. This, it will  
be noted, was two years after the  
original prosecution had been begun.  
Throughout its ramifications, this  
case was eagerly watched by indi-

viduals and authorities, with an eye  
upon the various trade combinations  
throughout Ohio. Indeed, it was not  
long before the courts were busy in  
many places.  
It was in Cleveland that activity  
under the law next asserted itself.  
The coal dealers of Cleveland had  
formed a combination that was ob-  
noxious to everybody in the city. A  
successful suit was brought, and the  
offenders were fined; lightly, how-  
ever. It is said that the present  
Prosecutor of Cuyahoga county, be-  
cause dissatisfied with the light pun-

ishment inflicted, may make an effort  
to have the offenders reindicted.  
In Toledo the exorbitant increase  
made arbitrarily in the price of ice  
and the resulting protests of the  
newspapers aroused Prosecuting At-  
torney Lyman Wachenheimer to ac-  
tivity. One of the members of the Ice  
Dealers' Association was found guilty,  
and the remainder pleaded guilty.  
They were heavily fined by Judge  
Kinkade and sent to the workhouse.  
Immediately proceedings in appeal  
were instituted by attorneys for the  
convicted ice dealers, who made the  
startling allegation that Judge Kin-

kade, who heard the case, had made  
a deal with them, by which their  
clients were to plead guilty, and sim-  
ply to pay a nominal fine.  
The answer of Judge Kinkade was  
to throw the motion for appeal out  
of court and to fine the lawyers for  
contempt.  
Several weeks ago the Circuit  
Court dismissed the proceedings in  
toledo and ordered Judge Kinkade  
to hear the motion in appeal, on the  
ground that he had no right to  
decide the matter out of his own  
knowledge. At best, it is pointed  
out, this is a technicality. The ice  
dealers are out on bond, pending the  
settlement of the motion.

AFTER MANY ICE MEN.  
But the ice dealers of Toledo are  
not alone in their woes. In Columbus  
numerous individuals of that enter-  
prising fraternity have been indicted  
for being members of an association  
similar to the one proved to exist in  
their sister city.

NUMEROUS FIRMS FINED  
In Huron county five bridge com-  
panies and six agents were found  
guilty, and were fined from \$250 to  
\$500 each. In Ottawa county ten  
companies and ten agents have been  
indicted, and in Henry county ten  
companies and eight agents. In Ad-  
ams county eight companies and ten  
agents were indicted. One has been  
tried and convicted, and the others  
will be tried on the same record.

These, it is explained, are the crim-  
inal suits brought under the law.  
The civil proceedings are, innumera-  
ble. Ex-Representative Hal C. De  
Ran, of Fremont, and former At-  
torney General Frank S. Monnett are  
responsible for the filing of dozens  
of them in the various counties where  
afterward the Bridge Trust repre-  
sentative agents were indicted.  
In Sandusky, county alone such  
suits have mounted into double fig-  
ures. It is charged that, through  
such illegal combinations, the public  
treasury has been looted of large  
sums, and the suits are filed for the  
purpose of recovering the money, to-  
gether with exemplary damages and  
penalties, provided for in the sta-  
tute.

About three years ago such a suit  
was filed in Wyandot county against  
the so-called Harvester Trust, hav-  
ing one of its largest branches in  
Springfield. This suit is still drag-  
ging its slow way through the rolls  
of legal machinery.  
Suits were filed in Hocking and  
Crawford counties against the Hock-  
ing Valley and Ohio Central Railway  
Companies for maintaining an illegal  
combination.  
Much to the disgust of Judge Tol-  
son, of the Common Pleas Court of  
Crawford county, who alleges that  
there was collusion, these suits have  
been dismissed by consent. The  
Grand Jury recently began to investi-  
gate. Nothing has ever been done  
in Hocking county, although the con-  
ditions there are similar to those in  
Crawford.

THINGS THAT ARE INTERESTING TO KNOW.  
A CURIOUS historical legend is  
connected with Shetland wool-  
ens. Over three hundred years ago  
a man-of-war belonging to the Span-  
ish Armada was wrecked on one of  
the islands. The sailors who escap-  
ed taught the natives to make bril-  
liant dyes from roots which they  
found, resembling those used for like  
purposes in Spain. These persons  
who now wear bright Shetland knit  
comforters are unconsciously wear-  
ing mementoes of the "Invincible"  
Armada.  
A seal has been known to remain  
under water twenty-five minutes.  
Cloth is now being successfully  
made from wood. Strips of fine-  
grained wood are boiled and crushed  
between rollers, and the filaments are  
spun into threads, from which cloth  
can be woven in the usual way.  
In the State of Nevada the tele-  
graph poles in damp, low-lying situ-  
ations have taken root and flour-  
ished. They are of cottonwood and  
planted with the bark upon them. In  
some parts of Java, too, a native  
tree is used for the poles, and this  
also takes root, thereby resisting the  
attacks of the white ants or the  
inroads of natural decay.  
By a simple rule the length of the  
day and night at any time of the  
year may be ascertained. By dou-  
bling the time of the sun's rising, the  
length of the night is obtained, and  
by doubling the time of the "setting"  
of the sun, the length of the day is given.  
There are several trees and plants  
in the world whose berries, juice or  
bark can be used as real soap. In the  
West Indian Islands and in South  
America grows a tree whose fruit  
makes an excellent lather, and is  
used for washing clothes. The bark  
of a tree which grows in Peru, and

of another which grows in the Malay  
Islands, fields a fine soap.  
The smallest coin now current in  
Europe is the Greek lepton. It is  
worth one-tenth of a penny.  
In many parts of Switzerland the  
government buries the dead, supply-  
ing coffin and undertaker free, of  
charge.  
Mountain sheep are used as beasts  
of burden in some of the higher  
ranges of the Himalayas. Each ani-  
mal carries from seven to ten  
hundred pounds of baggage, and lives  
entirely on wild-side herbage.  
The gray eye is an almost univer-  
sal characteristic of people of great  
intellect. Black eyes indicate an ar-  
dent temper, white light-blue eyes,  
which are found chiefly among the  
Scandinavians, denote a cheerful dis-  
position and a constant nature.  
Glasgow, as a city, owns property  
worth \$70,000,000, and 6,000 acres  
of parks.  
Four hours' hard thinking exhausts  
the tissues as much as ten hours of  
manual labor.  
In 1673 Captain Best, a British  
privateer, fought the whole Portu-  
guese Navy, and defeated it.  
Mr. W. Yardley once, in a cricket  
match at Harrow, bowled with right  
and left arm alternately.  
In the Ashanti War of 1874 practi-  
cally the whole of the British trans-  
port was performed by native wo-  
men.  
One reason why colonization by  
Latin races has been so successful  
is that they intermarry with the  
natives.  
Promotion used to be most rapid  
in the French Army; but to-day a  
man stands a better chance of rising  
in our own.  
The last time that a British jury  
was fined for rendering a verdict con-

trary to the will of the Court was  
in 1670.  
In the little town of Munsiedel, in  
Bavaria, there exists one of the most  
curious charitable foundations in the  
world. One of the burghers, Chris-  
topher Wanner, died in 1451, and  
left his fortune for the establishment  
of a home for aged poor. He at-  
tached, however, the condition that  
every old man who was taken in  
should wear his beard, and the same  
of clothes and cap as he himself  
used to wear. Consequently, after  
the lapse of 450 years, the ancient  
pensioners are still to be seen wand-  
ering about the streets of Munsiedel  
in the costumes of the fifteenth cen-  
tury.  
Every Tibetan family is compelled  
to devote its first-born male child to  
a monastic life. Soon after birth  
the child is taken to a Buddhist mon-  
astery, to be henceforth brought up  
and trained in priestly mysteries.  
Telegraph poles are not popular  
with the Chinese. This is because  
the Celestials will not allow a sha-  
dow to fall on the graves of their  
ancestors, which are scattered thick-  
ly over the whole country. Conse-  
quently telegraph wires are laid un-  
derground.  
In the Island of Sark the most se-  
rious offenses are trespassing and  
leaving gates unlocked, for the re-  
sult is that often the cattle get on  
to the cliffs and fall into the sea.  
There are 400 inhabitants and one  
prison, but it has only had one pris-  
oner, a small girl, who had stolen a  
handkerchief, and she sobbed so  
loudly that they let her out.  
It takes an eyelash twenty weeks  
to reach a length of half an inch,  
and then its life is from 100 to 150  
days. By means of a camera the  
wink of an eyelid has been measured,

and it was found that twenty winks  
can be made in 4 seconds.  
The Colorado fox runs faster than  
any other living animal, and the  
cheetah, or hunting leopard, holds  
second place.  
Within twelve miles of Charing  
Cross are 800 miles of railway, with  
700 stations. These carry 1,800,000  
passengers daily.  
The worst hours of London winter  
fog are 9 to 10.30 in the morning.  
No doubt this is caused by the light-  
ing of thousands of office fires.  
Wearers of eyeglasses have noticed  
how they become dim when subjected  
to a sudden change of temperature—  
as, for instance, when the wearer  
goes from the cold outer air into a  
warm room. This may be prevented  
by rubbing the glasses with soap  
every morning. They may be polish-  
ed bright after the soap is applied,  
but an invisible film is left on them  
that will prevent the deposit of  
moisture.  
In the jewel house of the Tower of  
London there is a book bound  
throughout in gold, open to the  
wires of the hinges. Its clasps are  
two rubies set at opposite ends of  
four golden links.  
A pretty little custom is observed  
in the English navy whenever an of-  
ficer gets married. Two wreaths are  
hoisted in the most conspicuous man-  
ner, and interlocked with them and  
hanging from them are colored rib-  
bons. These hang from 8 A. M. till  
sunset on the wedding day. The cost  
of the wreaths is generally subscrib-  
ed by the officer's shipmates.  
The new French 12-inch gun is  
claimed to have the greatest pene-  
trative power of any gun yet made.  
It pierces at the muzzle 54 inches of  
wrought-iron, or 10 1/2 inches of Krupp  
steel at three and a half miles.

Not content with a legitimate pro-  
fit, the Ice men of Cincinnati have al-  
so fallen into the General Wade  
Valentine-Stewart Anti-Trust law.  
There the ice dealers indicted number  
fifteen. The individuals or firms are:  
The locality. The ice dealers are out  
on bond, pending the Probate Court  
Manufacturing and Cold Storage  
Company, the A. & H. Knorr Ice  
Company, Robert R. Reynolds, Percy  
Andrews, William C. Gels, John  
A. Franz, Joseph L. Dumbacher, L.  
S. Peck, C. M. Peck, Frank Hier,  
George L. Knorr and Peter Dreid-  
ams, Jr.

All are members of the Cincinnati  
Ice Dealers' Association. They do  
not, however, constitute the total  
membership. All, too, were present  
at the meeting of the association on  
May 30, when an advance in prices  
was discussed. It was but a little  
time that the increase was made by  
general agreement.  
Each of the individuals or firms in-  
dicted has given bond in the sum of  
\$500 for appearance at court.  
The Ice men are not suffering in so-  
litude in Cincinnati. The laundry-  
men are keeping them company. Not  
long ago the price of washing was  
increased arbitrarily. Here was an-  
other direct grab at the public's  
pocketbook. Immediately Prosecut-  
ing Attorney Rullison got busy under  
the Anti-Trust law. Now the laundry-  
men are under indictment, await-  
ing trial.

At Findlay, Prosecutor David,  
backed by Attorney General Wade  
Ellis and assistants, filed prose-  
cutions against the Standard Oil Com-  
pany and constituent companies. As  
has been widely published, a warrant  
was issued by the Probate Court un-  
der the Misdemeanor act for the ar-  
rest of John D. Rockefeller. He is  
expected to appear in court in Sep-  
tember.  
At Marietta, the Vacuum Oil Com-  
pany, and a branch of the Standard  
monopoly, was forced out of busi-  
ness as far as Ohio is concerned by  
the Attorney General, who threaten-  
ed to bring proceedings forthwith un-  
der the Anti-Trust act.

The most effective work under this  
measure, however, has been done  
against the so-called Bridge Trust, a  
child of the Steel Trust. In Erie  
county seven of the companies and  
eight agents have been indicted, and a  
majority were found guilty.

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N. in Sunbury & Queens