Ohio's Bió Stick for the Trusts-The Law that is Making her Oilmen, Icemen, Coalmen, Harvestermen and Even the Laundrymen Behave Themselves.



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

N NEW YORK the State has investigated the insurance companies; in Chicago and Washington and elsewhere the Federal Government is after trusts of many sorts and many magnitudes; but it has remained for the Commonwealth of Ohio to get right down to earth and unlimber its big wicks against illegal combinations of trade with immediate designs upon the poor man's

There, men who combined to increase 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 harvestor machine man, and even the laundryman, have been called before the bar to explain why they have conspired to raise prices of mecessifies.

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 appear before the courts in September. Dozens of representatives of the Bridge Trust have been indicted, and the end is not yet. Indeed, the fight appears scarcely to have begun.

And all through a law-the Valentine-Stewart Anti-Trust law which, although on the statute books for eight years, has not been made seriously operative until 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 us to when the law is being violated. Each point is defined beyond the shadow of a doubt.

HE 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 on of the whole country on the Valentine-Stewart

Attention was attracted to the law so widely in this tase, not because it had not been at work before, but suse the game it sought to capture was so big. The riciators of the statute in Ohio have been uncomfortably

aware of its presence for quite a time. The law was drafted and introduced into the House Representatives by Representative Chase Stewart. Springfield, early in 1898. Senator Valentine, of seyrus, introduced it into the Senate. Following an rtant opinion, handed down in Texas, the bill was

important opinion, handed down in Texas, the bill was modified. Considerable rivalry followed as to which branch of the Legislature should be given credit for it, and in the mix-up the Benate won. It is known, however, as the Valentine-Stewart Anti-Trust law, although down on the statute books at Senate bill No. 288.

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 associations of persons, or of any two or more of them, for either, any or all of the following purposes:
"I To create or carry out restrictions in trade or commerce. "2. To limit or reduce the production, or increase or duce the price of merchandise or any commodity.

TO STIFLE COMPETITION

"3. To prevent competition in manufacturing, mak-transportation, sale or purchase of merchandise, oduce or any commedity.

"4. To fix at any standard or figure, whereby its price "To fix at any standard or figure, whereby its price to the public or consumer shall be in any manner controlled or established, any article or commodity of merchandles, produce or commerce intended for sale, barter, we or consumption in this State.

"A To make or enter into or execute or carry out my contracts, obligations or agreements of any kind or asserblished by which they shall bind or have bound marrives not to sell, dispose of or transport any article or any commodity or any article of trade, use or supplies below a common standard, figure or fixed line."

penalty for the violation of any of the pro-of this law is a fire of not more than \$500 or an \$50, or imprisonment of not less than six or more than one year, or both fine and impris-

soment.

Several other provisions are made in the measure, belyding a charge of 80 per day against a corporation that violates the law after proper notice has been served 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 reckoned with to a fine degree in the administration of justice. At the time the law was passed, the prophecies 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 countles of the State.

Under the Valentine-Stewart act, the first prosecution was begun in 1908, five years after it became a law. This

was begun in 1903, 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 Delaware city was presented to Prosecutor E. T. Humes, of Delaware county, requesting him to make an investigation into the Delaware Coul 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 purpose of the organization was in direct violation of the criminal sections of the law.

inal sections of the law. Immediately the charges were said before the Grand Jury. On January 14, 1903, indictments were returned against eight dealers, all members of the Delaware Coal

The wheels of the law moved swiftly for awhile. The oal men were arrested, 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 in-dictments, attacking the constitutionally of the criminal sections of the law. After a hearing held on the de-

murrer, the court overruled it and held the law con-

stitutional 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 overruled by the court, and sentence of \$100 and costs was passed on each of the right dealers. Attorneys representing the dealers filed a motion for a stay of execution of sentence. This was granted by the court, and on March 19 a petition in

or was filed in the Circuit Court of Delaware county. The cases were called in the Circuit Court at its June rm, in 1903, and heard before Judges Vorhees, of Coshocton; McCarty, of Canton, and Winch, of Cleveland, who were transferred from the Eighth Circuit to sit in the case, in place of Judge Donahue, then traveling in

E. T. Humes, Prosecuting Who Brought the First Prosecution

> At this hearing, the judgment of the Court of Common Pleas was reversed, and the criminal section of the Valentine act held unconstitutional.

wrong, Prosecutor Humes appealed to the County Com-missioners 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

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 the event of de-

feat to pay the expense 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 Feb-

ruary, 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 Antiit will be noted, was two years after the original prosecution had been begun.

Throughout its ramifications, this case was eagerly watched by individuals and authorities, with an eye upon the various trade combinations throughout Ohio.

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

indeed, it was not long before the courts were busy in

It was in Cleveland that activity under the law next asserted itself. The coal dealers of Cleveland had formed a combination that, was obvious to everybody in

formed a combination that, was obvious to everybody in the city. A successful suit was brought, and the offenders were fined; lightly, however, it is said that the present Prosecutor of Cuyahoga county, being dissatisfied with the light punishment 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 Attorney Lyman Wachenheimer to activity. 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

Immediately proceedings in appeal were instituted by attorneys for the convicted ice dealers, who made the startling allegation that Judge Kinkader who heard the case, had made a deal with them, by which their clients were to plead guilty, and simply 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

Several weeks ago the Circuit Court dismissed the proceedings in contempt and ordered Judge Kinkade to hear the motion in appeal, on the peculiar theory 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

AFTER MANY ICE MEN

woes. In Columbus numerous individuals of that enterprising fraternity have been indicted for being members of an association similar to the one proved to exist

in their sister city.

Not content with a legitimate profit, the icemen of Cincipnati have also fallen into the clutches of the Valentine-Stewart Anti-Trust law. There the ice dealers indicted number fifteen. The individuals or firms are: The nicality. The ice dealers are out on bond, pending the Suburban Ice Manufacturing and Cold Storage Company, the A. & H. Knorr Ice Company, Robert R. Reynolds, Percy Andreae, William C. Gels, John A. Franz, Joseph L. Dumbather, L. S. Feck, C. M. Feck, Frank Hier, George L. Knorr and Peter Dreidame, Jr.

cistion. They do not, however, comprise the total mem-bership. 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 later that the increase

Each of the individuals or firms indicted has given

bond in the sum of \$600 for appearance at court. The icemen are not suffering in solitude in Cincinnati. The laundrymen are keeping them company. Not long ago the price of washing was increased arbitrarily. Here was another direct grab at the public's pocketbook. Immediately Prosecuting Attorney Rullson got busy under the Anti-Trust law. Now the laundrymen are dictment, awaiting trial.

At Findiny, Prosecutor David, backed by Attorney General Wade Ellis and assistants, filed proceedings against the Standard Oil Company and constituent companies. As has been widely published, a warrant was issued by the Probate Court under the Misdemeanor act for the arrest of John D. Rockefeller. He is expected to appear in court in September.

At Murietta, the Vacuum Oil Company, and a branch

At Marietta, the Vacuum Oil Company, and a branch of the Standard monopoly, was forced out of business as far as Ohio is concerned by the Attorney General, who threatened to bring proceedings forthwith under 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 Eric county seven bridge companies and nine agents have been indicted, and a majority were found guilty.

NUMEROUS FIRMS FINED

In Huron county five bridge companies and six agents were found guilty, and were fined from \$350 to \$50c each. In Ottawn county ten companies and ten agents have been indicted, and in Henry county ten companies and eight agents. In Alien county eight companies and eight agents. In Alien county eight companies and eight agents. In Alien county eight companies and eight 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 criminal suits brought under the law. The civil proceedings are innumerable. Ex-Representative Hall C. De Ran, of Fremont, and former Attorney General Frank S. Monnett are responsible for the filing of dozens of them in the various counties where afterward the Bridge Trust representatives were indicted.

In Sandusky county alone such suits have mounted into double figures. 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, together with exemplary damages and penalties, provided for in the statute.

About three years ago such a suit was filed in Wyandot county against the so-called Harvester Trust, having one of its largest branches in Springfield. This suit is still dragging its slow way through the rolls of legal machinery.

Built were filed in Hocking and Crawford counties

machinery.

Built were filed in Hocking and Crawford counties against the Hocking Valley and Ohio Central Railway Companies for maintaining an illegal combination.

Much to the disgust of Judge Tobias, 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 investigate. Nothing has ever been done in Hocking county, although the conditions there are similar to those in Crawford.

Things That Are Interesting to Know

CURIOUS historical legend is connected with Shet-A land wool. Over three hundred years ago a man-of-war belonging to the Spanish Armada was wrecked on one of the islands. The sailors who escaped taught the natives to make brilliant dyes from roots which they found, resembling those used for like purposes in Spain. Those persons who now wear bright
Shetland knit "comforters" are unconsciously wearing
mementoes of the "Invincible" Armada,
A heal has been known to remain under water twentyfive minutes.

A seal has been known to remain under water twentyfive minutes.

Cloth is now being successfully made from wood.

Strips of fine-grained wood are boiled and crushed between rollers, and the blaments are spun into threads,
from which cloth can be woven in the usual way.

In the State of Nevada the telegraph poles in damp,
low-lying situations have taken root and flourished. They
are of cottonwood, and planted with the bark upon them.
In some parts of levs, too, a native tree is used for the
poles, and this also takes root, thereby resisting the attacks of the white ants or the fineads of natural decay.

By a simple rule the length of the day and night at
any time of the year may be ascertained. By doubling
the time of the sun's rising, the length of the night is
obtained, and by doubling the time of the setting 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 Melay Islands,
yields a fine soap.

The smallest coin now current in Europe is the Greek

Peru, and of another which grows in the Melay Islands, yields 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 Switzeriand the government buries the dead, supplying coffin and undertaker free of charge. Mountain sheep are used as beasts of burden in some of the higher ranges of the Himalayas. Each animal carries from seventeen to twenty-five pounds of baggage, and lives entirely on wayside herboge.

The gray eye is an almost universal characteristic of people of great intellect. Elack eyes indicate an ardent tamper, white light-blue eyes, which are found chiefly among the Scandinavians, denote a cheerful disposition and a constant nature.

Glasgow, as a city, owns property worth \$70,000,000, and 5000 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 Portuguese 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 practically the whole of the British transport was performed by native women. 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 today a man stands a better chance of rising in our own.

The last time that a British jury was fined for rendering a verdict contrary to the will of the Court was i

In the little town of Munsiedel, in Bavaria, there exists one of the most curious charitable foundations in the world. One of the burghers, Christopher Wanner, died in 1451, and left his fortune for the establishment of a home for aged poor. He attached, however, the condition that every old man who was taken in should wear his beard, and the same cut of clothes and cap as he himself used to wear. Consequently, after the lapse of 469 years, the ancient pensioners are still to be seen wangering about the streets of Munsiedel in the costumes of the afteenth century.

about the streets of Munsiedel in the costumes of the fifteenth century.

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 menastery, 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 shadow to fall on the graves of their ancestors, which are scattered thickly over the whole country. Consequently telegraph wires are laid underground.

in the Island of Sark the most serious offenses are trespassing and leaving gates unlocked. for the result 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 prisoner, 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 159 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 sec-

Within twelve miles of Charing Cross are 800 miles of railway, with 700 stations. These carry 1,300,000 passengers

The worst hours of London winter for are 9 to 10.20 in the morning. No doubt this is caused by the lighting 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 polished 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, even to the wires of the hingss. Its claspe are two rubbes set at opposite ends of four golden links.

A pretty little custom is observed in the English navy whenever an officer gets married. Two wreaths are hoisted in the most conspicuous manner, and interlocked with them and hanging from them are colored ribbons. These hang from \$A. M. till sunset on the wedding day. The coat of the wreaths is generally subscribed by the officer's shipmates.

The new French 12-inch gun is claimed to have the greatest penetrative power of any gun yet made. It pierces at the muzile M inches of wrought-iron, or lot- inches of Krupp steel at three and a half miles.

In the time of Queen Elizabeth a Parliamentary rule Wearers of eyeglasses have noticed how they he

miles.

In the time of Queen Elizabeth a Parliamentary rule cracted that a speech on one side should always be followed by a speech on the other.

The ovster is not much larger than the head of a pin when a fortnight old. At the end of four years' growth it is fit for the market. Oysters live from twelve to fifteen years.