

FORAKER AS ATTORNEY

Second Round of the Times-Herald's Fight on Him.

BILLS HE HAS PASSED

In the Interest of Street-Railways—His Partner, Cox.

Chicago, June 23.—The Times-Herald continues its campaign on J. B. Foraker with the following dispatch from Cincinnati:

Cincinnati, June 21.—Senator Foraker was not a novice in the legislative lobby when he passed the Rogers street railway bill through "his own" legislature in 1896.

Before that he enjoyed a successful and well advertised reputation as a lobbyist and attorney.

Foraker was at it in 1880, or earlier, with his old "business" partner, George B. Cox. When the legislature was not in session they seem to have turned their hands to any old job that came along, city or county or personal.

When the legislature was in session, but with nothing of their own in sight, they seem to have engineered some "jobs" of their own.

Obviously, they made a strong team. Cox always had a dozen or so members from Hamilton county to trade with. Foraker, with the aroma of the gubernatorial patronage dispensary still clinging to him, could always be relied upon to find many country members willing to trade, because men from many parts of Ohio could renew the faith of constituents in themselves after voting to give away the statehouse by merely explaining: "Governor Foraker asked me to vote that way."

Foraker's old friend, the one quoted yesterday in diagnosis of the former governor's realization of his opportunities when he was leaving the governorship, puts it very well.

"Cox, you see, had raw material," he says. "Foraker had patents on ways to use it. Cox was pretty good and versatile, but Foraker was better. Cox is not a lawyer. Foraker is enough of a lawyer to make him toxy. He could see further into a legislative proposition, see more angles in it, than Cox would."

"Cox, as a money-maker in politics, was Foraker's inspiration in the beginning. Once they got started Foraker became Cox's inspiration in devising new and unique ways of creating opportunity. Oh, they were a good pair. And the old gentleman heaved a deep sigh. He knew from much experience how "good" they were.

It suggests a condition that used to obtain in the Chicago city council when "Johnny" Powers was in his glory. "I reckon 'em up," John used to say, "and Martin talks to 'em."

But this relates to another story. Foraker as a lobbyist, downright and outright, is the particular point of issue. That is the thing on which he seems most strenuous, so it may be as well to go ahead with a little more elucidation of it. The personal schemes of Foraker, Cox & Co. are not wholly germane, since it might be argued that one is neither lobbyist nor "attorney" when he works for himself, but is just a plain "business" man.

By the way, Foraker was badly treated if he got nothing out of that Rogers bill, but his regular salary, as he says, President Kilgour of the Cincinnati Street Railway Company, however, corroborates him. Before the Times-Herald's recent intimation that Foraker lobbied for the Rogers bill and was paid for it had time to be thoroughly grasped in Cincinnati, President Kilgour had a letter in Foraker's office assuring Foraker that he (Kilgour) had never paid him (Foraker) one dollar for passing that Rogers bill. Kilgour sought to be reconciled of himself, advertising Foraker's poor "lobbying" abilities. What way. It might hurt a man's credit.

Now the lawyers who appeared as lawyers in the Rogers bill affair, the men from the offices of Warrington & Paxton and Kittredge and Wilby, thought they were entitled to more than their "regular salary," and told Kilgour so. Foraker, a former governor, a boss politician, and a heavily elected United States senator, with a well advertised record in the lobby, sought to have been worth more than mere lawyers.

But perhaps there was nothing left for Foraker from the "divvy"? That's so. You never can tell about those things. A word on this, however, will be reserved.

To recur to Foraker the lobbyist. Street railway, gas, electric light and similar franchises grabbing corporations seem to have been his pet when he was in the "attorney" business at Columbus.

Foraker was an active element in the corporation legislation, or lack of legislation, in the general assembly which met in 1892. He was more so in the legislature of 1893.

This latter general assembly had the waterworks scheme of George R. Cox before it, of which more later. It had the fore-runner of the Nichols law for the sale of certain corporations on the market value of their capital stock, and that was killed. It had street railway legislation, too, for the big company of Cincinnati that Foraker afterward passed the Rogers bill was just then grinding the gears for the campaign which ended in consummation of the Rogers law with a fifty-year grant on the streets of Cincinnati.

In that same legislature Foraker and his associates tried to hamstring venerable John Sherman and keep him out of the United States senate for the last time.

It was knowledge of all these circumstances and of the men responsible for them which moved the Cincinnati Times-Star to take its pen in hand for the plain ways to Ohio Republicans' accommodations which seem to have been forgotten when, but were less appreciated then. Here is what the Times-Star said March 2, 1892, under the caption: "Combine Against the Conspiracy."

"These politicians care nothing for republican principles. Their only motive in fighting for party success is to achieve personal ends, and every energy is directed toward bending the party to their selfish objects.

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are wholly unprincipled and working together for spoils.

"They seek to gain every office within reach from the highest to the lowest, to get their hands upon 'boodle' wherever it can be found and to strengthen the combination at all points.

"I started in the attempt to defeat Senator Foraker as a candidate the Cox-Foraker crowd has gone into legislative 'jobbery' to secure the 'sinecure' of war and every possible coin of vantage. They have sought to put through great schemes from which the profits to themselves, direct and indirect, would be immense.

"Encouraged by success in some of their efforts, they have become so bold that even before their main scheme have been accomplished they have ventured to strike a blow at Governor McKinley, who refused to become an ally of the gang.

"The one thing to be done in the present situation is for the republicans of Ohio to rise and stamp out Forakerism, another name for Coxism."

This same legislature, still partially under the Foraker influence, held another session in 1891. Then it passed the Nichols law for the taxation of corporations on the market value of their capital stock, but only in the form agreeable to Foraker's "clients."

The Nichols bill, as it passed the senate, applied this method of taxation to express, telephone, telegraph and mail street railway companies. Foraker was not yet in town. In the house it was amended to include transfer, freight line, pipe line, gas and electric light companies.

Then Joseph Benson ventured to strike a blow at Governor McKinley, who refused to become an ally of the gang.

"The Nichols bill was thrown into a conference committee. The senate members who had favored taxing street railway companies on the market value of their capital stock experienced a change of heart. The house members who had wanted gas, electric light and other corporations included were similarly converted. As the bill passed it applied only to telephone, telegraph and express companies.

If the Nichols bill, which went through the house that year, had become a law, the tax duplicate of Ohio, according to men of expert knowledge on this subject, would have been increased anywhere from \$3,000,000 to \$10,000,000. That would be something of an item in a state that is always pressed for money. It would have meant a good deal to the farmer whose possessions in Ohio are taxed not less than 10 per cent of the selling value, while the capital stock of franchise holding corporations seldom pays more than 10 per cent of the market value.

Efforts have been made since to get these other corporations included. When even is tried Foraker becomes an "attorney."

Good lawyers have maintained that no special act is needed to reach these corporations under the Ohio law. One of the best lawyers in Cincinnati, if not the very best, has written a brief on the subject. He takes the ground, and cites a Supreme court decision in plain corporations that the market value of stock can be taken into account by assessors and appraisers the same as the market value of a building or a town lot.

The local authorities here have made recently an attempt to apply this rule to the street railway company and the gas company. The former is capitalized for \$1,000,000 and its stock sells around 120. It pays taxes about \$100,000. The gas company, capitalized for \$5,000,000, with stock selling close to 200, pays taxes on about \$2,000,000.

The local tax authorities, as an experiment, proposed to make a considerable increase in the value of each. Immediately their action was appealed to the state board of revision. Then Senator Foraker appeared as an "attorney."

Now, nobody ever accused Senator Foraker of being a specialist in tax law or in constitutional law. He has been too busy to sit in an office and delve deeply into those subjects, the one profound and the other complex. But he is a specialist in politics.

Boards will talk, you know, and say some things. Here it comes. The people saw Senator Foraker appear before the board of revision as "attorney" for the street railway and the gas companies because:

"The governor is a member of that board and owes his place to Senator Foraker. The state auditor is a member of that board and owes his place to Senator Foraker. The attorney general is a member of that board and owes his place to Senator Foraker. Anyhow Foraker won his case. By a vote of two to one the board of revision saw the tax law as Senator Foraker saw them. The attorney general voted no, and it was not the first time Senator Foraker had found his influence with Mr. Bennett fall.

But the street railway matters before that legislature of 1892-93 were of more patent interest to the people. The commission seldom endures over tax questions. And as an experiment, that year saw the commencement in earnest of the campaign which culminated in the Rogers law.

A measure called the Wetzel law had been put on the statute books. It is still there, for that matter, although out of date now and generally useless. In its time it "cut a street railway company from all obligations they had assumed toward the city to secure their franchises, except that of paving and cleaning between the tracks, whenever the companies might change motive power with a view to securing more rapid transit.

"The public good goes at it. Ed Streihl, its purveyor, never has dared show his political head again, and George B. Cox never has had the nerve to put him forward. But Foraker, the man who lobbied the bill through, has since gone to the United States senate on the Stradway?

"Regular salary," it is presumed. President Kilgour ought to be glad he lives in Ohio. No Chicago lawyer, not even a lobbyist, would handle such a measure for less money than enough to live on the rest of his life.

The Times-Star took one more look over this phase of the former governor's career when the season had ended. Having still in mind his Columbus record, it found occasion, in connection with a local matter, on June 19, 1898, to say a last word on "Personal Favor Arguments." It gives a hint on Foraker methods which may be valuable to some budding lobbyist.

"About two years ago," said the Times-Star, "J. B. Foraker adopted lobbying as a profession and dubbed it 'practicing law.' He has some political capital and determined to sell his services to corporations. His stock of argument before the legislature was: 'You defeated me for senator; therefore you ought to do me the personal favor of voting for this measure.'

"His crowning service in behalf of the street railway company was the passage of the Streihl bill this spring. The bill was entirely in the interest of the street railway company and against the interest of the people of Cincinnati."

"Of course he charged large fees for his services, and it was said that in one year he made over \$30,000. It is safe to say that \$25,000 out of the \$30,000 came from the lobbying department of his law business.

"To be a little more explicit in this matter, George B. Cox and J. B. Foraker have been running an apparent partnership company, which Mr. Cox managed conventionally and took into his care the political future of all candidates, while Mr. Foraker got the usufruct and charged the fees. If, therefore, any city official or representative did not yield to the 'personal favor' argument of Mr. Foraker he was liable to be threatened with the displeasure of Mr. Cox.

"It has become manifest to the great mass of republicans of this county that Mr. Foraker is selling his services and talents for the purpose of building up his own pecuniary interest by serving corporations against the interest of the public at large."

"This explains why Senator Foraker as a legislative 'attorney' never got anything but a 'regular salary.' He was able to get things done as 'personal favors' and of course he would not charge his employer for such a service.

"Think how much money Terkes could have saved on the Allen law in Illinois if he had had an 'attorney' who could get votes by the 'personal favor' route. Think how a Chicago lobbyist would rejoice if he could work the 'personal favor' racket and put all the 'awag' in his own pocket.

And such a lot of work as Foraker did that winter, without considering anything but the money which he been manufacturing for his clients from the Nichols law, saved the Wetzel law and passed the Streihl law—all for a "regular salary," of course.

How in the world did he get rich at such a rate? Business sense revolts at it. Really, Mr. Kilgour could afford to build that Washington mansion for Foraker and make him a present of it. Maybe he did, and others did. All the same it Foraker's "regular salary" cannot be put into one newspaper article.

Confession of a Millionaire. A millionaire confessed the secret of his success in two words—hard work. He said he put in the best part of his life in gaining dollars and losing health, and now he was putting in the other half in spending dollars to get back health. Nothing equals Hostetter's Stomach Bitters for restoring the health to ailing body and brain. It gets at the starting point—the stomach—and overcomes nervousness, sleeplessness, dyspepsia and indigestion.

BEDLAM AT LOUISVILLE Democrats Begin and End in a Row, as Usual. Louisville, Ky., June 23.—For the third time in so many days the Democratic state convention tonight broke up in disorder. It will enter upon the fourth day of its session tomorrow without having accomplished anything more than temporary organization. The report of the committee on credentials was received in the order of business tonight, but its consideration was prevented by the disturbing influence of persons who were admitted to the floor of the convention, though not entitled to seats. The Hardin people, who are in the lead in the local sympathizers with the Stone-Gobel combination, but the latter candidates disclaim all knowledge of an attempt to pack the convention and declare that the disturbance was due to loose methods of the arrangements committee. What influence the occurrence will have on the chances of the candidates can hardly be forecast, but Hardin is most likely to profit by it. It is thought the convention will get down to work in earnest tomorrow.

MORE HOPEFUL AT CLEVELAND Prospect That the Strike May Really Be Settled This Time. Cleveland, June 23.—There are strong indications tonight that the street railway strike is in fair way to be settled. Notwithstanding the flat refusal yesterday of the strikers to accept the terms offered for the company, which was that about 80 per cent of the old men would be taken back at once, but that none of the non-union men now at work would be retained, the strikers held another meeting tonight and issued a ultimatum, which is a practical acceptance of the company's terms. They propose that the company retain one hundred of its present employees and that all the rest, less this number, be reinstated with an understanding that hereafter grievances should be submitted by a committee appointed from their number, which the company will not oppose. A conference of the opposing forces will be held tomorrow morning.

India Currency Developments. London, June 23.—The financial correspondent of the Times says he has an expert authority that the India currency commission has reported almost unanimously in favor of the abandonment of a sixteen-penny rupee and of gold currency, with gold as legal tender.

BOODLE

Continued from First Page

of the interior department as aforesaid, the names of which clerks are to the plaintiffs unknown, to suppress said affidavits, and the information therein contained, and to thereby prevent a hearing and investigation of the charges of fraud against the entry and final proof of said James W. Lynch for said tract of land.

And plaintiffs further allege that by the corrupt conduct of said James W. Lynch and said agent, the said O'Brien Moore, the information contained in said affidavits was suppressed and was never brought to the attention of the proper officers of the government of the United States, whose duty it was to pass upon the validity of the final proof of said James W. Lynch for said tract of land, and the question of the proper issuing of the patent to him therein.

And plaintiffs further say that while the matter of the consideration of the said false and fraudulent final proof of said James W. Lynch was pending before the land bureau of the interior department of the United States, the said James W. Lynch did pay to said J. H. King, receiver of the United States land office at Perry, Oklahoma Territory, the sum of three hundred dollars, in money, the same being represented by a bank check for that sum, which was collected by the said J. H. King and the money received by him, and did also give to the said J. H. King a certain share of considerable value, for the purpose and with the intent of corrupting the said J. H. King to give more favorable consideration and take favorable action to and for the said James W. Lynch in the matter of his then pending application to make final proof, and to assist said defendant, Lynch, in his effort to fraudulently procure said patent for said tract of land, from said plaintiffs herein.

Plaintiffs further allege that the said James W. Lynch did on or about and during the month of December, 1897, and prior to the time he procured his homestead entry as aforesaid, enter into a fraudulent and unlawful combination with B. S. Barnes and John W. Dalton, of the firm of Barnes & Dalton, of Ponca City, Oklahoma Territory, and David S. Pryor, Chester W. Howe and A. M. Waugh and other persons, the exact number and true names of whom are to the plaintiffs unknown, to acquire title to said southeast quarter of section 27, in township 26 north, range 2 east of the Indian meridian, in the county of Oklahoma Territory, for speculative purposes, and the said combination of individuals did thereafter said and asset the said James W. Lynch in acquiring title to said tract of land for speculative purposes, and for the use and benefit of all of said parties under said agreement, in violation of law and in fraud of the rights of plaintiffs herein, the United States.

And plaintiffs further allege that at or about the time of the procurement of the patent to said tract of and by said James W. Lynch, as aforesaid, the exact date being to these plaintiffs, at this time, unknown, the said James W. Lynch, said B. S. Barnes and John W. Dalton, the said David S. Pryor, Chester W. Howe and A. M. Waugh and other persons to these plaintiffs unknown, did procure a charter as a corporation to be issued by the duly constituted authorities in the state of Kansas, in the name of the Ponca City Land and Improvement Company, for the sole purpose of acquiring title to, owning, selling and disposing of the land comprised in said quarter section of land above described, and the lots to be platted out of said quarter section; that said charter was taken out in the state of Kansas for the reason that such a corporation was, and ever since has been, in violation of the laws of the territory of Oklahoma.

That said Ponca City Land and Improvement Company did not own at the time said corporation was organized, nor has it at any other time, nor was it formed for the purpose of owning any land in the state of Kansas, but, as aforesaid, for the purpose of owning, controlling and disposing of said land described in the aforesaid patent to said James W. Lynch, and the incorporators were largely, if not exclusively, composed of the said parties, who, as aforesaid, in December, 1897, entered into fraudulent and unlawful combination with the said James W. Lynch to unlawfully and fraudulently acquire title to said tract of land from plaintiffs, the United States, for speculative purposes; that, therefore, and at or about the time of the forming of said unlawful combination the said James W. Lynch did in pursuance and in execution of said unlawful and fraudulent contract as aforesaid, convey the said tract of land to the said Ponca City Land and Improvement Company, and said corporation did shortly thereafter survey and plat said tract of land into lots, blocks, streets and alleys, for the purpose and with the intent of selling the same to the townsite occupants thereof, and for the purpose of requiring said townsite occupants, who had since the 18th day of September, 1892, occupied and improved the same, to buy said lots so platted as aforesaid, from said corporation and said combination of individuals, and to pay said corporation large and exorbitant prices therefor.

Plaintiffs aver that the said defendant, James W. Lynch, was at the organization of said corporation, to-wit, the Ponca City Land and Improvement Company, the president of said corporation; that the said B. S. Barnes was secretary thereof, and the said James W. Dalton was the treasurer thereof; that said transfer was made by Jaffer W. Lynch to said corporation as a part and parcel of the purpose and plan of said combination as aforesaid and the organization of said corporation as aforesaid; that said corporation is not a bona fide owner or transferee of said land but it and its officers took the title thereto with full knowledge and notice, active and constructive, of the aforesaid facts and conduct of the said James W. Lynch in acquiring the patent to said lands from the plaintiffs herein.

Wherefore, in view of the premises and the law, plaintiffs pray judgment against said defendants, cancelling the said patent issued to the said James W. Lynch, and cancelling and declaring every claim or alleged claim of the said Ponca City Land and Improvement Company null and void for costs of this suit and all other just and proper relief.

S. L. OVERSTREET, United States Attorney, JOHN W. SCOTCHAM, and B. S. MCGILLI, Assistant United States Attorneys, A. G. C. BIERER, Of Counsel.

IS THIS YOUR STORY?

"Every morning I have a bad taste in my mouth; my head aches and I often feel dizzy. I have no appetite for breakfast and what food I eat distresses me. I have a heavy feeling in my stomach. I am getting so weak that sometimes I tremble when my nerves are all unstrung. I am getting pale and thin. I am as tired in the morning as at night."

"What does your doctor say?" "You are suffering from impure blood."

"What is his remedy?"

"Ayer's Sarsaparilla."

"We have a book on Paleness and Weakness which you may have for the asking."

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championship games at Wimbledon today. Hobart and Nesbit defeated the Allen brothers in the second round of the doubles, three sets to love.

New York, June 23.—Harvey J. Ramsay, a ticket seller at the Madison Square Garden, was killed by his wife today. Mrs. Ramsay, who is thought to be insane, cut her husband's throat with a razor as he lay sleeping in their room in the Garden hotel.

Chicago, Ill., June 23.—Jesse R. Spalding, head of the lumber firm of Spalding & Co., and formerly collector of the port at Chicago, today accepted the presidency of the newly organized Chicago Union Traction company, offered him a few days ago by the Widener-Elkins syndicate, which recently secured control of the Chicago surface railways.

ASTORIA. The End You Live Almost Daily. Share the Signature of Dr. H. H. H. H.

Buffalo, N. Y., June 23.—Hugo Keen, prominent in local Republican politics, died suddenly this morning. Mr. Keen was forty years of age.

Falmouth, June 23.—The Atlantic Transport Line steamer Montana, from Baltimore June 4, for London, has arrived here in four days of the British steamer Elderslie, from New York, June 3, for London.

Pittsburg, Pa., June 23.—The window glass combine, known as the American Glass company, has again advanced the price of window glass. The increase ranges from 2 to 10 per cent and takes effect immediately. The new combination has offered a rebate to customers purchasing the entire output from September to July.

There are some women who are remiss, that they are superior creatures every time a man takes off his hat to them.—Athenian

Axioms on Printing

Printer's ink is the vital spark. Our colors are the best obtainable. Our imprint is the stamp of superiority.

Price should not be the only consideration. If you catch the eye you catch the world.

Let the public know what you have to sell. Good printing always commands attention.

Printing, like clothes, should be made to fit you. We are not the only printers, but equal to the best.

Good printing means revenue; poor printing, expense. If you have the "idea" we can "display" it for you.

Printing is often an index to the merit of an advertiser. The apparel of proclaims the man. Same with printing.

To increase your business printer's ink is the best stimulant. Cheapness is not the merit; the finished work must tell the tale.

No printing deserves a higher price than what it returns. A good design is half the battle; if well executed, the other half.

How shall I advertise? Let us know what you sell and we will help you. "The eternal fitness of things" applies to design more than anything else.

"Don't judge by appearances" is obsolete. Appearances count for everything in printing. Let Us Do Your Work