

THE ARIZONA REPUBLICAN

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S. W. HIGLEY, President and Manager. CHARLES A. STAUFFER, Business Manager. CHAS. C. CUTCHSHAW, Editor. C. S. SCOTT, City Editor. ETTA GIFFORD YOUNG, Society Editor.

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MONDAY.....FEB. 19, 1912

Restraint of Trade

"I think it will be said it may be difficult to find a man who thinks there ought to be any restraint of trade." It will be noticed the above words are quoted. But they are not quoted from an essay by some callow college freshman or from the speech of some soap box agitator, as the language would lead one to believe. They are reported in the current issue of the Saturday Evening Post by Henry Beach Newham and are ascribed, and it is presumed with authority, to Hon. A. B. Cummins, senator from Iowa, and an aspirant for the presidential nomination.

The language is used, of course, in connection with the Sherman anti-trust statute and the interpretation of that statute by the supreme court. It is a little difficult to understand how Mr. Cummins, who undoubtedly is possessed of great ability, can have arrived at the conclusion indicated by his quoted utterance. For surely there should be no difficulty at all in finding a man possessed of the views to which he refers. As to this question of difficulty it may be said that undoubtedly every lawyer in Arizona who has even skimmed through the books written by the leading law writers knows the principle of reasonable restraint is recognized by all the authorities and has been for hundreds of years. There are hundreds of thousands of men in the United States who not only know that some restraint of trade not only is in everyday use but who know that it is a necessity in the very nature of things.

Now, suppose a case. Suppose Jim Smith comes here from New York. Jim Smith wants to engage in the dry goods business and he makes a deal to buy out some merchant on Washington street. Jim Smith buys not only the stock and fixtures but he buys the intangible asset known as the good will, and every business man knows the good will of a going concern is a very substantial part of its assets. And since Jim Smith buys the good will he naturally puts a clause in the contract of sale providing for his protection in this important matter. He may bind the seller to an agreement not to engage in the same line of business in Phoenix for, say, the space of a year. Here is an absolute contract in restraint of trade; and it is a contract any court in America would uphold. So far from being opposed to public policy it is in direct

line with an enlightened public policy. And everybody knows acts of that kind, all of which are in restraint of trade, are being performed every day. If Senator Cummins had stopped to think just a moment he would have known his sweeping statement would not bear the test of common sense. This is a mild sample of the criticism that is being directed against the supreme court for its decision in the Standard Oil and Tobacco cases. Cummins' criticism differs from the others in that he knows what he is talking about but chooses to talk rather as a demagogue than as a well read lawyer. The greater number of criticisms are made by men who have no knowledge either of the law or the facts in the case.

A Case of Graft

One of the most significant news items recently published in The Republican appeared in Saturday's issue in connection with the Everglades matter, now under investigation by a committee of the house of representatives. The news item was sent out by the Associated Press and is thoroughly reliable. It is to the effect that Solicitor McCabe, when testifying before the committee, filed a full list of congressmen who have been accompanied on speaking tours by experts of the department of agriculture and who, through that means, had their traveling expenses paid by the government.

For the past several weeks congress has been imbued with the spirit of investigation. It is investigating the steel trust, the money trust, the shoe machinery trust, the sugar trust, the agricultural department, the military department, a senator from Illinois and so on ad infinitum. So, you will think, of course, that it would at once rush into an investigation of these congressmen who, according to the sworn testimony of a high official of the government, were guilty of what looks suspiciously like obtaining money by false pretense.

But congress did nothing of the kind. Instead, the investigating committee refused even to permit the names of these corrupt statesmen to appear on the record. Nobody knows, and perhaps nobody ever will know, just how much these nimble fingered gentlemen pilfered from the treasury, and the reason is, the committee covered up the unsavory transaction. This newspaper doesn't know if the men alleged to have done this thing are democrats or republicans. But it does know their graft has been concealed by a democratic committee appointed by a democratic house of representatives. It also knows that there is a chance for an investigation that would really accomplish something, but there is no chance that it will be made. And the reason seems to be there is danger in it. But what do the people who are making an outcry about governmental abuses think of transactions of this kind?

Methodist College of Rome

American Methodists have just heard, through Bishop Bart, of the success this winter of the Methodist educational work in Rome. The Home School for Girls, on Via Garibaldi, is utilizing its last foot of space, and Crandon Hall, built by American Methodist women is daily enrolling new pupils. It is a school for young women, and is attended by students from some of the best Italian families, not in Rome merely, but throughout Italy.

The College for Boys and Young Men is the latest Methodist venture in Rome, and exists solely to educate and bring out leaders of the new Italy. It occupies the upper floors of the Methodist central building on the Quirinal Hill, and its enrollment this winter exceeds that of any previous year. Recently additional rooms were fitted up. Now the government has forbidden the college to receive more pupils in present quarters. Efforts are making to secure funds with which to erect, in a new locality, adequate buildings in size and equipment. It is to be known as the Methodist College of Rome.

PURLOINED POINTERS

Speaking of penance, how about the fellow in New York who was ordered to pay the full amount of his salary to his divorced wife as alimony?—Louisville Courier-Journal.

Telling a group of senators that they are not the most important persons in the world is tempting fate.—New York American.

Lincoln Steffens evidently has lost his spotlight and doesn't know where to find it.—Albany Journal.

Mince pie has been mentioned as a cause of nervousness in America. This constant succession of investigations may have something to do with it.—Washington Star.

Spain, which probably suffers from floods more than any other European country, is suffering from them again. And she has been denuded of her forests more recklessly and completely than any other. Students of the law of cause and effect may take notice.—New York Tribune.

Banqueters would rejoice if the Congressional "leave to print" were extended to after-dinner speeches running to an hour or two in length. It is a case where the part is greater than the whole. Whether the press would jump at the chance to publish unspoken speeches is another matter.—Springfield Republican.

Wisdom is cherished by the few neglected by the many and hired by the powerful.—Life.

As a general thing after a girl discovers that her idol has feet of clay she can find some consolation in buying silk stockings for herself.—Galveston News.

Probably the president doesn't care who gets the straw votes so long as he gets the delegates.—Providence Journal.

The Denver Times has discovered that snickerdoodle promotes longevity. But does it brighten it up?—Louisville Courier-Journal.

We have an egg up loose. If any museum owner wants a chance to let him come forward at once, or we will eat it and be done with it.—Montreal Herald.

When a girl will wear overboots she's confident she is good-looking enough to risk it.—New York Press.

What's the price of a karat of butter this morning?—Washington Post. Philadelphia presents a case in which the lady not only did the proposing but also paid the car fare and the parson. Now, no doubt, she will have to assume the burden of supporting the family.—Norfolk Virginian Pilot.

Kentuckians want protection for their Mammoth cave. Can't the vandals be trusted to leave the hole where it is?—Providence Bulletin.

SCISSORED WIT

THE WHALE AND JONAH.

The fire in the parlor of the Spotted Cow roared up the chimney, while the hardened fishermen boasted and wrangled over their doughy doings. Then the tall, spare silent man who had been listening quietly spoke:

"Gentlemen, did it ever occur to you to wonder what finally became of that whale?"

"What's the good of wondering about a thing like that?" said the trout fisherman rudely. "Nothing definite is known."

"Boys," he continued, "she must have tipped the beam at—"

"Look here," the silent man interrupted again. "I know what became of that whale."

"Humph!" said the trout fisherman. "What?"

"For the rest of his life he made a bore of himself telling all the other whales he met how the biggest and heaviest man he ever caught wriggled free and got away."—Philadelphia Inquirer.

OVERWORKING THE COWS.

A chorus girl, playing in a Broadway production, went to a Connecticut farm to spend Sunday with her aunt and uncle. The next morning, when she came downstairs, she saw her uncle entering the house with a pail of milk.

"Where have you been?" asked the chorus girl.

"Milking the cows," he replied.

"To be sure," said her uncle. "I have to do the chores on Sunday as well as any other day."

"Oh, I wasn't thinking of you," said the girl, whose visits to the country have been extremely few. "I was thinking of the poor cows. It's a shame to make them work on Sunday after they have given you milk all week."—New York Telegraph.

SLIGHT MISTAKE. Mayor Fitzgerald of Boston relates an amusing incident which occurred while he had occasion to stop at a country hotel in Connecticut. In a conspicuous place in the parlor was an inscription, "Ici on parle Français." The mayor, as he noticed the sign, turned to the proprietor and said:

"Do you speak French?"

"Not me," the man replied. "United States is good enough for me."

"Well, then," said the mayor, "why do you have that inscription on the wall? That means 'French is spoken here.'"

"You don't mean it!" exclaimed the hotel-keeper. "Well, I'll be darned! A young chap sold that to me for 'God Bless Our Home.'"—Brooklyn Life.

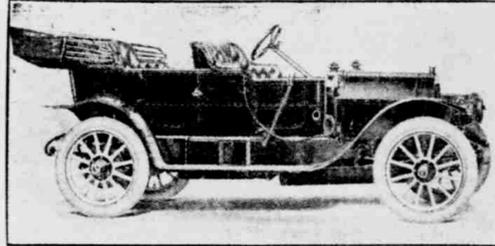
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WHO WILL BE THE WINNER OF FIRST SPECIAL PRIZE?

This Question Will Be Answered by the Votes Cast on New Subscriptions Turned in During Period Ending February 21

WIN THE SPECIAL AND MAKE SHOWING

Whoever Wins the First Special Not Only Secures the Prize But Also Makes the Best Advance in the Big Race

The race for the Mitchell Touring Car, \$1000 in gold and trip to the coast to be given by The Republican is getting down to the point where every minute counts, where every vote must be gathered. The time of the hardest running in the contest is now, for soon the contestants will be lined up for the dash down the stretch to the finish, and in this dash positions will count for much.

While all eyes are fixed on the ultimate goal, when the grand and district prizes are to be awarded interest in the auxiliary contest for the first special prize to be awarded Wednesday, Feb. 21st, is at high pitch.

"What special benefit will it be to me?" asked a contestant Saturday. "To put in my subscriptions now, when they are promised to me and I know I have them coming before the contest closes?" The answer was—and to all such inquiries is—Votes turned in now count in the winning of the special prizes and on the winning of the automobile, gold and trip, at the close of the contest on March 9th.

The "advertising effect" of making the greatest showing in position is not to be lost sight of.

No merchant increases his business by publishing the fact that he is not doing anything. The slogan "everybody loves a winner" has an applicable meaning with the contestants who aspire to be winners. In addition to being a winner, let people know you are a winner, and they will be anxious to help you.

There are some who are working quietly, but none the less energetically, and when the time is ripe and will send in a collection of ballots that will make the "Leaves of Vallambrosa" seem without weight or significance. One contestant can never tell what another can do, and it is therefore up to the busy candidate to think quickly and get all the ballots that can possibly be secured. Nothing

Do you wish to give your favorite in the Republican Automobile, Gold and Trip Contest that promised subscription before it is too late to count on the winning of the first special prize? If so, do it before 5 P. M. February 21.

should be allowed by the contestant to interfere with the continuous capturing of ballots. To neglect getting "another thousand" on anyone of the days until the close of the contest might lose the race.

It was not safe to assume that your present store plus what you have in immediate sight is secure against the figures that someone way down below your total in the table of votestandings may turn in during the next few days.

Now, of all times, is the occasion to get busy. Throw in the clutch on the top speed and put on a Mitchell sport until 7 p. m., Feb. 21st, glide into the lead and win the prize of \$50 that has been hung up for the best pace maker for the ten day period.

The ballots are to be had if only enough effort is spent in going after them. The time is shortening rapidly and the end will be here before one realizes it, and then it will be too late to do all the things that one had planned and hoped to do. Least of all don't give up. Every time you start anything do so with the determination to go through with it. Every time one gives up their will power is weakened just that much and the next thing that one determines to accomplish will be given up with an ever increasing ease.

"We will fight it out on this line, if it takes all summer" was the reply made by a famous general when asked if he was not ready to abandon the campaign he had planned.

Win the first special prize and you will gain by it. Not only in a pecuniary way, but by the prestige that it will give you in the way of advertising your campaign, as people like to rally around a winner in any undertaking.

Among those who are holding forth the glad hand of welcome to the harvest skirt are the theatrical managers and press agents. A woman's raiment or lack of raiment—is the food on which the press agent thrives.

Always Useful Parker's Fountain Pen We Have Them at All Prices From \$2 to \$9.00.

Parker's Fountain Pen

We Have Them at All Prices From \$2 to \$9.00.

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A CAREFUL REVIEW

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