

WILLMAR TRIBUNE.

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—BY—
JOHNSON & LAWSON,
VICTOR E. LAWSON, Editor and
CHRISTIAN JOHNSON, Special Editorial Contributor.

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TUESDAY, OCTOBER 15 TH, 1895.

MONOPOLIES ARE LAWFUL.

Starting Legal Principles Set Forth in the Great Railroad Case by United States Senator C. K. Davis.

Monopolies and Vested Rights Secure in the Sight of the Law No Matter How Oppressive.

Last Tuesday Senator C. K. Davis made the great argument in the Great Northern and Northern Pacific consolidation case. A synopsis of it was published in the Minneapolis Tribune. The argument is interesting reading, and we presume good law. He contends that the legislative acts or charters of 1856 and 1865 are in the nature of a contract that cannot be altered by subsequent legislation without consent of the companies. That, then the right of consolidation was given, and cannot now be disputed, no matter if such a consolidation results in a monopoly. He quotes the Binghamton bridge case as follows: (From report in Minneapolis Tribune.)—"In this case the legislature of the State of New York, back in 1805 had granted a charter to a company to build a bridge at the junction of the Chenango and Susquehanna rivers, where the city of Binghamton is now located, and provided in the charter, that no other bridges should be built within two miles. Many years after, when the city of Binghamton had grown up, this bridge was entirely inadequate for the use of the public, and another bridge company was chartered by the legislature of New York to build an additional bridge. The supreme court of the United States held that this was a violation of the contract contained in the charter of the old bridge company, and sustained an injunction against the building of a new bridge."

Now, if this is good law, applicable to such cases, and we presume it is, it will be seen that the American people are in a nice predicament. The legislatures have in the past ceded to corporations almost all our natural rights, privileges and franchises, that in justice and equity belong to the whole people, and now these franchises are vested in these corporations, to exercise at their pleasure, even to the injury of the public at large, and the legislature stands powerless, to correct the wrong. We quote again.

"He (Davis) also read at length from the New Orleans gas cases, decided by the Supreme Court of the United States, where Justice Harlan held that the legislature had the right to grant an exclusive franchise for the manufacture of gas for the city of New Orleans, and no matter how onerous the conditions of this charter might be, it could not be affected by a subsequent antimonopoly constitutional provision."

Now mark this, "No matter how onerous the conditions of this charter might be it could not be affected by a subsequent antimonopoly constitutional provision."

So there you are. The Supreme Court of the United States holds that vested corporate franchises are even superior to state constitutions. A thoughtless, or maybe corrupt legislature can give away the most sacred rights of the people, but neither the legislature nor the people by constitutional provision can ever regain that right!

And this is what a government claimed to be for, and by the people, has at last come to. We wonder if this was the object con-

templated in Washington, Adams and Jefferson? We are not criticizing Senator Davis. He knows the law, and we presume he states it correctly.

We simply desire to point out to our readers in this connection, that our old notions of popular government in these United States of America is simply a dream, a delusion. That, and nothing more.

This argument of Senator Davis is the most graphic demonstration of absolute monopoly rule in this country that we have ever seen.

According to this our legislatures might sell posterity into slavery forever, without legal or constitutional redress. In fact, we are strongly under the impression that they have already done so, that the birthright of the American people, to life, liberty and happiness, under the law is already gone for less than a mess of pottage."

From this condition there is but one remedy left for the people, and that is to assert their inalienable rights by force—revolution. In the words of the Declaration of Independence, "That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed. That whenever any form of government becomes destructive of these ends, it is the right of the people to alter, or to abolish it, and to institute a new government laying its foundations on such principles, and organizing its powers in such a form as to them shall seem most likely to affect their safety and happiness."

The politicians are beginning to lay their wares for next year's campaign. People will do well to turn a deaf ear to all their appeals for aid, and see to it that a few scheming politicians, with the assistance of their henchman in every county, do not control every caucus and convention held. What a refreshing sight it would be to see a body of men assembled in a convention, pledged to no man, and free to support the men of their choice! Of late years, the nominees are not the choice of the people, simply the choice of a few politicians, who for shrewdness and scheming outshined another set.—Litchfield (Rep.) Saturday Review.

That's right, Bro. Mullen, confession is good for the soul. We admire your independence. We just want these other goody, goody Republican editors to notice this broad statement from you as a republican. "Of late years the nominees are not the choice of the people, simply the choice of a few politicians, who for shrewdness and scheming outshined another set." Yes, that is it, exactly. And it is mainly this low trickery of political scheming that have driven, and are driving every decent and independent man out of the G. O. P. and into the People's Party, Prohibition Party, etc. Now, Bro. Mullen, all that is necessary to stop this disgraceful political scheming simply for self, is for the Review and other decent old party papers to come out boldly against the rings and machine, and not crouch down at the crack of the party whip about three months before election. People of all parties stand now ready to smash political machines. Let the Review take a patriotic stand in this matter. C. J.

Dr. Johnson is now trying to crawl out of the hole into which he got himself, in his editorial bringing nationality into politics, by declaring that other Republicans particularly, have done the same in the past. What figure would a man cut in congress who will make such an excuse as this?—Glenwood Herald.

Yes, you fellows are trying to lift poor Eddy out of a very deep hole by imagining all sorts of things about us, which by the way argues that you have no defense to make for Eddy's very foolish talk to that Minneapolis Tribune reporter.

Your effort is a flat failure. Eddy will stand on his own record no matter what you say about us.

Now don't waste your valuable gray matter in fighting us as though we were a candidate for Congress. We can assure you that you are simply fighting wind mills of your own imagination. No, if we wanted to go to Congress, we should have been mighty careful not to have hurt

anybody's feelings, and have been the goody, goody, sleek, oily, milk and water kind of a man. But we speak the truth as God gives us to see it, if we think the condition of the public demand it, and make our living by our profession. C. J. Now don't say we haven't told.

FOOD FOR THOUGHT.

The following eloquent appeal in the Penny Press graphically illustrates one instance of the blighting influence of the policy of contraction:

"A few business men have undertaken to prevent that magnificent property known as the Minneapolis Industrial Exposition from being absorbed by a few creditors holding claims against the Exposition Company amounting to something less than \$90,000.

"When one thinks of what the Minneapolis Industrial Exposition has been to this city, and the enormous amount of time and money which a few business men have expended in upbuilding and maintaining the same through all that period intervening between May 29th, 1886, and November 1893, it is certainly a lamentable condition of affairs which now makes it possible for that great property to pass into the hands of a few creditors representing less than one-fourth of the actual cost and value of that property, as it stood on the first day of September, 1887.

"The Exposition property covers over five acres of ground in the very heart of the manufacturing district of the town, upon which is erected a building which cost more than \$300,000. If this land was divided up into lots, six to the acre, making thirty in all, it ought to be worth fairly \$500 per front foot. But the \$500,000 would make the land alone worth \$600,000. Suppose it to be estimated at \$200 a front foot the value would still be \$240,000. Add to this the cost of the building and there is a property away above a half million in valuation.

"And yet the property with all its historical connections, its magnificent features, its splendid drawing powers for the benefit of the city when it was in a deadly conflict with St. Paul. This property where a national Republican convention has been held, where religious bodies numbering ten thousand people have gathered together in the worship of God for weeks at a time!—This property is to be knocked down under the hammer and sold like a cast of garment to liquidate a paltry indebtedness of \$90,000!!!

"We know the country is bankrupt! We know that the bank and maintenance of a "gold standard" in America has reduced property values from 25 to 75 per cent of the value which they bore in 1887! We know that the money changers of the world have grasped this nation by the throat and propose to strangle the life blood from it for the benefit of the few and the impoverishment of the many! We know that every man with hardy an exception who devoted so much time and labor to the upbuilding and management of this institution is now broken in property if not in health! We know all this and more; and it is not to them, or theirs, that this appeal is made,—but to the younger generation who are succeeding to the glorious work which those men performed.

"To these men we appeal, and ask if it be not possible for a new organization, involving only \$100,000 capital to be created in our midst, for the purpose of saving this magnificent old institution which has been the backbone and the glory of our city in the past, from the destroying hand of the money loaner who dwells in Wall street or some foreign city.

"If there be patriotism and pride of prestige and past greatness left among the younger business men of Minneapolis, let them exert themselves to accomplish this great result, of saving the Minneapolis Industrial Exposition property from the hands of the Skylocks who would destroy it."

The Northern Pacific Muddle.

J. J. Hill, a whole lot of other R. R. people and the state of Minnesota, are now fighting about this great continental highway. In the meantime the people that patronize the road are paying for all this expense and quarrel between these different parties. This is of course charged up to operating expenses, and the court will enforce rates high enough to pay net returns on stock, water and all.

Now if the U. S. government was what it should be, if it represented the people, it would take this great transcontinental railway, own it and operate it, for the benefit of the government. The government could buy the whole property now for a song. The

time is not distant when that must be done, or the road go out of existence. The simple fact is that no private organization can control such a vast property. It is only when under such a man as J. J. Hill, that it can be done for any length of time at all. But J. J. Hill is mortal, and his like may not be found in a thousand years again. When J. J. Hill dies the Great Northern will go the way of the N. P. But Uncle Sam can, and he is the only individual that can, operate our gigantic R. R. system. We are coming to that faster than we think—government ownership of railways—we are coming there as fast as we can. The stockholders themselves will in a little while be begging the government to take their property off their hands at some figure, rather than to be ate up by one big whale. The ordinary stockholders of R. R. companies are now pretty well convinced that any corporation is simply run for the few that own the "controlling stock". The outside fellows are simply in as tools for somebody else.

If the U. S. government would now go at the acquisition of the national highways in a systematic and business way, at this time she could acquire our railways at a very moderate figure. And she could very nicely give those big fish a good dose of their own medicine. But of course this is too much to be expected from an old party political machine, operating for self.

The greatest campaign ever witnessed is on in Ohio. And it is Coxe that is leading it just now. Such concourses of people as Coxe has at his meetings were never seen before in the State. Just think of 20,000 people coming to hear him, as at Dayton lately. Oh yes, Populism is dead! What if Ohio should go populist this fall? It seems not unlikely now unless the two old parties unite, which they will of course do if they get into a pinch. This is the first campaign of aggressive populism in that state, and it is sweeping it like a cyclone. Leading professional and business men in all of the cities are coming out openly declaring for the People's Party ticket. It remains to be seen whether the old double barreled party machine can stop this tidal wave.

Party subservency is to-day the curse of this country. Every thinking man be he republican or democrat is now acknowledging that something is wrong with the Nation. There are also any number of really able men in both of the old parties in our legislative halls, men that could if they dared, formulate proper measures of relief. But they dare not for fear of offending their party machine. If these men could have a little moral courage infused into them so as to act for the welfare of the country rather than for the success of their party all would be well. How the American people are longing and praying for statesmen that will rise above party subservency.

The Minneapolis Tribune says that sound money ideas are gaining ground because Hoke Smith, Sterling Morton, and Secretary of the Navy Herbert have been converted by Cleveland to this view! Well, dreading people do catch at straws yet.

Why doesn't the Tribune say something about the Gold and Silver club of Minneapolis that is now converting the Tribune readers by the thousands to the silver lunacy? C. J. Cleveland's secretary of the navy was sent down south lately to tell the people there that if we should get free coinage of silver China and Japan would take our gold! Now if that hoax don't work, what story will Cleveland & Co. invent next to scare the poor whites and negroes, who of course never in their lives saw a gold coin. Perhaps they will be told that the man in the moon will come and take our gold. C. J. We notice that Mr. Johnson is still doing good work on the Willmar Tribune. His article on department stores in last week's paper ought to be an eye opener to local merchants but strange as it may seem the ordinary business man can not see the danger

which threatens him.—Madison Independent Press.

There is some talk about W. D. Washburn running for governor next fall. We hope for the lands sake, they will put him up. That would give the populists a fine treat in knocking the stuffing out of a regular aristocrat for once. C. J.

Headache Destroys Health

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