

lating each other because the government lost its case against the Santa Fe Railroad Co." And then he wants to know why, "if they were always so certain there was nothing in the case,"—why they turned it over to him and Mr. Judson. But Harmon and Judson made the mistake, as they promptly learned, of refusing "to believe that the corporation had slipped out of nights and handed over the rebates while the officers in charge of its traffic were abed." They therefore, instead of exonerating Morton and the other officers, proposed proceedings against them, whereupon President Roosevelt "proceeded himself," says Mr. Harmon, "to hold a 'bed of justice' and have a trial by letter," and to "announce what was a cross between a judgment of not guilty and a pardon, in which the Attorney General concurred." The sting in all this is its truth.

#### President Roosevelt and rates.

In that part of his message (pp. 573, 576, 592) which deals with the subject of a railroad rate regulation law, President Roosevelt insisted that in his judgment—the most important provision which such law should contain is that conferring upon some competent administrative body the power to decide, upon the case being brought before it, whether a given rate prescribed by a railroad is reasonable and just, and if it is found to be unreasonable and unjust, then, after full investigation of the complaint, to prescribe the limit of rate beyond which it shall not be lawful to go—the maximum reasonable rate, as it is commonly called—this decision to go into effect within a reasonable time and to obtain from thence onward, subject to review by the courts.

This exhibits the whole fallacy of railway rate regulation in principle. Upon what sound principle could such a bureaucratic supervision of prices be tolerable? Upon no other than that railroads are engaged not in private trade but in the public service. And of this business that is true. A railway is a highway, and rates are tolls. But why should highways be turned over to private corporations? Are not the days of toll-gates past? The truth is that

railways are highways plus the operation. The operation is a private business and could easily be made competitive. The highways are a public convenience and should be public. If this adjustment were made, rates would regulate themselves through competition. And the adjustment could easily be made. Nothing is required but to make the railway line with its rails a public highway open to all on reasonable and equal terms, under the regulation of a dispatchers' bureau, and to leave the competitive operators to charge "all the traffic will bear," which, in those circumstances would be the cost of service and no more. But that adjustment would break up railroad monopoly without paternalistic administrative bureaus; and it would cut off so much, oh, so much graft! Therefore—

#### The decision in Hearst's case.

It seems to us impossible to read the opinions of the Court of Appeals in the Hearst ballot box opening case (p. 596) without coinciding with the dissenting judges. The old election law required the immediate destruction of the ballots; the new one requires the preservation of the ballots for a considerable time after the election. Why this requirement? Nothing reasonably explains it but the intention of the legislature to make a recount possible should circumstances make it desirable. So the minority judges held. But the majority judges have in this respect virtually nullified the changed law. It may, indeed, be unwise to allow recounts; but that is for the legislature, not the courts to determine. Since the courts refuse a recount, it is gratifying to know that Hearst intends to have the whole subject investigated if possible by the legislature.

Mayor McClellan told a New York Times reporter that he was "perfectly satisfied with the result." This is interesting, as throwing light upon McClellan's conception of perfect satisfaction. It seems to consist in getting an

office by 3,000 plurality out of half a million votes, through the refusal of the courts to allow the evident frauds of his party associates, which the ballot boxes conceal, to be exposed.

#### Failure of John R. Walsh.

A remarkable fact regarding the bank failures which stunned financial Chicago this week, is the entire absence of sympathy for Mr. Walsh, whose personality is unhappily conspicuous in connection with them. Wealth has been the sole object of his pursuit, and now that he loses that he loses all. It was different with Altgeld, whom Walsh impoverished. Altgeld, too, was wealthy until he came within Walsh's power; but when he had lost all his wealth, he still possessed assets which wealth could not buy and the wealthy could not destroy. In the worst days of his experience, when in hopeless poverty and under a cloud of plutocratic contempt, Altgeld held the confidence and affections of throngs of honest people. But Walsh knows none of this. His enemies gloat over his downfall, his victims are pitiless, and outside of a narrow circle he has no friends. Even business associates who purred in his presence yesterday are clawing at him to-day.

If any man's misfortune could justify a sense of gratification, Walsh's is probably one of the few. Not only has he earned general hatred, if hatred be permissible, but he has contaminated the whole business, political and financial system of the city in which he has lived and done business. His misfortune can hardly fail to let out some of the foul air; and it may result in positive purification. There is need for better business ethics in the business circles of Chicago. This need could not be met while Mr. Walsh was a dominant factor in Chicago business life. He knew no law but the criminal law, and now it appears he was not overmindful of that. It remains to be seen whether his scandalous failure will improve the business, and

thereby the civic environments of the city he and his kind have hoodoed.

Meanwhile the fact must not be blinked that the general execration of Walsh in high business, financial, journalistic and political circles is not necessarily a repudiation of his methods. His wickedness was as well known long before his banks failed as now. But he had power then, and business men cringed before it; he had acquired wealth, and business men imitated his methods. If the same men attack him now, it is to be feared that they do so not because they detest his methods but because they detest him—and that for no better reason than that he has lost his wealth and has fallen from power. Walsh is to be pitied, not detested. It is his sordid business policy, not the man himself, that should be the object of our detestation. But this can truly be, only by our substituting better business policies.

#### JOHN W. BENGOUGH.\*

Readers of *The Public* have long been familiar with the name of John W. Bengough, for nearly all its cartoons have come from his pencil. Not so familiar, however, is the fact that he is the best known cartoonist and one of the most popular entertainers on the lecture platform in Canada.

Mr. Bengough was born in Toronto, April 7, 1851. His father was a Fifeshire Scot of sturdy intellect and rigid conscience—a typical Scottish reformer whose mind grew fresher and keener and his views broader almost to the day he died, at the age of 81. His mother came from County Caven, Ireland. The national characteristics of the parents blend in the rollicking humor and unflinching purpose of the son.

When he was of the age of two, his parents moved to Whitby, Ontario, and at the public schools of this place the boy got his education.

He was not very studious, in the school-master sense of

studiousness; but in developing his natural aptitudes he was as studious as the best. For skill in English composition, song, recitation, drawing and comic carving, he soon became famous among his schoolmates. With these accomplishments matured, and the aid of a prodigious memory, he has made his place in the world and filled it.

After a brief experience in high school and a briefer one in a law office, Mr. Bengough discovered an entrance to the path along which he has made his career. He threw up his position in the law office to take a place on the *Whitby Gazette*, where he remained until he came of age in 1872, when he secured a job as a local reporter on the daily *Globe* in Toronto. This was in the days of George Brown and his brother Gordon, the acknowledged leaders of Liberal journalism in Canada.

Before he had worked long on the *Globe*, an opportunity opened which introduced Bengough to the whole Canadian public. A pencil sketch he had made of a well-known Toronto character having been reproduced by the then unfamiliar art of lithography, the idea occurred to him of utilizing this art for the publication of a weekly paper with pictures.

The process was quick and cheap, and its cheapness especially was important, for Mr. Bengough had but little capital. Neither had his younger brother, Tom Bengough (now known as the most expert shorthand writer of Canada if not of America), who joined him in the enterprise. Between them they had barely enough capital to pay for the first number of the paper. But they made the venture together, and on the 24th of May, 1873, the paper appeared under the name of *Grip*. Though it was a crude little sheet, the Canadians took kindly to it; and as the Pacific railway scandal flamed up an exceptionally fine opportunity for cartooning was offered, of which Bengough made good use. So *Grip* sprang into immediate popularity. For more than two decades it was an influential organ of Canadian opinion.

Bengough's editorial policy was to express his honest thought on every subject he wrote on or cartooned. So far from injuring the

paper, this policy increased its circulation and strengthened its influence. A prohibitionist himself, he not only supported prohibition with pen and pencil in *Grip*, but as long as he controlled the paper he admitted no liquor "ads" to its advertising columns. Other subjects also claimed this kind of loyalty from him. While editor of *Grip* he read Henry George's *Progress and Poverty*, and at once capitulated to its reasoning. True to his editorial principles and policy, he then gave full expression to his thought along the lines of George's work, and *Grip* became an emphatic advocate of free trade and the single tax as well as of prohibition.

When *Grip* had been running about a year, growing more popular all the time, the example of Thomas Nast, a cartoonist of whom Bengough was always a great admirer, made him ambitious to go upon the lecture platform. As he had from early boyhood been accustomed to public reciting, being regarded in his schooldays as the star of his town, and as he had attracted attention as a writer of sketches in prose and verse, as well as a cartoonist, he felt encouraged to make his experiment at lyceum entertainment.

His first appearance was at the Music Hall in Toronto under the auspices of the Mechanics' Institute, in 1874. Since then he has filled engagements every season, going twice across the continent, yet never neglecting his editorial work.

For 21 years Bengough edited and illustrated *Grip* without missing a week, no matter how pressing upon his time and energy were other demands. His connection with *Grip* was severed in the early 90's through a business disagreement between himself and the managers of the corporation which had come into its control. *Grip* did not long survive his withdrawal.

Since leaving *Grip* he has done regular cartooning and other journalistic work for the *Montreal* daily *Star*, the *Toronto Evening Star*, and the *Toronto Globe*.

In 1901, while on a visit to England, he responded to a call from the *London Chronicle* for a car-

\*A half-tone portrait of Mr. Bengough accompanies this issue of *The Public* as a supplement.