

insurance, for example, we see evolution at work. The Massachusetts industrial insurance law, drafted by Louis D. Brandeis, has been in operation one year. Not only has it benefited workers and other savings bank depositors in Massachusetts, but it has had the effect of reducing industrial insurance in the whole country, and has brought about some needed reforms in the methods of industrial insurance companies. Evolution in insurance is in the direction of state insurance for the benefit of all workers, at the lowest possible cost, in obedience to the law of human progress that "men seek to gratify their desires with the least exertion." True, that will increase land values; but increased land values will, before many years, mean increased public revenues for social purposes.

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### The Chicago School-Land Grab.

A fine bit of journalistic enterprise must be credited to the coterie of land grabbers who dominate the columns of the Chicago Tribune. They have published in full the report of a master in chancery in the suit of the Board of Education against the Tribune (vol. xi., p. 124; vol. xii., p. 409) to annul the Tribune's unlawful and fraudulently altered ground lease. But as that report is in their favor its publication in full would be stronger, as an indication of journalistic enterprise, if they had ever devoted so much as a small fractional part of that space to the evidence in the case. Since they have always run to cover heretofore, the enterprise of this publication is properly in question. Maybe it was influenced by personal rather than journalistic considerations. And all the more probable is this, since the publication carries an implication that the case has been conclusively decided in the Tribune's favor, whereas there is in fact only an opinion by a master in chancery, which has no value unless a court confirms it.

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The Master in Chancery in this case is Roswell B. Mason. He is the grandson of a former mayor. A young lawyer in actual practice in Chicago in connection with large interests, he is hardly removed by his quasi-judicial functions from those subtle influences of Big Business which unconsciously affect even the best and strongest men at the bar. That so young a man should have been vice-president of a two million dollar corporation, partly owned by a great combination of railroads, and is still one of its directors; or that he has had close personal and professional association with one of the

members of the Tribune's law firm in this very case, as is reported—these facts are not necessarily inconsistent with a conscientious, intelligent and courageous performance of his duty as Master in Chancery. Nor are they referred to here with any such suggestion. But if—with those associations and the certainty of Tribune virulence had his conclusions in the case been otherwise than they are—Mr. Mason has really had the acuteness to penetrate the merits of the Tribune case judicially and the courage to decide against the Tribune if need be, he is a young man of surpassing intelligence and unusual courage.

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At any rate, it will be well to await the decision of the courts, and not the Chicago courts alone but of the Supreme Court of the State—which must overrule itself in order to decide in favor of the Tribune—before concluding that the Tribune is not a school land grafter, or even that its school land graft is permissible by law. Meanwhile let well meaning citizens of Chicago consider this interview with Clarence N. Goodwin, the special attorney for the Board of Education in the Tribune case. We take it from a Hearst paper, the Chicago Examiner, which will doubtless provoke criticism; but we can't help that, for the "respectable" papers didn't use it—most of them being in the same land graft boat with the Tribune, and the others having a fellow feeling. Even the Tribune lacked the space for this important interview, having devoted so much to the other side. Mr. Goodwin said:

While the Master's report is adverse to the complainants, I consider the evidence taken highly satisfactory. The Master's adverse findings are due to the conclusions which he draws from the facts shown. There is not a great amount of difference of opinion as to what the facts shown by the evidence are. In our objections we have called attention to the numerous facts which the Master did not find specifically. As to his conclusions of the law, it does not seem that they can be sustained in view of the recent decisions of our Supreme Court, particularly in the case of Imperial Building Company vs. The Open Board of Trade. We contend that the substitution of a fixed rental for the revaluation clause in the ninety-nine-year leases transforms them into sales within the meaning of the statute, which prohibits any sale of school land except by the City Council upon the application of the Board of Education. The Master finds, contrary to the Tribune's contention, that the land is held in a charitable trust. Under the express decisions of the courts, the burden of showing the lease to be fair rests upon the party taking a lease of charitable property. We contend that the surrender of a revaluation clause was obviously unfair to the charity. This evidence is borne out by

the finding of the Master that since the change was made the property has increased in value from 60 to 75 per cent. The Master finds that Mr. Trude's connection with the Tribune as its attorney in libel suits disqualified him from participating as a member of the Board in the modification of the Tribune leases; but further finds, however, that Mr. Trude's participation, although unlawful, did not invalidate the lease, because there was a clear majority in favor of the change without his vote. With all due respect to the Master, this latter holding does not appear to be the law, and it is against the great current of authority in this country and in England. In this connection it may be said that Mr. Trude's connection with the proceedings were not merely of a formal character. The record shows that he argued in favor of the change in committee; that he moved the adoption of the report authorizing the change; that the very day following this committee meeting he strenuously urged that the Board take action that night without further considering the matter, and that at the following meeting he voted against all motions to make changes favorable to the Board and seconded a motion to lay the motion to reconsider the change in the lease upon the table. After the meeting when the officers of the Board were served with notice that Judge Trumbull and others would apply for an injunction before Judge Tuley the following morning, he urged the execution of the agreement without waiting until Judge Tuley could hear the motion. This was done the following morning before the parties went into court. That the surrender of the revaluation clause was grossly improvident is clear from the evidence received.

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### Chicago Newspapers.

Charles Edward Russell writes with rude candor of the Chicago press, when he replies in the Chicago Daily Socialist to their criticisms of a recent very true magazine article of his about them. "Some of these journals," writes Mr. Russell, "have been good enough to favor me with their condemnation because of a recent article of mine. I do not know exactly what they accuse me of, but certainly here are some things that are not included in the charges: Practicing the 'kinchin lay,' cheating children of the money that belongs to them for their education. Leading a Sunday school on Sunday and hiring thugs to beat newsboys on Monday. Acting as the lackey, legislative agent and political heeler of the beef trust. Taking money from and protecting law-breaking corporations. Printing advertisements of disorderly houses. Accepting stock in a street railroad company in payment for advocating its dirty and dishonest schemes. Blackmailing advertisers. Doing the smug reformer act. Using a pretended zeal for the 'uplift' as a handy adjunct to a political ambition. Protecting gamblers, dive keepers and

election thieves. Buncoing the people of Chicago with a thimble-rigging ordinance. Also other items at the service of anybody that desires to learn of them. I don't care a hoot what any of these papers say about me so long as it is nothing in the way of commendation. I didn't live many years in Chicago without learning the essential facts about these precious publications. I know whose collar is on the neck of each of them, and I should no more desire approval from such a source than I should desire the attentions of a pole cat."

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### A Clear Vision Regarding Trusts.

We have had occasion before to note the clear vision of Charles Ferguson in his signed editorials in the Hearst papers; but nothing more hopeful has come to our attention than his recent words on the question of trusts. "With its maze of conflicting interests," Mr. Ferguson urges, "law-makers cannot possibly succeed by mere tentative experimentation. Success is impossible without the discovery of some clear principle that will reconcile all the interests that deserve to be reconciled, and furnish a simple clew to the labyrinth. I submit that such a clew is to be found in the principle that free competition and governmental regulation are two different ways of doing the same thing—that competition is desirable when it is real, but that some very effectual kind of public regulation should begin at the point where effectual competition ends. The identical thing aimed at both by competition and by regulation is the service of the public. The insistent demand of a civilized people is that it shall get the best possible goods and services at the lowest practicable prices. Where real competition is possible, this demand can be registered and make good in the market place. But with the growth of consolidation and monopoly, it becomes necessary that the demand shall be carried into the state house—and made effectual there instead. Private monopoly is intolerable in a free state." Getting "the best possible goods and services" for the least possible *work*, would be a better phrase than "at the lowest practicable *prices*"; but Mr. Ferguson doubtless uses the term "prices" as a colloquialism for "work" in this connection. His suggestion might be regarded also as requiring that government monopoly take the place of competition whenever the market does not register correctly, and without considering whether there may not be an institutional joker concealed in its registering apparatus. We assume, however, that he has in mind a genuinely free market, a market