

The Banner.
MOUNT VERNON, OHIO
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THE WALL STREET CANDIDATE.
[Omaha World-Herald.]

The most formidable Wall street conspiracy launched in many years is the fight to kill the state railway commissions and to wipe off the statute books of the various states, as unconstitutional, the 2-cent fare laws and maximum freight rate laws.

The most important case to come before the supreme court in the present generation is that in which it is to be decided whether the states have the right to regulate railroads and other public utility corporations engaged in interstate commerce, or whether, within the confines of each state, these corporations are to be left without any regulation whatever except their own sweet will.

Who is the central and most important figure in the fight being waged for the states and the people, against Wall street controlled railroads, in this great emergency?

Who but Governor Judson Harmon of Ohio, whom a few personal and factional enemies are loudly denouncing as "the Wall street candidate" for the presidency and "Pierpont Morgan's favorite."

The governors of the states, in their convention last summer, realized how great was this crisis. They took the extraordinary action of appointing a committee of three governors to defend the rights of the states before the supreme court—Harmon of Ohio, Hadley of Missouri and Aldrich of Nebraska. The last named members of the committee, recognizing Governor Harmon's great experience and ability as a business man, his learning and power as a lawyer, entrusted to him the preparation of the brief which Governor Harmon has just filed in the supreme court. How amazing it must be to those who have listened to the cruel slanders of Judson Harmon as the candidate of Wall street and the railroad bosses, to see him fighting in the supreme court of the United States.

Against all the big railroads in the Union, against a brilliant galaxy of railroad lawyers, in behalf of the 2-cent passenger fare laws, in behalf of the maximum freight rate laws. To save the existence of the state railway commissions that the railroads are seeking to crush to death.

If to take this stand is to brand oneself as a Wall street tool and railroad favorite, then Governor Harmon is doubly branded. He applied the brand the first time when he appointed a state commission in Ohio that raised railroad taxes between \$2,000,000 and \$3,000,000 a year.

If this kind of a man is a railroad and Wall street favorite, what must an American statesman do, in the name of everything fair and sensible, to get out from under the yoke?

In his brief Governor Harmon points out that the pending decision involves not alone the regulation of railroads and their rates, but of telephone and telegraph companies, natural gas and oil companies, and many other enterprises. Furthermore, he shows that it would apply also to state laws regulating the hours of labor and to workmen's compensation acts affecting all corporations engaged in interstate commerce. Its importance, in short, cannot be overestimated. It means, to Wall street, many millions of dollars a year. And Harmon, the "Wall street favorite," with all his prestige, strength and ability, is fighting it.

His brief is a masterpiece of plain and simple reasoning. If a railroad enjoys a reasonable return under state rates, he argues, it enjoys every right to which it is entitled. The test is whether the local rates fixed by the state commission are fair and reasonable and not whether the effect of fixing the local rates will be to lead the railroads to lower their interstate rates. If it does have that result it is a perfectly lawful condition, the advantage of which the public is entitled to enjoy.

The case is not a conflict between state and federal authority, Governor Harmon makes plain, but between the states and the railroads. He says:

"No one contends that congress could exercise any control over the purely internal commerce of the states. The effect of the decision (of the lower court) is not to take power from the states and leave it with congress, but to take power from the states and leave the railroads free to charge whatever rates they please in their traffic within the states. For, if the states cannot regulate these rates, nobody can."

Strange language to fall from the lips of Wall street's man and Pierpont's chosen candidate for the presidency. There is nothing so unreasonable and unfair as the rancor of an American political campaign. Charges, reckless and cruel, false, outrageous, are flying broadcast against not only Harmon, but Clark, Wilson and Underwood—great Democrats who, until

a short while ago, were universally recognized and applauded as statesmen and patriots of ability, integrity and a zealous willingness to serve the people. In Harmon's case, his splendid record as governor, as attorney general, as special trust prosecutor under Roosevelt, had endeared him to Democrats and progressives everywhere. But now that he has become a candidate for the presidency, personal rancor, factional unfairness, make haste to snatch from his brow the laurels he has so splendidly earned and maliciously to plaster him with mud and assail him with brickbats.

It is not the way to build up a party. It is not the way to win a fight. It is not the way to gain or hold the confidence and respect of intelligent people.

PROPOSAL FOR RECALL TABLED

Trend of Discussion Foretold Its Defeat.

MINORITY REPORT CAUSTIC

Declares That Proposition to Retire Elective Officers at Will of People is Obnoxious to Spirit of Our Institutions—Urges More Efficient Means of Impeaching Crooked Jurists—Convention Votes to Abolish Capital Punishment For Crime.

Columbus, O., April 18.—The constitutional convention, by a vote of 59 to 48, expressed its disapproval of the proposition to take up and discuss the recall of public elective officials.

The vote may settle the recall proposition so far as the convention is concerned.

By substantial majorities the convention adopted a comprehensive proposal for conservation of natural resources and reconsidered and adopted the Pierce proposal, which was defeated the day before, to do away with capital punishment for crime. If the Pierce proposal is ratified by the people at the polls there will be no more electrocutions at the penitentiary.

Parliamentarians disputed over the status of the Watson recall proposal after the convention adjourned. The question came up under a special order to adopt the minority report of the initiative and referendum committee, which recommended indefinite postponement of the proposal. The report was signed by Delegates Halfhill, Dunlap, Lamson and Evans. The majority report recommended adoption of the proposal. After brief discussion Mr. Donahy moved to table both reports. The motion carried, 59 to 48, but clerks made a mistake in computation and President Bigelow announced its defeat, 49 to 49. Before the mistake could be corrected the convention recessed.

Two Radicals Flop.

The action is declared to leave the proposal without prejudice in the committee and no further attempt may be made to report it out again, as slight discussion has shown that the proposal will be defeated if it ever reaches a vote. Two radicals, Judge Peck and Mr. Harris of Hamilton, joined the conservatives in debate opposing it. The minority said of the proposal:

"In its entirety it is obnoxious to the spirit of our institutions and is a supplemental blow aimed at the integrity of representative government.

"That the judges of our courts, being also elective public officers in this state and included within the scope of this proposal, the same is a gratuitous assault upon the honor and integrity of our judiciary, and no condition subsists or ever has existed in Ohio, that remotely justifies creating any such procedure or making it a part of our fundamental law.

"That the duties of every elective public officer of this state are defined by the law of the land, which law their oath of office compels them to obey and support, and if any transgress this obligation they should be tried by the law on charge duly made, before a tribunal, with orderly procedure under rules of evidence acknowledged and subsisting in all stable governments, and they should not be assailed from the hustings and tried at the polls by popular tumult or be compelled to face destruction of their honor through a verdict rendered by clamor, corruption or partisan prejudice."

The minority recommended more efficient means of impeachment as a remedy for whatever fault exists with the judiciary. The convention will consider the Dwyer proposal embodying this idea today.

Perfectly Safe.

A tourist in a remote part of Ireland, having stayed the night at a wayside inn not usually frequented by visitors, informed the landlord in the morning that his boots, which had been placed outside his room door to be cleaned, had not been touched.

"Ah, sure," said the landlord, "and you might put your watch and chain outside your room door in this house and they wouldn't be touched."—London Mail.

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At Gambier

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Vice Chancellor—Paul Lybarger.
Master-at-Arms—Herman Cliff.
Master of Work—Owen Dougherty.
Master of Exchequer—Charles Singer.
Master of Finance—H. M. Jacobs.

K. of R. and S.—S. R. Martin.
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