

WHO'S WHO—AND WHY

Serious and Frivolous Facts About the Great and the Near Great

System vs. The System

THERE is a tradition in the family of "the man who convicted the Standard Oil Company" that his first spoken word—uttered almost from the precincts of the cradle—was "Organize!" Those unfamiliar with the working habits of the young man who gave the "Kerosene Octopus" such a jolt can hardly be expected to accept this legend as historic, but to receive it as authentic would impose no special strain on those who have done politics, tried cases in court or whipped Michigan trout streams with "Ed" Sims. They know that this is the keyword in his vocabulary, and that hit-or-miss action, on the spur of the moment, is as foreign to his nature as the ladylike pastime of drop-stitch embroidery would be to President Roosevelt.

When the young United States District Attorney who "landed the Standard" for the largest fine ever imposed in the history of litigation was a lad in West Bay City, Michigan, his father, an Independent preacher and the head of a prosperous private school, wanted a little more to do in his leisure moments, so he started a daily newspaper by way of recreation. All went merrily until the compositors were organized into a union labor chapel and a strike was ordered because the Reverend Mr. Sims had discharged a member for cause.

While the delegation waited on the pastor-publisher and informed him that, unless the wayward "brother" was immediately reinstated, every compositor would quit and the paper would be tied up, young Sims listened quietly from a secluded corner of the study. After his father had refused to accept their ultimatum and the delegation had departed the boy said:

"If you'll let me organize I'll get out the paper without skipping an issue."

"All right; go ahead, son," was the response.

He took to the task like a hound to the trail. The book-keeper could stick type, so could another office man, and he was himself passably familiar with the mysteries of the "chase" and the compositor's stick. But the spirit which he infused in his coadjutors was the main thing. He ran the office for three days and his "organization" won the day. The paper appeared on time and the compositors came back and took their old jobs.

Sims a Politician of the Cortelyou School

WHEN he left the University of Michigan bearing a sheepskin from the law department, Edwin W. Sims was twenty-four years old. That was thirteen years ago. He made up his mind that the big city was the place for a young lawyer who didn't mind working overtime, so he started for Chicago. He didn't know a soul in that city, and his entire financial capital consisted of thirty-seven dollars.

After finding a cheap boarding-place he sat in his hall bedroom and organized a campaign for employment. He made up a list of all the buildings mainly occupied by law firms. Starting with the most desirable ones he took the elevator to the top floor and made a systematic canvass of each office, asking for a position as a clerk. Working from top to bottom he solicited one building after another. It was not until Saturday of the second week that he found an opening. The pay was only five dollars a week, but he snapped up the offer before it could get away from him.

Young Sims hadn't been doing time as a cub clerk in the office of an admiralty lawyer very long before he discovered that he must have recreation of some sort or be consigned to the drydock for repairs. His two pet pastimes, fishing and sailing, being out of reach on his shrinkingly modest salary of five per, he took to politics. He was a Republican, and his natural passion for organization made it inevitable that he should associate himself with the "regulars," otherwise "the Machine."

He didn't make his political start by going on the stump as a heavyweight reformer who dealt in districts and wards and didn't bother about precincts—not Sims! That isn't the Sims method. He belongs to the new school of politicians of which Secretary Cortelyou is the official head—those who meekly sit in the background and make themselves so useful to their superiors that, when there is a vacancy in the high seats at the front, they are called on to come forward and inherit the earth.

Instead of "putting up a front" young Sims started in by letting the party workers of his precinct know that he stood ready to do work—any work, so long as it was decent—and do it cheerfully and unobtrusively. Apparently he played the game because he liked it and not because he had "aspirations." The humblest hustler in the precinct felt himself the political superior of the quiet, good-natured

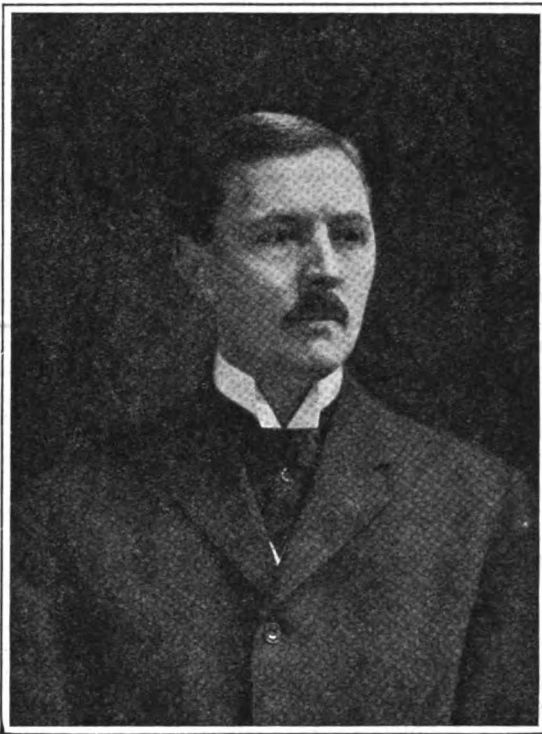


PHOTO BY FRANCE TOTO, WASHINGTON, D. C.
Edwin W. Sims, United States Attorney, Chicago, Illinois

young lawyer who was so ready to take orders and execute them with noiseless precision. There was not a Republican politician in the old Thirty-ninth who had an ambition so petty or so big that he felt called upon to be afraid that "Ed" Sims would ever stand in his way. Suddenly the party sergeants woke up to the fact that the unobtrusive young man from Michigan was the captain of his precinct and could say "thumbs up" or "thumbs down" as effectively as if he traveled on his front and put up what the politicians describe as the Big Roar.

The shrewd and genial "Doc" Jamieson was then the Republican "boss" of Hyde Park. When Sims was introduced to the keen little "Doctor"—who was also born to organization as the sparks fly upward—the Little Boss took a second look and decided that he saw a winner. He first placed a small responsibility on the young lawyer-clerk. The goods were delivered with noiseless dispatch. Then followed greater and still greater responsibilities. Delivery still prompt! "Ed" Sims extended his organization from the precinct to the ward, and very soon found himself the Ward Boss who made deals, delivered delegations and said who should receive the patronage which belonged to the ward. Of course, the big bosses higher up were besieged by "roars" from the old-timers. The only consolation they were able to get was the answer:

"A wink is as good as a nod to Ed Sims. Just let him know what the party needs in his territory and he'll be there with the goods. Don't have to tell him how to get the results. He's an organizer from the ground up, and he's on the square, too. While the rest of you fellows are soldiering and putting on a front he'll get the delegates and get out the vote."

The System's Methods Used Against It

THIS was why "Doc" Jamieson put the working machinery of the great Sans Souci rally—with which the national campaign which elected Roosevelt was opened in Chicago—into Sims' hands. "I'll be satisfied if you get an attendance of 10,000," said the big Little Boss. Night and day the future "Nemesis of the Standard Oil system" gave himself to organizing the rally. The attendance was 125,000—and all records smashed! Those on the inside say that "Doc" Jamieson's insistence that Sims be made County Attorney for Cook was what caused the split between Jamieson and Governor Deneen. The Little Boss stood by the proposition that, cost what it would, Sims, the loyal and the ever-useful lieutenant, should have the place on the ticket which he desired—and he wanted the county attorneyship. Ultimately it cost the Little Boss his control of the organization, but he stood by Sims.

All of this leads to the obvious conclusion that a passion for organization, a capacity for marshaling details into results, and a quiet, almost reticent attitude which is the antithesis of "front" makes a hard combination to beat. The Standard Oil Company has certainly found this

to be depressingly true—for these are the weapons with which the young United States District Attorney drove it to its historic defeat. Mr. Lawson and Miss Tarbell have given the public to understand that the Standard, alias The System, is considerably in the game when it comes to organization, to the grasping of details and to gum-shoe work. Perhaps even The System doesn't quite realize how definitely its defeat is due to these very elements, the temperamental qualities in the prosecutor who was called upon to represent the United States Government in the great case.

Just how young Sims scored in that celebrated prosecution cannot be fully understood without going back to his training for the case. After Sims had served two terms as County Attorney for Cook there was a chance for him to become Solicitor for the Department of Commerce and Labor at Washington. The politicians of the "organization" howled at the suggestion. "What's the use of throwing away the ward? Suicide!" they cried. But the Little Boss and other lesser bosses who had formed a personal attachment for him replied:

"It's his chance. He wants to go ahead in the line of the law; he deserves it, and we're not going to stand in his way."

He received the appointment, learned how the Government does things, and how, sometimes, it fails to do them because of red tape, of lack of practical working organization. Then, too, he learned a lot about corporations, the Federal laws affecting them and the ways in which those laws are evaded.

When he was appointed United States District Attorney for the district in which Chicago is located his first step was to find out the work which was "up to" the office and the facilities for doing it. Then he took a trip to Washington and had a session with the chief of the Department of Justice. He pointed to the Standard Oil case and others of great importance and showed that the machinery of the office was inadequate. Consequently the force in the Chicago office was increased—trebled inside of a year from the date when Mr. Sims was installed. After organizing the office he gave himself almost exclusively to the preparation of the Standard Oil case. The charge in the indictment was: first, that during the period covered by the indictment the rate on oil made, published and filed by the Chicago and Alton Railway Company from Whiting to East St. Louis and to St. Louis was 18 and 19½ cents respectively; second, that during the period covered, and while the above rates were in force, the Standard Oil Company shipped 1903 carloads of oil between the points named; third, that the Standard Oil Company had paid at the rate of 6 cents to East St. Louis and 7½ cents to St. Louis per 100 pounds, the result being that the Standard procured the shipment of its property at 12 cents per hundred pounds less than the legal rate.

Organizing the Campaign Against Standard Oil

TO MAKE out its case the Government had to prove: first, that the Alton had made, published and filed a rate of 18 cents and 19½ cents from Whiting to East St. Louis and St. Louis respectively; second, that while this rate was in force the Standard had shipped its carloads of oil from Whiting, in one State, to East St. Louis and St. Louis in another State; and, third, that it had settled with the railroad company at 6 and 7½ cents per hundred pounds.

The trial of the case was equivalent to the trial of 1903 lawsuits combined in one. The Standard's attorneys demanded that the Government must prove the actual transportation of each separate and individual car of oil from one State to another—the interstate commerce! This evidence consisted of about 7000 documents, such as shipping orders, waybills and other records. In order to secure the admission of these documents in evidence the Government had to produce the employees of the Standard and the railway who wrote the documents. Lawyers of experience thought that the introduction of this line of proof would alone consume six months. But Mr. Sims organized this branch of the business in an original way.

Previously to the trial the witnesses were called to the District Attorney's office and required to sort out those documents which they had written. When the trial was reached six or seven of these witnesses would be called and sworn at once; they would sit down in the courtroom and check over the packages of documents, there being sometimes as many as six or seven hundred in a package; as soon as this was done they would take the stand and testify to the effect that they had examined each of the documents in the package produced and that

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each was in his handwriting; the documents would then be offered and admitted in evidence and given a numerical Government number. After all this documentary evidence had been introduced and had been marked as "Government Exhibit 5728," for instance, a force of twenty-five clerks was put to work in the District Attorney's office to sort it out, so that, before the Government's case was closed, the Government's counsel had before them a tabulation which showed positively whether the documentary proof necessary to support any particular count had been admitted. For instance, this tabulation would show that as to "count 1901" the shipping order was "Government Exhibit 2405"; that the waybill of the switching road, the Chicago Terminal and Transfer Railway Company, was "Government Exhibit 4002"; that the Chicago and Alton waybill was "Government Exhibit 3004," etc.

As the result of this work done out of court, the time of the trial was not only shortened, but the counsel for the Government were able to produce at a moment's notice all of the documents relating to the movements of any of the 1903 cars of oil.

Instead of taking six months to introduce the evidence the trial was finished and the Standard convicted inside of six weeks. The transcript of the testimony covers 4000 pages—about one million words. Mr. Sims, as the representative of the Government, is not yet through with the Standard. There is quite a formidable bunch of indictments against Mr. Rockefeller's organization still to be tried, and these, Mr. Sims declares, will be threshed out when the United States Court convenes.

Just to indicate that the young prosecutor for the Government—he is now only thirty-seven years old—will not have a chance to settle back on his Standard Oil laurels, here are a few samples of the work he has cut out for "early fall delivery."

A case against the New York and St. Louis Railroad Company, the Lehigh Valley Railway Company and A. Booth & Co., known as the "Fish Trust Case," for granting and accepting rebates on shipments of fish and sea foods; a case against the Atchison, Topeka and Santa Fe

Railroad Company and United States Sugar and Land Company, of Garden City, Kansas, for granting rebates to the latter; a test case against the Monon Railroad involving the important question as to whether or not the new Hepburn Act prohibits railroad companies from issuing mileage in payment for advertising; cases against the American, Adams, United States, National and Wells Express Companies, involving the question as to whether or not the Hepburn Act prohibits express companies from issuing franks to their officers and employees and to the officers and employees of railroad companies; a case against John R. Walsh, former president of the Chicago National Bank, growing out of the closing of the bank. The indictment in this case charges John R. Walsh with misapplication of the funds of the bank.

The office has under investigation charges that there is in existence a combination and conspiracy whereby hundreds of young Italian boys are introduced into this country in violation of the immigration and contract labor laws, and held in a state of peonage; the Fort Sheridan Condemnation Case, involving the condemnation of the subdivision known as Fort Sheridan, which includes three hundred pieces of property (the tract of land which the Government is condemning was subdivided and settled, and includes schoolhouses and churches and homes of a number of people); sixty-eight cases charging violation of the twenty-eight-hour law, which prohibits a railroad company from carrying cattle for longer than twenty-eight hours without unloading them for food, water and rest, for at least five consecutive hours; fifteen cases against various railroad companies for violation of the safety appliance laws; a large number of important cases against individuals charging them with the use of the mails to defraud.

And still Mr. Sims has time to "organize" an occasional fishing expedition with his wife into the wilds of Michigan; to keep his soft, brown hair combed as sleek as the head of an Irish setter; to play with the babies—he has four of them; to meet his friends with a care-free welcome.

YOUR SAVINGS

Bank and Trust Stocks as Investments

IT FREQUENTLY happens that when an inventory is made of the estates of prosperous men in both large and small communities a considerable amount of bank stock is found among the assets. You often hear the phrase "as good as bank stock" used to denote stability. Banks represent solidity, wealth and security. Therefore bank stock has these qualities.

Bank stock has many features to commend it to the conservative investor. In a way it is like guaranteed stock, in that, on account of its stability, it commands a high premium, which makes the income smaller than that from most other kinds of stock. Yet there is a way by which bank stock may come within the range of the average investor, and certainly a knowledge of this stock should be part of the education of every investor.

To begin with, banks are almost universal. It has been said of the bank that, like the Constitution, it follows the flag. Banks are the first bulwarks of credit and they have a large moral influence in a community. When you have a bank account you rise in the estimation of people.

A bank properly conducted is a good business property—that is, it has many facilities to make money. People deposit money in a bank and receive a certain rate of interest for it. Other people or corporations borrow this money and pay the bank a higher rate of interest. Thus the bank makes money by the transaction. A bank has many other ways of increasing its profits. It buys securities like an individual; or it collects money, or it discounts notes, which is a form of lending money; and it deals in foreign exchange.

Among the most important things necessary for the successful conduct of a bank are efficiency and honesty on the part of the officials and clerks.

A bank is organized like a business corporation, except that it must have a charter to do business. A sharp watch is also kept

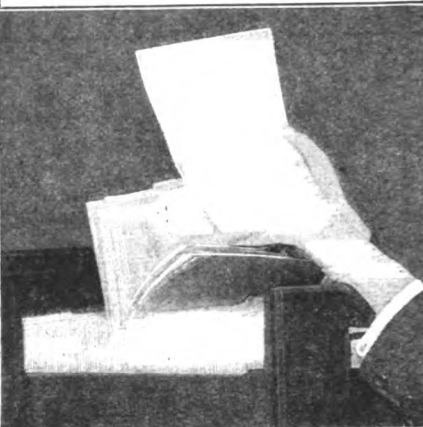
on banks and the way they are conducted. This is commonly known as the supervision of banks. In the case of national banks it is done by the United States Government, through regularly appointed National Bank Examiners. In the case of other banks, called State banks, it is done by the State. Every State has a bank examiner. Banks are required to give statements of their condition regularly. The Government may call on a national bank for a statement at any time.

Bank stock is like any other kind of stock in the fact that it has a par value and is bought and sold. It differs from industrial stock, however, in that it must be "paid up." This means that it must represent actual money. There can be no watering of bank stock.

When you come to inquire about the price of bank stocks you find that it is very high; so high in fact, that it is quite out of the range of the average investor with savings. How, then, is he going to avail himself of the opportunity to profit by this very desirable investment?

This is the way: If a bank is to be started in your community and you know that the people who are to conduct it are honest, and that the community itself is thriving and does a good business, buy some of the stock as soon as it is offered. Usually there are subscriptions for stock. Then you can get it at par. Hold on to it. Forget, for a time, that you own it. Perhaps you will not receive dividends for a few years. Yet, during all that period, if the bank is properly conducted, it will be making itself more valuable and its stock will be increasing in value. It is only a question of time when it will not only be paying dividends, but also there will be a constantly growing advance in the premium on the stock. Many men have become rich by taking advantage of the opportunity to buy bank stock when it was first offered.

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