

On entering or leaving a street car the perfume is sure to meet one. But this is nothing when compared with the atmosphere that prevails in some homes, where old men and young boys pollute the air for wife and children and unsuspecting visitors, by puffing at old, disgusting pipes or burning the innocent looking cigarette. If it is true that over five hundred millions of these little infernal machines are manufactured in this country alone, an idea may be formed of the hold the vice of smoking has upon our nation.

There are many reasons why a regular crusade should be commenced against the habit. To mention only one, it is injurious to the health. Even if the tobaccoist supplied the smoker with pure leaves, the continual inhaling of the smoke is, according to high authority, liable to cause serious functional disturbances, affecting the heart, the brain, the mucous membrane of the mouth and the bronchial surface of the lungs. In the young the habit of smoking causes "impairment of growth, premature manhood and physical degeneration," says one physician, after having studied the subject thoroughly. But the fact is that the smoker very seldom gets an unadulterated article. In the larger cities little ragged urchins may be seen scouring the streets and gutters for stumps of cigars and cigarettes. These they carefully gather, be they ever so mud-covered and filthy, and sell them to the manufacturers who work them over and serve them to their millions of customers. The high-toned dude who inhales the smoke of his cigarette little dreams what stuff he is holding between his delicate lips. But worse still. Tobaccoists admit that drugs are used in cigarettes to an appalling extent. A deadly poison is extracted from the toska bean and sold as Havana flavoring, and the wrappers are often made from the filthy paper pieces picked up in the streets, arsenic being used to bleach it. A smoker, who would reflect on this, ought to feel it his duty, if he has any manhood left, to break away from the habit and keep his body clean and pure as it was intended to be when modelled by the great Creator.

FLAWS IN THE ANTI-TRUST LAW.

The recent report of U. S. Attorney-General Olney — he, like other department chiefs, being required to make an annual communication just prior to the regular session of Congress — deals largely with the anti-trust law of 1890, and is interesting because under the most persistent kind of pressure that he should proceed to enforce the provisions of that enactment, Mr. Olney has heretofore preserved the most stolid and imperturbable kind of indifference. Party organs even on his own side have leveled great editorial broadsides at him because he did not at once begin a war on monopolies; and opposition papers have come to his rescue with the sarcastic remark that a lawyer of his training, instincts and inclinations could not be expected to attack officially the very class of clients from which he had professionally drawn his practice, his emoluments and his legal eminence.

In the face of these well-meant

thrusts of friends and ironical stabs of foes, the Attorney-General has pursued in silence the even tenor of his way, apparently neither heeding the one, nor smarting from the other. But in the report which he has lately promulgated, he turns on a search light which seems to put both breeds of critics to flight. Figuratively speaking, he drives a coach-and-four right through the middle of the noted statute, and then prances mercilessly over its disconnected extremities.

But way of introduction Judge Olney mildly says there is an erroneous popular impression as to the scope of the law, and this he aims to correct. He starts the wedge in by saying that the subject matter upon which the statute operates, and alone can operate, is, "any part of the trade or commerce among the several states or with foreign nations." This, of course, exempts all those transactions that are carried on wholly within the jurisdiction of a state. Also exempted from the purview of the statute are railroad companies engaged in inter-state commerce, because they are subject to special and exclusive legislation. In the next place, the subject matter of the statute as thus limited is to be protected from (1) monopolies, (2) attempts to monopolize, (3) combinations or conspiracies to monopolize and (4) contracts, combinations or conspiracies, in form of trusts or otherwise, in restraint of trade or commerce. But, the Attorney General says, all ownership of property is of itself a monopoly, and every business contract or transaction may be viewed as a combination which more or less restrains some part or kind of trade or commerce. He therefore logically concludes that any literal application of the provisions of the statute is out of the question.

But he does not rely alone upon his own interpretation of the law. To do so would be contrary to legal practice and precedent, if not impertinent in one who is presumed to accept and defend the constitutionality of a law until the contrary is established. Fortunately there has been a judicial ruling upon the statute in question. No less dignitary than Associate Justice Jackson of the U. S. Supreme court, decided, while acting as circuit judge, as follows: 1. That Congress cannot limit the right of state corporations or of citizens in the acquisition, accumulation and control of property. 2. That Congress cannot prescribe the prices at which such property shall be sold by the owner, whether a corporation or individual. 3. That Congress cannot make criminal the intents and purposes of persons in the acquisition and control of property which the states of their residence or creation sanction. 4. That monopoly, as prohibited by the statute, means an exclusive right in one party, coupled with a legal restriction or restraint upon some other party, which prevents the latter from exercising or enjoying the same right. 5. And that contracts in restraint of trade and commerce as prohibited are contracts in general restraint thereof, and such as would be void at common law independently of any statute.

Personally disposed as he may be to accept this as final, the Attorney-General nevertheless is anxious that the

whole question may be reviewed and passed upon by the court of last resort, and a test case has accordingly been set in motion and will be pushed to a conclusion. It may not be proper to anticipate that there will be no special zeal in arguing against his publicly expressed convictions by the chief legal official of the government, but it is surely appropriate to say that in view of the showing already made, the clamor of the anti-trust press for the enforcement of the law may profitably be suppressed for a season, and that in moving early for important amendments in the statute, its legislative friends will be on perfectly safe ground.

OUR OLD friend La Grippe is reported as galloping gaily over Europe on his annual pilgrimage, and the continent from Vienna to the lower Rhine is engaged in a deep-drawn and unanimous sneeze. The freest trader in America will not disdain to demand protection against this foreign product, and yet so irrepresible is it that a tariff to the extent of exclusion doesn't keep it out. Influenza comes high, but we must have it.

A BRIEF and unassailable disquisition on metallic values, from the pen of Edison, the inventor, reads: "Gold is only valuable because it is rare. It is not nearly so useful as iron, which is the real precious metal. Aluminum is too soft. It is light, but it lacks strength. The metal of the future is nickel steel, which combines strength with pliability. Gold is not worth as much as lead in commerce, and brass is more than worth its weight in gold."

UTAH'S FAIR face is turned toward the morning. There is some scarcity of work and some stringency of money; but it takes more than a hostile silver policy and the fear of tariff reform to depress the ambitions and strangle the resources of this undaunted Territory.

A NEW YORK paper announces that W. K. Vanderbilt plays poker. It is almost needless to add, however, that that isn't the way he or his fathers before him made their money. One of the surest ways to become like unto the Vanderbilts is *not* to play poker.

THE HARMLESS crank who applied at Washington a few days ago to be sworn in as a second class senator had, not only modestly but sense enough to know that in that particular grade he would have found plenty of company.

IN THE line of near-approaching diversions, we note Christmas, New Year's, and the meeting of the Utah Legislature. The latter is expected to spend a good deal of its time fighting for harmony.

A BANKERS' Journal says the greatest coinage in recent years for any one month was executed by the United States mints during November. And yet there does not seem to be a glut of cash.

AN EASTERN theater improvement is the doing away with the abomination of passing up floral tributes over the footlights. Now for the extinction of the high hat.