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LIST OF REFERENCES ON

FEDERAL CONTROL

OF

COMMERCE AND CORPORATIONS

COMPILED UNDER THE DIRECTION OF THE CHIEF BIBLIOGRAPHER

FIRST EDITION, ETC. APPLETON PRENTISS CLARK GRIFFIN

THIRD EDITION, WITH ADDITIONS HERMANN H. B. MEYER

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WASHINGTON GOVERNMENT PRINTING OFFICE 1913

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PREFATORY NOTE

In 1903 the Library of Congress published an eight page "Select list of references on Federal control of commerce and corporations." This was expanded to twenty-two pages the next year, and in 1907 it was found necessary to publish a supplement, under the title "List of more recent references on Federal control." Considerable material on the Interstate commerce law was also included in the second edition of the "List of books on railroads in their relation to the government and the public," issued the same year.

and the public," issued the same year. This new edition is made up of references selected from the earlier lists and from the material published during the past five years. So great is the mass of literature on the subject that even after a selection was made it was considered best to issue the list in two sections, the one here offered containing the references of a general character on Interstate commerce, the Constitutional question, the Interstate commerce commission, the Sherman anti-trust act, etc. (see Table ot contents). The other section, now in active preparation, will consist of references to material dealing with special applications of the principle of Federal control, including, for example, such questions as the control of express companies, telegraph and telephone business, Federal incorporation and taxation and special applications of the Sherman ' anti-trust act.

H. H. B. MEYER Chief Bibliographer

HERBERT PUTNAM Librarian of Congress Washington, D. C., March 20, 1913

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[New York? 1908.] 11 p. 23¹/₂ cm.

Caption title.

Advocates enlarged federal control of commerce among the states. the reorganization of the Interstate commerce commission as a purely administrative body, and the abandonment by Congress of the attempt to delegate its rate-fixing functions. 8-19424

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 - "The public nature of the services rendered by railways has long been recognised, and supplies the basis for arguments in favour of railway nationalisation. Mr. Haines, however, is no betiever in the alleged benefits of state ownership. On the contrary, he holds that all, and more than all, the benefits derivable from state ownership can be obtained under a system depending on private enterprise combined with efficient state control."—Econ. jour., Sept. 1908, v. I8: 437.
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373	The regulation of interstate railways.
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374	Some recent phases of federal railway control. An address delivered before the Sixteenth annual conven- tion of the Commercial law league of America, at Narra- gansett Pier, Rhode Island, July 20, 1910.
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388

— Our national policy: to encourage railways. Representative leaders in business, transportation and public life have concentrated their influence for a constructive attitude by the government on parallel lines.

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390 Randolph, Carman Fitz. An examination of federal powers in respect of railways.

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- 393 Ripley, Edward Payson. The railroads and the people . . .
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- 394 The railroads and the people, by E. P. Ripley ... appearing in "The Atlantic monthly" of January, 1911. Shall railway rates be raised? By Walker D. Hines ... appearing in "The Outlook" of December 10, 1910.

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395 **Ripley**, William Zebina. Changes in railroad conditions since 1887. The increased value of railroads as investments; wide-spread consolidations, direct and indirect, which obliterate competition; and the increase of rates as a tax on the business of the country—the necessity of regulation.

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396 — President Roosevelt's railway policy. I. The problem. II. The remedies.

[Boston], 1905. 23 p. 24^{cm}.

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- Reprinted from the Atlantic monthly for September and October, 1905, v. 96: 377-385; 486-498. **AP2.A8**,v.96 Urges federal control.
- "A recent compilation shows that, of 316 freight rate cases decided by the Interstate commerce commission, fifty-four per cent practically one half—turned in favor of the complainant. . . . Were the orders of the Commission to become effective at once, the losses incident to errors afterward corrected by the courts would be distributed in about equal proportions. At present all the penalty of a mistake falls upon the shipper and the public; the railway always goes scot free. (An impartial Commission should be clothed with power to distribute these onerous burdens by prescribing the temporary rate.)"
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397 Ripley, William Zebina, ed. Railway problems.

Boston, New York [etc.], Ginn & company [°1907]. xxxii, 686 p. incl. tables. maps, chart. 21¹/₂^{cm}. (Selections and documents in economics, ed. by William Z. Ripley.)

CONTENTS .- Introduction, by William Z. Ripley: p. IX-XXXII; A chapter of Erie, by Charles Francis Adams: p. 1-61; Standard oil rebates, by Ida M. Tarbell: p. 62-77; The building and cost of the Union Pacific, by Henry Kirke White: p. 78-97; The Southern railway and steamship association, by Henry Hudson: p. 98-122; The theory of railway rates, by Frank W. Taussig: p. 123-144. Unreasonable rates: The Cincinnati freight bureau case: p. 145-178; The maximum freight rate decision: p. 179-189. Relative rates: The Hutchinson, Kansas, salt case: p. 190-202; The Eau Claire, Wis., lumber case: p. 203-223. Unreasonable rates: The Savannah naval stores case: p. 224-237; Relative rates: The Chattanooga case: p. 238-268. The long and short haul clause: The St. Cloud, Minn., case: p. 269-285; The Savannah fertilizer case: p. 286-308. The Trunk line rate system, by William Z. Ripley: p. 309-332. The Southern basing point system: The Troy, Ala., case: p. 333-353; The Alabama midland decision: p. 354-362; The Dawson, Ga., case: p. 363-377; The Southern rate system: The Danville, Va., case: p. 378-404; Transcontinental freight rates: The St. Louis business men's league case: p. 405-440; Export and domestic rates: p. 441-475. Freight classification: The Hatter's furs case: p. 476-483; Economic waste in transportation, by William Z. Ripley: p. 484-516; The Northern securities company, by Balthasar H. Meyer: p. 517-530; The Interstate commerce law as amended in 1906, by Frank H. Dixon: p. 531-556; Reasonable rates, by Alton D. Adams: p. 557-578; The doctrine of judicial review, by H. S. Smalley: p. 579-601; The English railway and canal commission of 1888, by S. J. McLean: p. 602-651; Railway regulation in France, by W. H. Buckler: p. 652-659; Railway ownership in Germany, by Balthasar H. Meyer: p. 660-682. 7-6187 HE1031.R58

398 Spencer, Samuel. The railways: their relations to the government. Address before the Traffic club of Pittsburg April 7, 1905.

[New York? 1905.] 1 p. l., 14 p. 23¹/₂^{cm}. 6-14101

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 399 Sterne, Simon. The railway problem. New York, Thompson & Moreau, printers, 1880. covertitle, 34 p. 21¹/₂^{cm}. 5-41324[†] Reprinted from the National quarterly review for April, 1880, v. 41. AP2.N35,v.41 400 Sterne, Simon. Railways in the United States; their history, their relation to the state, and an analysis of the legislation in regard to their control, with supplementary notes continuing the record to 1911.

> New York and London, G. P. Putnam's sons, 1912. xiii, 209 p. 201 cm.

The present volume is made up of three papers on the subject of railroad management and of the relations of railways to the community; an important division is made up of an article on "Railways" contributed by Mr. Sterne to the Cyclopædia of political science.

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St. Paul, Minn., D. D. Merrill company, 1891. vii, 249 p. map, diagrs. (partly fold.) 20 cm. 5-35547 HE1051.S92

Taft, William Howard. Political issues and outlooks; speeches 402 delivered between August, 1908, and February, 1909.

> New York, Doubleday, Page & company, 1909. vi, 209 p. front. (port.) $20\frac{1}{2}$ cm.

"The railroads and the courts . . . Chicago, Sept. 23, 1908": p. 110-129. 9-28960

E756.T12

403 Taylor, Carr White. The railroad a public servant; being a treatise upon the right of the state and nation to control railroad corporations, and discussing the question of car service, the proper basis for fixing rates, stock, and bond issues and watered stock, and suggesting remedies for existing evils.

> Hutchinson, Kan., The Times company, 1908. 112 p., 1 l. incl. port. 20 cm. 8-21554 HE1051.T3

- 404 Tuttle, Lucius. Federal regulation of railroads engaged in interstate commerce. Address delivered before the Brotherhood of locomotive engineers, of Boston, Mass.
 - [Washington, Gov't print. off., 1905.] 9 p. 23cm. ([U. S.] 58th Cong., 3d sess. Senate. Doc. 111.) 4765 6 - 16842HE2705.T93
- 405____ Remarks on the relation of the national government to the railways, before the commercial clubs of Cincinnati, Boston, Chicago and St. Louis, at Cincinnati, Friday evening, May 26, 1905.

[n. p., 1905.] 1 p. l., 9 p. $23\frac{1}{2}$ cm. 11-7632

HE2757.1905.T8

⁴⁰¹ Stickney, Alpheus Beede. The railway problem.

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406 U.S. Congress. House. Committee on interstate and foreign commerce. Hearings [March 4—April 10, 1908] on the bills relating to railroad rates, car supply and train service. Washington, Gov't print. off., 1908. 2 v. 23^{cm}.
 8-21845 HE2705.1908.A13

HE2705.1908.A16

407 — <u>Hearings before the Committee [March 5, 11, 1908] on the bills relating to routing shipments and railroad freight rates.</u>

408 — _ _ Railroad bill. Report. <To accompany H. R. 17536.>

> [Washington, Govt. print. off., 1910.] 164 p. 23^{cm}. (61st Cong., 2d sess. House. Rept. 923.) 5592

- Submitted by Mr. Mann, committed to the Committee of the whole House, and ordered printed, April 1, 1910.
- "Substitute amendment recommended by the Committee to H. R. 17536": p. 13-57; "Print of H. R. 17536, to show changes in the text of the original bill by the substitute amendment": p. 58-107; "Print of substitute bill, showing comparison with existing act to regulate commerce": p. 108-155; "Views of the minority": p. 157-161; "Views of Mr. Russell and Mr. Sims": p. 163-164.
 10-35406 HE2710.A2 1910

409

— — Committee on railways and canals. Commerce by railroad among the several states. Report. Jan. 19, 1874.

[Washington, Govt. print. off., 1874.] 13 p. 8°. (43d Cong. 1st sess. House. Rept. 28.) 1623

Reported by G. W. McCrary.

- Reports a bill which "asserts the right and duty of Congress to regulate inter-state commerce, as carried on by railroads, and prescribes as one of the regulations thereof that the charges of persons engaged in such commerce for carrying freight and passengers shall, in all cases, be fair and reasonable." The question involved is then discussed constitutionally and as to expediency. Concludes that "any attempt to regulate this commerce, which stops short of a prohibition of extortionate rates, must become altogether ineffectual as a remedy for existing evils."
- 410 —— Senate. Committee on interstate commerce. Prompt furnishing of transportation facilities. Hearing [Feb. 14, 21, 28, Mar. 13, Apr. 17, 1908] on the bill (S. 3644) to require railroad companies engaged in interstate commerce to promptly furnish cars and other transportation facilities, and to empower the Interstate commerce commission

Washington, Gov't print. off., 1908. 83 p. 23^{cm}. 8-21843 HE2705.1908.A12

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to make rules and regulations with respect thereto, and to further regulate commerce among the several states.

Washington, Gov't print. off., 1908. 3 v. fold. tab. 23^{cm}. Hearings of Feb. 14 printed as Senate doc. 311. 60th Cong., 1st 5241sess. HE2333.A3 1908 8-35176

U.S. Industrial commission. Amendment of the interstate 412 commerce law. Extracts from the Report of the Industrial commission on transportation submitted to the Fiftyseventh Congress. Pub. by the Executive committee of the Interstate commerce law convention.

> [n. p., 1904?] cover-title, 78 p. $23\frac{1}{2}$ cm. 6 - 24052

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- 413- — Report on transportation . . . including testimony . . . review and topical digest of evidence, and special reports on railway legislation, [by B. H. Mever], and taxation, [by Roswell C. McCrea].
 - Washington, Govt. print. off., 1900-01. 2 v. map, facsims., tab., diagrs. 231^{cm}. (The Commission's Reports, vol. IV, IX.)

Consult the index of each section under the headings Government regulation, Legislation, etc.

"Railway regulation under foreign and domestic laws. Prepared ... by B. H. Meyer": v. 9, p. 897-1004.

4 - 18094/6

HC101.A3,v.4,9

- 414 Final report. Prepared in accordance with an act of Congress approved June 18, 1898.
 - Washington, Govt. print. off., 1902. xi, 1259 p. maps, diagrs. 23¹/₂ cm. (The Commission's Reports, vol. x1x.)
 - "Transportation": p. 259-484; "Position and powers of the Interstate commerce commission": p. 419-444; "Recommendations of the [Industrial] commission": p. 481-484. 4-18105/2

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416 Supreme court. Railroad rate law. Decision of the Supreme court in the cases of the United States ex. rel. the attorney-general of the United States, plaintiff in error, against the Delaware and Hudson company, and others, under the "commodities clause" of the interstatecommerce act ...

[Washington, Govt. print. off., 1909.] 18 p. 23^{cm}. (61stCong., 1st sess. Senate. Doc. 37.) 5571

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> London, New York, [etc.], Henry Frowde, [pref. 1910]. viii, 376 p. 18¹/₂^{cm}.

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 Watkins, Edgar. Shippers and earriers of interstate freight. Chicago, T. H. Flood and company, 1909. 578 p. 24^{cm}. 10-1233

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420 1886. Hadley, Arthur T. The difficulties of railroad regulation.

Popular science monthly, May, 1886, v. 29: 1-11.

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421 1886. Welch, John C. Transportation and the federal government.

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- 422 1887. Crafts, W. A. Is the railroad problem solved? Atlantic monthly, July, 1887, v. 60: 76-84. AP2.A8,v.60
- 423 1887. Welch, John C. The inter-state railway solvent. North American review, July, 1887, v. 145: 86-93.

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- 424 1888. Blanchard, G. R. Shall railway pooling be permitted? *Forum, Aug. 1888, v. 5: 652-665.* AP2.F8,v.5
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 Popular science monthly, June, 1892, v. 41: 212-225

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427 1893. Fisher, James S. Railroads and the government. American journal of politics, July, 1893, v. 3: 82-92.

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rules, the state statutory regulations, the Interstate commerce act, the decisions of the Interstate commerce commission, and the decisions of the state and federal courts. The present general demand for such a work is due to the Interstate act amendments of 1906, the age of all works on the subject, except those of Snyder and Judson, and the fact that they fail to deal with the common law and state statutes, which are at the very foundation of this subject."-Harvard law review, Feb., 1907, v. 20: 340.

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INDUSTRIAL CORPORATIONS TRUSTS

GENERAL. SHERMAN ANTI-TRUST ACT

BOOKS

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CONTENTS.-pt. I. The effect of industrial combinations on labor conditions: Harmful effects of industrial combinations on labor conditions, by J. Williams. The United States steel corporation and labor, by J. A. Fitch. Beneficial effects of industrial combinations on labor conditions, by R. S. Woodward, jr. Big business and labor, by J. T. McCleary. The United States steel corporation and labor conditions, by R. C. Bolling. Discussion .-pt. n. Competition as a safeguard to national welfare: The possibility of competition in commerce and industry, by J. B. Clark. Unfair competition by monopolistic corporations, by B. Wyman. Competition as a safeguard to national welfare, by T. Williams. The fallacy of "big business," by E. S. Meade. Competition: the safeguard and promoter of general welfare, by G. F. Canfield. Publicity of accounts of industrial corporations, by M. M. Dawson, Unregulated competition is destructive of national welfare, by A. R. Foote .- pt. m. The relation of industrial combinations to national welfare: The benefits of industrial combinations, by J. Kirby, jr. Industrial combines and national progress, by J. K. Gwynn. Contribution of industrial combinations to national welfare, by M. W. Alexander. Publicity in affairs of industrial com-

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CONTENTS .- A statement of the trust problem, by Henry C. Adams; How to judge the right of the trusts to live, by J. Dana Adams; Address of welcome, by Edward C. Akin; Benefits and hardships of combinations, by G. W. Atkinson; Trusts an early incident, but no longer the product of present prosperity, by Henry D. Baker; Trust evils and suggested remedies: A problem for a generation to settle, by Edward W. Bemis: The tariff not mother of trusts, but mother of American wealth and power, by Henry W. Blair; Trusts a natural industrial feature and should not suffer legislative restraint, by Charles J. Bonaparte; Are the new combinations socially dangerous? by John Graham Brooks; The man before the dollar: Society not enthralled to an institution solely because the institution exists: The remedy of Congressional license, by William Jennings Bryan; Reply to Mr. Foulke, by Wm. Jennings Bryan; The trust as a conspiracy against civilization, by I. D. Chamberlain; The necessity of restraining monopolies while retaining trusts, by John Bates Clark; Effect produced by combinations, whether of capital or labor, upon the general prosperity of the community, by W. Bourile Cockran; Reply to Mr. Bryan and answers to various questions, by W. Bourke Cockran; Committee on organization and program; Committee on resolutions; Neglect of the old principle of "public benefit" in recent corporation laws; by John B. Conner; Trusts: their abuses and remedies, by Stephen P. Corliss: Restraint of the corporation, by E. C. Crow; The Arkansas anti-trust law, by Jefferson Davis; Overcapitalization and concealment, by James B. Dill; Trusts and their effects upon commercial travelers, by P. E. Dowe; The advantages of rightful combination, by James W. Ellsworth; The economic history of a longestablished factor in American transportation, by Stuyvesant Fish; A plea for moderate action, by William Fortune; Desirability of

trusts, by Charles Foster; Why trusts cannot be entirely overthrown, by William Dudley Foulke; In criticism of certain views of William J. Brvan, by William Dudley Foulke; Maryland and the trusts, by George R. Gaither, jr.; An iron and steel worker's view of combination, by M. M. Garland; The control of trusts, by Samuel Gompers; Railroad responsibility for objectionable combinations: The farmers and the Chicago grain market, by S. H. Greeley; The trust as a phenomenon to be handled fearlessly and utilized for the public weal. by Laurence Gronlund; The public and the trusts, by George Gunton; Federal control by explicit and comprehensive statute, by F. E. Haley; Foreign markets and American shipping: Extension of competition for agricultural relief, by J. C. Hanley; Causes, dangers, and benefits of combinations, by Azel F. Hatch; The social enemy, by John W. Hayes; Introductory address, by Franklin H. Ilead; Tariff the mother of trusts, by Byron W. Holt; Formulation, by permanent chairman of the conference, of certain suggested methods for the solution of the trust problem, by William Wirt Howe; Fire insurance cooperative, but not a trust: Its relation to the community, by E. C. Irwin: Elements of the trust problem, by Jeremiah W. Jenks; Federal and state regulation of trusts, by Aaron Jones; The trust as a labor-saving machine in the development of a large programme, by Samuel M. Jones: New Jersey and trusts, by Edward Quinton Keesbey; Analysis of industrial statistics collected by the Civic federation of Chicago, by David Kinley; Equality of rights in transportation agencies, by Martin A. Knapp; Property rights and human rights, by M. L. Lockwood; The farmer: The man who can declare his "Live and let live" policy at the ballot box, by Cyrus G. Luce; Combinations in the main beneficial, by Emerson McMillin: Recognition of the inevitable and adjustment thereto, by S. A. Martin; The trust from a socialist point of view, by Thomas J. Morgan; No monopoly where trade and commerce free, by J. Sterling Morton; Railroad coöperation more economic than unrestricted competition, by Paul Morton; Practical remedies for industrial trusts, by G. W. Northrup, jr.; The limitation of competition and combination as illustrated in the regulations of railroads, by Joseph Nimmo, jr.: Federal taxation as a means of regulation, by Francis G. Newlands; Where competition is present discrimination cannot be absent: An argument for the restoration of the pooling privilege with federal supervision, by H. T. Newcomb; The menace of monopoly, by Henry W. Peabody; The effect of trusts on our national life and citizenship, by Hazen S. Pingree; A letter to Professor George Gunton, by Hazen S. Pingree: Where single taxers stand: The lesson of the giant with his feet on the ground, by Louis F. Post; Consolidation a natural growth with many obviously good results, by W. P. Potter; The wrong of special privilege, by Lawson Purdy; Monopolies under patents and the industrial effects thereof, by James H. Raymond; How consolidation has worked out in the case of one of the great common carriers, by Edward P. Ripley; The antidote of free trade and the international trust, by Samuel Adams Robinson; Historical development of the corporation, with exclusion of the principle of public benefit, by A. E. Rogers; Legislative discipline to make trusts harmless, by Edward Rosewater; Combina tions the inevitable incidents of industrial evolution, by David

Ross; The greatest problem since slavery, by U. M. Rose; Trusts and free trade, by John F. Scanlan; Competition the best regulator, by Charles A. Schieren; Strength of the trusts in props of special privilege, by George A. Schilling; Corporate ownership of railroads the backbone of the trust; protective tariff its right arm, by J. G. Schonfarber; Excessive financial energy, by Horatio W. Sevmour: Explanation of the new trades combination movement in England, by E. J. Smith; The right of a state to regulate all corporations doing business within it, by T. S. Smith; The free list and a graduated corporation tax as trust remedies, by John W. Spencer: A farmer on trusts: Regulation from the protectionist's standpoint, by John M. Stahl; A criticism of the Smithsonian system of trades combinations: Reform without an economic feature, by A. W. Still; The economic advantages of combination, by Clem Studebaker; The relation of an unstable currency to the formation of trusts, by H. H. Swain; The main problem-How shall we distinguish among corporations? by Robert S. Taylor; The bogey monster: A thing to be regulated and encouraged, by F. B. Thurber; The attitude of anarchism toward industrial combinations, by Benjamin R. Tucker; The legal status of combinations of labor, by William II. Tuttle; Protection and trusts, by Thomas Updegraff; Trusts from a business man's standpoint, by T. B. Walker; Efficacy of economic checks in regulating competitive trusts, by James R. Weaver; The combination in history, ethics, and political economy: Should it be prevented by law? by A. Leo Weil: A period of doubt and darkness in a new industrial era, by Henry White; The trust as a logical development impossible to extinguish and difficult to regulate, by C. D. Willard; Principles and sources of the trust evil as Texas sees them, by Dudley G. Wooten; The trust: An institution pronounced by the United States Supreme court, in 1895, beyond Congressional control, by John 1. Yellott.

Feb. 1, 1900–17

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- Trusts pro and con; being a detailed report of the Chicago trust conference held in Chicago, September 13– 16, 1899, under the auspices of the Civic federation.
 W. Bourke Cockran vs. William Jennings Bryan.
- Chicago, G. M. Hill co., [1899]. 182 p. illus. $19\frac{1}{2}$ cm. (The Marguerite series, no. 156.)

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- 907 Clark, Hugo, and Bartlett Brooks. The trusts and the Constitution; a monograph; the evils of allowing one corporation to hold stock in another and the unconstitutionality of state statutes which permit it . . . the Northern securities company in a new light, and the absolute power in the national government . . . to control or abolish trusts and monopolies.
 - [Bangor, Me., The T. W. Burr printing co., 1904.] 34 p. 23^{cm}.

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- 909 The problem of monopoly; a study of a grave danger and of the natural mode of averting it.
 - New York, The Columbia university press, The Macmillan company agents; London, Macmillan & co., ltd., 1904. vi p., 1 l., 128 p. 20¹/₂^{cm}. (Columbia university lectures.)
 - "This little work gives permanent form to a course of lectures recently delivered in Cooper union, New York."—Pref.
 - Favors control of monopolies by abolition of railroad discrimination, regulation of trust prices and tariff reduction.

910 Clews, Henry. The Wall street point of view.

New York, Boston, [etc.], Silver, Burdett & co., [1900]. xiv p., 1 l., 290 p. front. (port.) 12°.

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- 911 Collier, William Miller. The trusts. What can we do with them? What can they do for us?
 - New York, The Baker and Taylor company, [1900]. vi p., 1 l., 388 p. 19¹/₂^{cm}.
 - Considers combinations of capital as a necessity of modern condiditions, at the same time regards them as having elements of danger. One chapter is devoted to a discussion of "trusts and special privileges," wherein an attempt is made to show that trusts are the result of special privileges. The evils of overcapitalization, the relations of the tariff and expansion to trusts, the scope and extent of legislative powers over trusts, and the constitutional limitations and restrictions are also reviewed.

Aug. 23, 1900–26/2

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- New York, London, G. P. Putnam's sons, 1893. vi, 262 p. 20^{cm}.
 - CONTENTS.—Introductory.—Various controversies to which corporations have given rise—Remedies for the tailroad problem.—Conporations as the owners of natural monopolies.—Trusts.—Corporations and the republic.—Index.
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> [Baltimore, Press of Kohn & Pollock, inc., c1909.] 28 p. 23 cm

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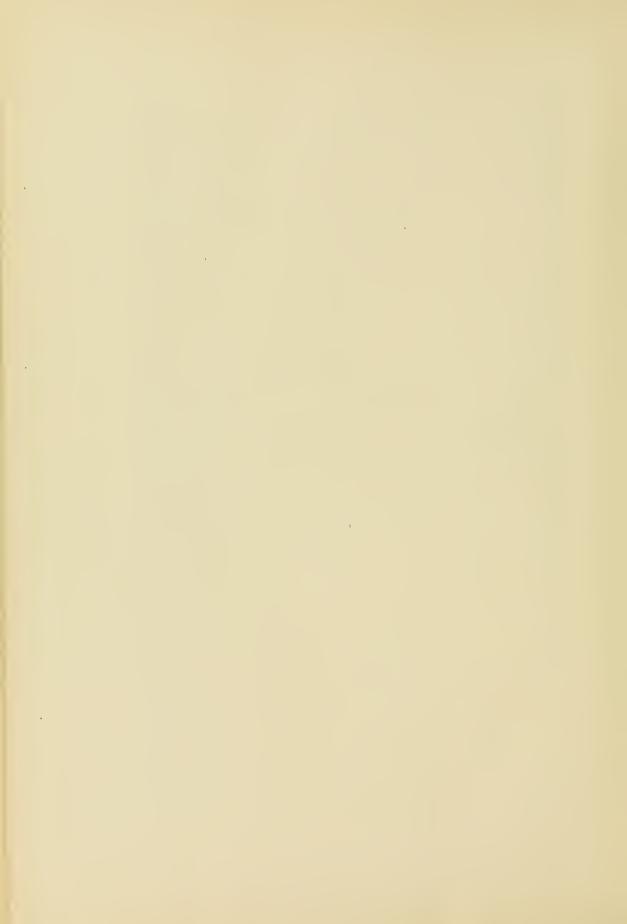
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