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EDITORIAL

WHY "MISDEMEANOR" AND NOT "FELONY"?

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THE much talked-about Wilson "anti-trust" bills may be cracked-up as much as their sponsors like, and yet the cracking-up of them leaves unanswered a question of prime importance. Indeed, the cracking-up suggests the question.

The theory upon which the seven anti-trust Wilson bills are constructed is that the trust is a bad, a wicked thing. And that the trust really consists in certain acts—the watering of stock, agreements on prices, and the like. These acts are branded as hindrances to the public welfare, and as conspiracies against freedom. Granted all this, then, why treat the wicked acts so leniently? Why enter them under the mild category of "misdemeanors," and not enter them under the category of serious misconduct known and treated as "felony"?

If to water stock is "taxation" by private bodies, and such an act is treason to the Constitution, why deal so gently with the traitor and usurper as to condemn his conduct only as a "misdemeanor"; why not give it the proper name, and hold over the culprit's head the penalty due to "felony"?

If agreements on prices, "nip competition in the bud" and thereby "enthral the many to the conspiracy of a few"—if that is so, does not leniency rather encourage than discourage the wrong? Would not burglary be encouraged if it were treated as a "misdemeanor," either punishable with the short term of imprisonment meted out to misdemeanors, or merely mulctable with the slight fine of $1,000?

There is something wholly incongruous between the offence, as the Wilson anti-trust bills define the offence, and the misdemeanor punishment which the bills provide.

Either the offences enumerated in the seven bills deserve no severer punishment than the punishment that is inflicted upon misdemeanors, and then the hul-

labaloo against the trust is out of place, the head and front of its offending being rather trivial;

Or, the offences are serious enough to be hullabalooed about, and then they deserve the brand of felony.

Why all this noise against a "heinous practice," and then petering down with a mild punishment for the alleged heinousness?

Either the offences enumerated in the Wilson bills do not fit the punishment; or the punishment does not fit the crime. To the climax of the offences mentioned in the Wilson Bills there can be no more ludicrous anti-climax than the designation of "misdemeanor."

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