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Miss Ida M. Tarbell,
120 East Nineteenth St.,
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My dear Miss Tarbell:

I am following with sustained and increasing interest the installments in McClure's on the Life of Judge Gary. I expect in a day or two to have the September issue.

I was much impressed with your handling of the technical and important law features of the so-called trust issue, and I believe that there is little if anything substantial that I could contribute on this subject that would aid or modify your work so far as developed and promised.

It happens, however, that I have carried this old trust issue and burden on my heart for the last quarter of a century, and have done a prodigious amount of labor in at least a sincere attempt to early draw the dividing line between legal and illegal trusts, the last effort as to which I put forth in filing the "voluntary" or "Amicus Curiae" brief in the Steel Corporation case, viz.: U. S. vs. U. S. Steel Corporation.

In 1903 the Northern Securities case was decided by the U. S. Circuit Court of Appeals of the Seventh Circuit. In 1904 on appeal to the U. S. Supreme Court the latter rendered its judgment and decision.

Strange to say, no petition for rehearing was filed in the case by Mr. John G. Johnson and his able colleagues - possibly induced by the fact that as generally understood the U. S. Supreme Court would never grant a rehearing, no matter how clearly it might have erred and no matter how thoroughly it was divided in its first judgment.

To me the error in the U. S. Supreme Court's decision was so patent and so well invited attack that I started to work on an exhaustive analysis and criticism, trying to shock the Justices of the court into a realization of the error as I saw it, viz.: their ruling that in a legally created corporation, invited by law to grow without limit, etc., mere size itself was ominous, and even criminal.

This was the longest and most strenuous brief and argument work I ever undertook, and resulted in 128 printed pages, with no citations or quotations - all "coined" argument.

From time to time after this and for the next fifteen years new "trust" decisions were rendered from time to time, but in not one of the cases, so far as I could discover, did any of the very able and prominent counsel defending the case ever try to win their case by attacking the Northern Securities decision and attempting to get the mischievous holding eliminated; but

