

FINE OF \$29,240,000 FOR STANDARD OIL TRUST

Judge Landis Imposes Maximum of \$20,000 in Each Case.

MONEY GOES TO U. S. TREASURY

Standard Oil Will Appeal—Special Grand Jury Ordered Empaneled to Consider Case of Alton Railroad, Other Party to Rebating.

Chicago, Ill.—Far the greatest fine in the history of criminal jurisprudence was imposed upon the Standard Oil Company of Indiana when Judge Keneas W. Landis assessed the limit sum of \$29,240,000 upon the corporation convicted of receiving rebates from the Chicago and Alton Railway. In a decision which goes exhaustively into the case and bristles with terse answers to the arguments brought up by the attorneys for the branch of the trust founded by John D. Rockefeller, the Court clearly sets forth his reasons for the fine and, according to lawyers well posted, has given the most lucid interpretation of the Interstate Commerce act during the twenty years of its existence.

This punishment was the maximum possible under the statutes, the corporation having been found guilty by a Federal Grand Jury last August upon 1462 counts, the fine upon each of which might range from \$1000 to \$20,000.

After denouncing the methods of the Oil Trust and commenting upon the "studied insolence" of its attorney to the court of which he happened to be the representative, the Court declared "the men who deliberate violate this law would society more deeply than does he who counterfeits the coin or steals letters from the mail."

Then, with a warning that "the law must not be ignored in the jurisdiction of this court," Judge Landis ordered that a special Grand Jury be convened on August 14 to consider the evidence brought out in the Standard Oil trial incriminating the Chicago and Alton Railway as the giver of the rebates which the Oil Trust accepted.

This second probe is pregnant with importance to the corporations of the country. By instituting this move Judge Landis has shown that he intends to do all he can toward bringing about justice in all ways possible, and it is entirely possible that if this second investigation and action is successful the men found guilty under the Elkins law can be sent to the penitentiary. A hint of this was given by Judge Landis in his decision when he said:

"For this offense the Elkins law authorizes punishment only by fine, and the only remedy provided, however, by the present law prescribing imprisonment in the penitentiary for the like offense."

Under the seven indictments still pending against the Standard Oil Company an additional fine amounting to \$88,440,000 may be levied against the company if it is found guilty on trial. There are in these seven indictments a total of 4422 counts, and the maximum fine in each count would be \$20,000.

Judge Landis' decision was a most severe arraignment of trust methods in general and those of the Standard Oil in particular. One by one he took up the contentions of the counsel for the oil corporation, discussed them in detail and then cast aside the shreds with caustic comments.

As to the claim of counsel for that corporation had a perfect right under the Constitution of the United States to make a secret agreement with the Chicago and Alton for a rate of six cents, whereas the regular rate and the rate charged ordinary shippers was eighteen cents, Judge Landis thrust hard at Attorney John S. Miller when he said:

"Candor obliges to Court to say that he knows nothing to support it but the eminence of the counsel who asserted it. A more abhorrent heresy could not well be conceived. One might as well assert the right to make a secret agreement with the collector of customs or a tax assessor for a low rate of customs duty or a much reduced assessment on property."

Throughout his decision the jurist made plain his position that the railroad, as a common carrier, had no right to enter into an agreement to give lower rates to one shipper than another, and the defendant corporation had no right to receive such a concession; otherwise the whole fabric of right and justice must fall.

The defense of the corporation that no harm would come to competitors because of its enjoyment of a low rate because there were no such competitors was met by the jurist with the statement that if a legally organized and honest company were to attempt to start in business it would have to adopt the practice of this defendant and procure the great public power of railway companies to be perverted in its interest. Under no other possible theory could it hope to survive.

It required seventy minutes of steady reading for the Judge to give his decision. The courtroom was packed almost to as great an extent as on July 6, when John D. Rockefeller and the other officers of the corporation were present as witnesses.

TROLLEY KILLS THREE WOMEN.

Man With Family Party Did Not See the Electric Car.

Jackson, Mich.—R. Adelbert Oliver, a prominent business man of this city, took his wife, his daughter, Bernice, Mrs. Oliver's mother, Mrs. Emily Pulver, and their guest, Mrs. Levi Palmer, automobileing at Sutton's Corner, three miles from Jackson, their automobile was struck by an electric car.

A house and some trees had the approaching car.

Representing Standard Oil were Attorneys Merritt Starr, partner of John R. Miller, the chief of counsel; Chauncey W. Martyn and Robert W. Steward. Mr. Miller is in Europe, Morris Rosenthal is at Far Rockaway, L. J. and Alfred D. Eddy is on the ocean bound for Europe.

District Attorney Edwin W. Sims, with Special District Attorney James W. Wilkerson and Assistant District Attorney Harry A. Parkin, were on hand for the Government. "In the room were a number of attorneys, all bent upon hearing the decision, which it was evident they regarded as epoch making. Also present were a number of Stock Exchange men, but Judge Landis held the men of money in suspense for an hour and ten minutes before gratifying their curiosity.

The indictments were based on the charges that the Alton gave rates to the Standard that were lower than the published tariff. The period covered by the indictment was from September, 1903, to March, 1905. The defense maintained that the legal interstate rate was six cents, while it was shown that the legal rate per hundred pounds to East St. Louis was eighteen cents. The trial lasted six weeks, three tons of documentary evidence was submitted to the jury, including more than 15,000 way bills, shipping orders, receipts and records. The jury was sworn in March 5, 1907, and on April 13, after being out two hours and ten minutes, the jury returned a verdict of guilty upon 1462 counts.

Money to U. S. Treasury.

Washington, D. C.—If the decision rendered by Judge Landis in the United States Circuit Court in Chicago is sustained the Standard Oil Company will be called upon to pay directly into the United States Treasury \$29,240,000.

The fine must be remitted in one payment, and there are no legal provisions by which the oil company can be allowed an extension of time in the payment of this immense sum except the stay of execution by the court, which Judge Landis has granted on sixty days.

Usually fines are paid into the court which assesses them. But in this case the Controller of the Treasury has ruled that the defendant should pay its fines directly into the United States Treasury.

Beginning at once the Government will charge interest upon the fines. If the case should drag along through the Court of Appeals and up to the Supreme Court almost \$2,000,000 will be added to the amount to be paid by the Standard if the Government wins its case.

President Hears of the Sentence.

Oyster Bay, N. Y.—President Roosevelt received the news that Judge Landis in the United States District Court in Chicago, had decided against the Standard Oil Company of Indiana and had imposed a fine aggregating \$29,240,000, with fines aggregating \$2,000,000, with no comment to make on the decision.

DETAILS OF THE CASE.

Estimated Cost to Government Was About \$200,000.

Chicago.—The details of the fight against the Standard Oil Company are as follows:

Indictments voted, August 18, 1906. 6,428
Counts in the trial. 1,903
Counts not sustained. 441
Counts basis of verdict. 1,462
Trial began March 4, 1907.

Trial ended April 14, 1907.

Fines assessed August 3, 1907.

Rebates involved. \$223,000

Witnesses for Government. 143

Witnesses for defense. 1,500,000

Words in the record. 1,500,000

Cost to Government (estimated). \$200,000

Cost to defense (estimated). 100,000

Fine assessed. \$29,240,000

Company earnings in 3 years involved. 199,800,000

Indictments still pending here. 7

Possible fines under these. \$123,000,000

"Conspiracy" Grand Jury called August 3, 1907.

STANDARD DOESN'T CHEAPEN OIL.

Commissioner Smith Says It Pockets Profits on Its Own Economics.

Washington, D. C.—Following hard on the smashing blow delivered to the Standard Oil Company by Federal Judge Landis at Chicago, the Government made public a crushing array of figures gathered by Herbert Knox Smith, the Commissioner of Corporations. These figures show that the vast Rockefeller monopoly since 1882 has paid out \$552,000,000—more than half a billion—in dividends, all the time piling up, in addition, a surplus which as long ago as 1898 had aggregated nearly \$30,000,000 and has since grown to unknown proportions.

Second, that the oft-repeated boast of the Standard, that it had reduced the price of oil and thus had been of benefit to the consumer, is false now and always has been false.

While the dividends from 1882 to 1906 were \$552,000,000, the net average net yearly earnings were about sixty-eight per cent.

Arkansas Editor Assassinated.

J. N. Scott, city editor of The Helena World, was killed at Helena, Ark., as he was leaving his office for home. Five shots were fired into him, two entering the brain. No one saw the killing.

Awful Railway Accident.

Forty passengers and an engineer were drowned near Angers, France, the locomotive of a local train jumping the track on a bridge over the Loire, dragging two cars into the river.

ALABAMA REVOKES SOUTHERN'S LICENSE

Removal of a Case From a State to a Federal Court the Excuse.

ALL TRAINS STILL RUNNING

No Clash With United States Court Nor Evidence of Any Disturbance—Legislature May Provide For Receivership.

Montgomery, Ala.—Announcement was made by Secretary of State Frank N. Julian that he had revoked the franchise of the Southern Railway Company because it had removed a case from the State Circuit Court of Talladega County to the United States Circuit Court in Birmingham. This action of the Southern is alleged to be in violation of the two outlaw acts passed by the Legislature last winter, each of which provided that such removal should be punishable by revocation of the charter of the offending railroad. One of these laws the better known, was declared unconstitutional by United States Judge Thomas G. Jones, but the other never has been enjoined by the Federal courts.

For this reason the action of the State official was taken under the provisions of the second of these two outlaw acts which is in force, and it is entirely proper to set under its provisions, while the adherents of the railway contend the act of revocation is in contempt of the Federal Court injunction, at least in spirit. Neither side would make an authoritative statement of the probable course to be pursued in the controversy.

The case upon which the revocation was made out came from the Circuit Court of Talladega County, in the shape of a notification from Clerk J. D. McNeil that a suit had been removed from the State Court to the Federal Court, Secretary of State Julian looked into the law and found that there was nothing else to do save to mark the license canceled, as the action of the statute is automatic.

Act No. 86 provides that when any foreign corporation is sued in the State courts and removes such suit from the State to the Federal Court, the clerk of the court from which the removal was taken at once shall certify such action to the Secretary of State, "who shall thereupon immediately cancel said license and make and enter upon the stub thereof an order in substance."

An extra session of the Legislature will be held in the fall to adopt more stringent railroad regulation laws to meet the situation created by the various rate regulation laws being enjoined in the Federal courts.

It is not unlikely that the Federal court may get into the row even if contempt proceedings are not brought. It may hold that the act is in spirit a re-enactment of the revocation bill that Judge Thomas G. Jones has declared to be illegal.

The effect would be to deprive the Southern Railway of the right of doing business in the State, a thing that was contemplated if the other revocation act had been allowed to stand. The Southern Railway owns more than 1500 miles of road in Alabama and millions of dollars' worth of property.

ARTIST WEDS INDIAN GIRL.

F. W. Canfield Spends Seven Years Wooing Reluctant Maiden.

Albuquerque, N. M.—Frederick W. Canfield, of Utica, N. Y., an artist, for several years at the head of the art department of the Carlisle Indian School, was married to Anna Gouyette, a full-blooded Pueblo Indian, of the Seama village, eighty miles west of here. The wedding took place at the estate of the Seama village, and was performed first under the tribal ceremony. Immediately afterward the two were married by a minister of the Presbyterian Church.

Canfield is a son of W. W. Canfield, editor of the Utica Observer. He met the Indian girl while she was a pupil in the Carlisle School, and wooed her for seven years.

CANT GO HOME TILL IN LOVE.

Husband Banished For a Year and Wife Will Try Her Charms Again.

Cincinnati.—Mrs. Andrew Soergel, of Bellevue, Ky., will try to make her husband fall in love with her again. Soergel was arrested on the charge of mistreating his wife. She declared in court she would have nothing more to do with him.

Then Judge Weber interceded. He proposed that they live apart for one year to give the husband a chance to see his mistake. Mrs. Soergel agreed.

"When he gets out in the world he'll find what love has been and what a good home means," she said. "I fully expect my husband to come home at the end of a year and to live happily with me again."

Will Obey Governor Glenn.

President W. A. Barber, of the Carolina and Northwestern Railroad, telegraphed Governor Glenn, in Raleigh, N. C., from New York that his road would put the two and one-fourth cent rate into effect August 8.

Army Supplies For Philippines.

Large quantity of ammunition and supplies for the army in the Philippines are being forwarded by the transports Logan, Warren, Crook and Buford, which will sail from San Francisco. In addition they will carry 3000 men of the Twenty-fifth and Twenty-ninth Infantry, besides prominent officers.

Author of "Blue and Gray" Dead.

Francis Miles Finch, best known as the author of "The Blue and the Gray," died at Ithaca, N. Y.

CHINAMEN BATTLE IN BOSTON

New York Celestials Kill Three and Injure Seven.

Hab's Chinatown Laid by Band, Who Open Fire on Fifty Men Lungsing in a Blind Alley.

Boston, Mass.—A gang of New York Chinamen belonging to the notorious Hip Sing Tong invaded Boston's Chinatown with revolvers and opened fire upon more than fifty of their fellow countrymen who were seated in an alleyway of Harrison avenue.

Three Chinamen were killed instantly, three more were left dying and four were very seriously injured by the bullets of their rivals.

The usual quiet pervaded the vicinity of Harrison avenue just before 9 o'clock p. m., Chinamen lounging here and there smoking and talking in the midst of this peaceful reverie a volley of bullets fell upon them.

They rushed for their dens, falling over one another in their haste to get out of range.

The Hip Sing Tong men chased their rivals into their homes and shot them.

Having done as much murder as they dared, the invaders turned about and sought refuge in flight.

The dead are Chin Mon Quin, aged forty-five, 11 Oxford street; Chin Leet, aged thirty-two, laundry proprietor; Wing Sing Jung, aged fifty, 24 Harrison street.

The injured men are Gonn Goo, Lee Kai, Gonn Goo, Shung Gu, Leo Kwal, Gonn Goo, all of whom are seriously wounded and some of whom are sure to die.

Ten Chinamen were put under arrest soon after the shooting. One of these gave the name of Elm Sing, of New York. Another who was caught while running from the Chinatown district to the South Station said his name was Houg Woon, also of New York. Eight other men who are strangers to the Boston Chinatown police were taken into custody on suspicion of being connected with the affair.

The trouble is attributed by some to the shooting which occurred in Philadelphia recently for which it is said Boston Chinamen were partly blamed. It is thought the Chinamen who did the shooting came from New York to punish the On Leung Tong for the Philadelphia outbreak.

CABBY KILLS TWO TARS.

Stabs Third. All From the Maine, in Quarrel at Phoebus, Va.

Hampton, Va.—Thomas F. Maddock, chief master-at-arms of the battleship Maine, who was stabbed in Phoebus, died. Garrett Walsh, a fireman, was instantly killed, and J. M. Ackerman, a baker, was painfully cut. Maddock and Ackerman were from Boston and Walsh from Indianapolis.

The men hired Fred Gutierrez, "beach wagon" for a drive. Gutierrez stopped to get a drink and the marines, who were in a hurry, protested.

Gutierrez, it is said, stabbed Ackerman in the arm with a large knife, slashed Maddock and chased Walsh into a hotel. Walsh was found dead, his throat cut, his heart pierced and his body slashed. Gutierrez was arrested.

Maddock distinguished himself by gallantry in the Boxer troubles in China in 1900.

HELD FOR CROSSING TRAGEDY.

Long Island's General Manager Arrested and Put Under Bail.

Long Island City.—James A. McCrea, General Manager of the Long Island Railroad and a son of James McCrea, president of the Pennsylvania system, was held in \$10,000 bail by Coroner A. S. Ambler, of Queens County, on a warrant charging him with criminal negligence in connection with the death of Dr. Edward J. Gallagher and Miss Helen Madigan. They were run down and killed by the Amagansett express on an unguarded crossing at St. Albans on the night of July 21 while on an automobile trip.

It was at the conclusion of the inquest held before Judge W. G. Gallagher and Miss Madigan in Jamaica that Coroner Ambler announced he would issue warrants for the arrest of both President Peters and General Manager McCrea.

MAGILL PLEADS "NOT GUILTY."

Poison, Strangulation and Suicide Pact at Clinton, Ill., Covered by Counts.

Clinton, Ill.—Fred H. Magill and his girl bride, Mrs. Faye Graham Magill, were arraigned before Judge W. G. Cochran, pleaded not guilty to indictments charging them with the murder of Mrs. Pet Gandy Magill, the former banker's first wife.

The indictments drawn by the special Grand Jury and returned to the court recently specified six distinct counts—murder by strychnine, by arsenic, by chloroform, by strangulation, through the agency of a suicide compact and by means unknown to the jury.

Two Brothers Drop Dead.

Bram Goodwin, a Sumter County (Georgia) farmer, dropped dead in a cotton field. His brother Arnold was summoned and at the sight of the dead body he fell upon it and expired.

SHIPS SHELL CASABLANCA; MOORISH FORCES ROUTED

French and Spanish Cruisers Send Troops Ashore.

MARINES SHOOT DOWN MOORS

Fort Demolished, Native Quarter Shelled, But Foreign Part Unmolested—Pasha Surrenders After Allies Slay Hundreds.

Paris.—French and Spanish troops are in possession of Casablanca, on the Moroccan coast, after a terrific bombardment and hand-to-hand fighting in the streets. The Moors precipitated the conflict by attacking a landing party on the way to the French consulate. The ensign in command was shot through both hands, but he gave the order to charge. With fixed bayonets the marines cut their way through a column of native troops, leaving 150 dead and wounded in their wake. The marines reached the consulate, and the news of the fighting was signaled to the French cruisers, which immediately opened fire with all their guns. More than 2000 shells were fired. The native quarter of the city was wiped out and several hundred rebels were slain. The last dispatch received by the French Government is to the effect that the Pasha as Casablanca has formally surrendered the town to the allies.

The casualty list is confined to eleven French marines, more than a dozen wounded. An attempt was made by the rebels to work several batteries against the cruisers, but the guns were quickly put out of commission. The fire of the cruisers was accurate and terribly destructive. The bombardment lasted more than two hours, and fighting in the wrecked streets continued intermittently until darkness fell. The Arabs fought with fanatical courage. Many of them detached themselves from columns of horsemen and rode down to the water's edge, firing their rifles at the ships.

The French admiral, who replied that he was unprepared to grant it, and peremptorily ordered him to surrender to the French consul, which he did.

The occupation of Casablanca is a direct outcome of the native uprising, which resulted in the killing of eight Europeans at Casablanca. Both France and Spain are hurrying their warships, with troops and marines, to various points on the Moroccan coast for the protection of foreigners.

Under the terms of the Algiers convention, the two powers are charged with the policing of the seaports of Morocco, and their action at Casablanca has brought no protest from any power. The States of Europe have expressed their willingness that France and Spain restore order in Morocco. No other countries are involved.

France and Spain have agreed on the terms of a Franco-Spanish note, informing the powers signatory of the Algiers Convention, including the United States, of their intention to keep within the terms of the convention in dealing with the situation in Morocco.

Moorish Pasha Yields. Madrid.—The Imparcial publishes a dispatch from its Tangier correspondent, saying that the Pasha at Casablanca has surrendered the town, and that guards for the protection of foreigners will be landed as soon as possible at Mogador, Rabat, Safi and Mazagan.

One report says that 600 Moors were killed or wounded.

SYRACUSE OUT \$250,000.

Local Improvement Taxes Pocketed in Treasurer's Office.

Syracuse, N. Y.—The defalcation in the City Treasurer's office will reach \$250,000, it is announced. The embezzlements are all from local improvement payments, most of them ten years back. When payment was made the money was pocketed by some one in the office, the charge against the property was left on the books and when the property was advertised for sale the property upon which payment had been made was edited out of the advertisement.

This practice was followed for several years. The money abstracted has been on amounts of from \$10 \$1000.

AMERICAN SUICIDES ABROAD

Mr. and Mrs. Buckingham Take I son After Losses at Monte Carlo.

Naples.—A Mr. and Mrs. Buckingham, who came from New York, committed suicide by taking poison at Castellamare.

The reason for the act was that they had sustained serious gambling losses at Monte Carlo.

Killed His Assailant.

Attacked by Ephraim Brooks with a moving blade, James Dunne shot and killed him at Hopkinsville, Ky.

DIES TRYING TO SAVE FRIEND.

The Rev. Edward McCouch Drowns With Claude Friendship.

Atlantic City, N. J.—In a vain attempt to rescue Claude Friendship, the Rev. Edward McCouch, of Absecon, plunged overboard from the deck of a yacht off Brigantine and went down with the man he tried to save.

The two young men were members of a fishing party that went out from Absecon.

WASHINGTON.

The Inspector-General of the Army nominated Lieut.-Col. William F. Becker of the charges of misconduct made by his wife.

The report of the board which has been investigating the accident on the battleship George, giving a Harbeck as the cause, was approved.

Definite announcement was made that the Atlantic fleet had been ordered to the Pacific.

The President signed a proclamation notifying the public of the conclusion of the Santo Domingo treaty. Similar action was taken in auto Domingo by President Cascaes.

The appeal was filed in the Supreme Court in the case of the people of Porto Rico, appellants against the Roman Catholic Apostolic Church of Porto Rico.

The wife of Colonel Arres bitterly assailed President Roosevelt for the forced retirement of her husband.

George B. Lockwood, editor of the Nation (Ind.), Chronicle, has been appointed private secretary to Vice-President Fairbanks. The salary was increased by Congress from \$1200 to \$400 a year.

Secretary Taft approved a recommendation of the Sheridan State Commission and directed the award of the contract for that state to Burton Bergman, a New York sculptor. The commission formerly given to J. C. Ward was cancelled because the design failed to please Mrs. Sheridan.

OUR ADOPTED ISLANDS.

The revolt in Santiago Province was regarded by Cubans as a joke. Commissioner Ishii has been sent to Honolulu by the Japanese Government to investigate conditions in Hawaii affecting his countrymen.

The Philippine coal mined at Batan is superior to the Japanese and Australian coal, which in turn is better than the Pacific and Alaskan.

Bands of bandits in Santiago Province are regarded by Cuban newspapers as proof of the existence of a conspiracy to bring about an uprising.

Charges against Capt. Fred C. Cole, of the quartermaster's department, were dismissed in the civil court at Manila. He was accused of having padded pay rolls.

The election of Dr. Dominador Gomez, the agitator and Nationalist, astounds conservative Filipinos and the Government. It is considered a strong indication of the indifference of the people and of their inability to undertake the duties of self-government.

At San Juan, P. R., the ninth anniversary of the landing of American troops in Porto Rico was celebrated as a legal holiday. All government offices were closed, but the event was not celebrated by the populace in any town on the island.

DOMESTIC.

At Chautauque, N. Y., Bishop Potter spoke on "The Church and Social Ureast," attributing social unrest to popular education, the industrial revolution and extravagance in expenditure.

Los Angeles, Cal., will attempt to collect more taxes than heretofore from the Western Union and Postal Telegraph Companies under a new form of assessment.

A novel epidemic like grippe, but worse, raged in Sag Harbor, L. I. It is attributed to the dust and fumes

BITS OF NEWS

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