Commoner Comment.

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Extracts From W. J. Bryan's Paper.

he had contented himself with a de- it leads; their property and their lives cision without attempting to give any may be demanded for its maintenance reasons for it. There are many vul- and defense, and yet what is there in nerable passages in the decision which that flag which represents right or he delivered, but there is one passage hope for them? Heretofore, a territory which shows the uncertainty produced has looked forward to the time and by the court's decision. Heretofore, the people have regarded liberty as an ments have been considered tempoinalineable right, and freedom of rary and during its period of waiting speech and freedom of the press have its people have been protected in the been considered absolutely necessary to its defense. Those who prize liberty and regard freedom of speech as above price will not take kindly to the word "perhaps," used by Justice Brown in discussing the subject. He said:

"To sustain the judgment in the case under consideration it by no means bethe articles of the constitution applies to the island of Porto Rico. There is a clear distinction between such prohibitions as go to the very root of the States' or among the several states.

"Thus, when the constitution declares that 'no bill of attainder or ex post facto law shall be passed, and that 'no title of nobility shall be granted by the United States,' it goes amendment, that congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right opinion how far the bill of rights contained in the first eight amendments is of general and how far of the local application.

He is not willing to go at once to the have faith in congress; he does not doubt that it will deal fairly with subject races, and yet he shrinks from the thought of annihilating, at one blow. the whole bill of rights. He boldly declares that "there is a clear distinction between such prohibitions as go to the very root of the power of congress to act at all, irrespective of time or place, and such as are operative only 'throughout the United States,' or among the several states"-not merely a distinction, but a "clear distinction." And yet he becomes perplexed as soon as he begins to draw the "clear distinction." He is quite sure that congress is entirely prohibited from passing a "bill of attainder or ex-post facto law." or from granting "a title of nobility." He thinks that "perhaps the same remark may apply" to laws prohibiting free speech, to laws abridging the freedom of the press, and limiting the right of the people to peaceably assemble and petition or redress. Perhaps! PERHAPS! PERHAPS! How soon he becomes entangled in his own web! And this is constitutional law! Justice Brown wants it distinctly understood that the court is not at this time "expressing an opinion how far the bill of rights contained in the first eight amendments is of general and how far of local application." It

will be interesting to American patriots

to learn that rights for more than a

century considered inalienable are now

divided into "general" rights and

"local" rights: that some belong to

everyone, while others belong only to

some, and that the some who enjoy all

rights are to decide what rights are

safe in the keeping of others. The

Boston Herald very properly says that

imperialism "does not consist in hav-

that all men are not free and equal."

It is not the form but the essence

emperor, that is hateful. The Herald form of rule is that of the ezar, or that of an imperial parliament which rules over subject people in the name of a conquering and governing nation. The government of England is just as imperialistic as the government of have no more political rights accorded presenting the English people, than the czar accords to the inhabitants of the Crimea. The government of Enging to themselves the right to do what hundreds of millions of people, and settle these in such manner as they see fit. The government of the czar is imperialistic because, while arrogating to himself the right to do as he pleases, theory of government, that the people of a country have a right to regulate

their own affairs.' The decisions of the Supreme Court in the Downes case places the inhabitants of Porto Rico at the mercy of congress and the executive. There is not a vital right that they can cle'm as; theirs. They must bow before the constitutional.

Clear the track for conquering Uncle Sam. Consent of the governed is a myth, taxation without representation should apologize to Judge Harlan for has become a vested right, and a re- the criticism made against the appointpublic may have citizens, subjects and ment of his son. Not at all, but the slaves. When the constitution threat- republican editors ought to condole ens to curtail the privileges of exploiters and adventurers it must be kept at pointment of Justice Harlan's son did home. Truly we have "progressed" during the past three or four years.

Democrats will not be slow to note of McLaurin.

American flag: they must swear al-Justice Brown would be happier if legiance to it; they must follow where condition of statehood; its embarassenjoyment of all the rights guaranteed to citizens by the constitution. If its delegate in congress has had no vote its people have been reasonably safe from harm because the general laws made for the territories were also operative in the states. Now comes a new order of things; the nation has caught comes necessary to show that none of the spirit of conquest; it has stained its hands with the blood of subject races. The people of Porto Rico are notified that they are to be with us, power of congress to act at all, irre- but not of us. They are to have neithspective of time or place, and such as er our government nor their own are operative 'throughout the United government, but such a government as we think good enough for them. We shall buy of them what we please upon our own terms; we shall make their laws for them; we shall tax them; we shall govern them, and if they dare to to the competency of congress to pass quote our declaration of independence a bill of that description. Perhaps, against us we shall shoot them. "Perthe same remark may apply to the first haps," we shall allow them freedom of religion-five judges in a court of nine speaking for us, say that we are not sure about this. "Perhaps," we may allow them freedom of speech-the of people to peacefully assemble, and question is not settled; "perhaps," their to petition the government for a redress of grievances, We do not wish. however, to be understood as expressing an determined whether this is a general right to be enjoyed by the Porto Ricans or a local one to be enjoyed only by the people of the United States. "Perhaps," they may be allowed to peacefull extent of his logic. He seems to ably assemble—this is a matter for future consideration; "perhaps," they will be permitted to petition for redress of grievances, we shall see about

The Porto Ricans had heard of our revolutionary war; they had read our state papers; they had been inspired by our patriotic songs, and so, when General Miles landed upon the island, the people of Porto Rico met him with music and spread flowers in his path. Theirs is a rude awakening! While they dreamed of American liberty the Republican leaders were calculating the trade value of eight hundred thousand Porto Ricans.

"Perhaps," Justice Brown's opinion will convince the rank and file of the republican party that our institutions are in danger and that the republican party should be repudiated. liberty becomes a "perhaps" in Porto Rico bow long will it be a certainty in the United States?

Some: I the republican papers take exceptic s to the statement in last week's Commoner to the effect that the decision in the Downes case made the president an emperor. They contend that the arbitrary and absolute power conferred by the court is to be exerrised by congress, but they forgot that the president must join congress in making laws for the nation's subjects. As the colonial system increases the President will become a more and more powerful factor in legislation. Under he late decision the president is an emperor-the chief executive of an empire. Outside of the states he is not bound by the constitution and can exercise whatever power he can persuade congress to grant.

The gold democrats seem anxious to ing an emperor, but in governing a find a presidential candidate who is country on the well established basis not tainter with the silver heresy"and insist that that was their main objection to the ticket nominated in 1896 which controls; it is not the name, and in 1900.

Why do they not urge the nomination of Justice Harlan? Of course, Mr. "It does not matter whether the Harlan is not a democrat, but that objection ought not to weigh with the gold democrats who voted for Mr. Me-Kinley. Mr. Harlan has not only placed himself on record against imperialism, but he also wrote a dissent-Russia. The inhabitants of Somall ing opinion in the income tax case, and Coast Protectorate, an English colony, opposed the position taken by the supreme court in the sugar trust case. to them by the British parliament, re- He has a splendid record on three prominent questions, but this the very reason why the gold democrats would land is imperial, because, while arrogat- object to him. They prefer a democrat who endorses republican policies they please, the English people control to a republican who supports demo-

"We want to make the people of distant lands familiar with our products," says President McKinley. This is anthe ezar dictates the political and in- other sample of protection logic. The dustrial development of scores of mil- protectionist says: "Give us protection hons of people. But in each instance against the foreigners because we canthere is a demal of the democratic not sompete with them; while we cannot undersell the foreigner in our own mari et, we can undersell him in his own." The strange part of this logic is that so many people accept it as

Violation of plain duty is perfectly

Some of the republican newspapers suggest that democratic editors with the president because the apnot have any effect on the father.

The American people should bear in mind the extraordinary powers conthat the administration organs and ferred upon congress by the supreme leaders are unanimous in their support | court and be more careful in the election of congressmen.

PRO-BRITISH ADMINISTRATION IN SORE STRAITS.

Wants to Make Poor Old Declining Britain a Partner in the Nicaraguan Capal-Is Hay Guilty of Treason-Trying to "Convince" Senators.

The United States Senate in the last congress refused to ratify the treaty known as the Hay-Pauncefote treaty without some very radical amendments were added. This the British government refused to accede to and our pro-British administration was in a hole. President McKinley was much disturbed by this action of the senate and used every means possible to have the treaty ratified. Secretary Hay was much cast down, poor man, and was said to be talking of resigning. He still hangs on, however, and has been putting in what time he could spare, when not writing poetry or on junketing tours, in trying to find out from such senators as he could interview just how much the administration would be allowed to concede to the Biritsh government and yet allow a new treaty to be ratified. Fortunately, more than one-third of the senate is composed of Democrats, and any treaty that hints at abrogation of the Monroe doctrine or that does not give us full control of a canal that we are to build and pay for has no chance of

being ratified. Englishmen are beginning to see this and prompts the London Spectator to "sincerely trust" that the British government "will handle the problem with more care and attention than hitherto, and also with more shrewdness and common sense." It asks Euglish statesmen "to inquire not whether we (they) have a right to stop the canal being made under the conditions on which alone congress will sanction its construction, but whether it is worth our while to stop its construction, and, on the other hand, whether it will not be very much to our advantage to have the canal made. We want the whole subject approached as if the Clayton-Bulwer treaty did not exist, and decided on its merits."

That would suit the American people and the president and John Hay must stand to the rack and demand the rights that the United States are entitled to. When we were less than one-tenth as powerful as we are today we obtained our rights in the Oregon controversy under President Polk. But Polk was a Democrat.

WATERED STOCKS.

One of the great evils of granting corporations franchises in nearly all the states is the lack of any provision to prevent an undue issue of stock, commonly known as "watered stock." The issuing of a vast amount of stock for which no money or value is paid, is to overreach or defraud some one, either those whom the stock is sold to, or to force the public-as in the case of the railroads-to pay extortionate rates, so that dividends can be paid on what is just so much paper. No state should allow any company to be incorporated that does not receive full value for all the stock or bonds issued. As the earnings of all corporations must come directly or indirectly from the public, they should be protected by the law from this indirect way of making them pay double toll on double capitalization.

The financing of the American locomotive combine furnishes a very good illustration of the way these things are done, says the Chicago Chronicle. The stock issued is \$25,000,000 7 per cent cumulative preferred and \$25,000,-000 common. One share of the latter goes as a bonus with every share of the former subscribed for at \$110 per share. Assuming \$25,000,000 to be a fair capitalization on the basis of the earning power of the plants before consolidation, the other \$25,000,000 must be regarded as what is assumed to be the capitalized value of the mere combination over and above the original value of the property. The original owners get preferred stock to the full value of their property, with 7 per cent dividends, and all they can get for their common stock to an equal amount above \$10 a share is so much to the good. To judge from expressions of which the air was full not long ago multitudes really believe that the mere act of combining properties was going to increase their earning power from 20 to 100 per cent or even more. Probably it is now seen that the foundations for such a belief were pretty

THE SUPREME COURT AND

PORTO RICO. To a layman the decision of the supreme court in the Porto Rican cases is rather wobbly and presents some rather curious anomalies. The constitution does follow the flag and then again it does not stay with it. The island is territory of the United States and yet the people there have no free trade with the country to which they belong. Then again they decide that vessels trading with the island are in the coastwise trade of the United States, and yet when they ship any goods by those coastwise vessels they cannot land them in any of our ports without paying a tariff duty on the same. Yet the goods they shipped here prior to the passage of the Foraker act should not have paid duty and it must be refunded to those who paid it.

There is only one clear matter about the decisions-that congress has the sole right to legislate as it pleases for those territories; otherwise, if President McKinley had himself written the decisions, they could not have been a more complete straddle from the view | treasury for the next three years.

of an ordinary layman. No doubt the lawyers will understand the exact status, in time.

That the court itself was not very clear about some of the points at issue can be seen by the remarks of one of the justices who taunts his brother judges with reversing themselves on one of the nine cases. Justice Harlan, one of the four minority judges, said: "I reject altogether the theory that congress, in its discretion, can exclude the constitution from a territory which we have held to be a domestic 'territory of the United States' acquired, and which could only have been acquired in virtue of the constitution. 1 cannot agree that it is a domestic ter- of interests" as they now call it, has ritory of the United States for the purpose of preventing the application of idity and in addition to controlling the the Dingley tariff act imposing duties | railroads they dominate what is known upon imports from foreign countries. but not a domestic territory and part | monopolize other lines of industry, iron, of the United States for the purpose of enforcing the constitutional requirements that 'all duties, imposts, and excises' imposed by congress 'shall be and combinations. uniform throughout the United States.' I do not understand how Porto Rico can be a domestic territory of the United States, as we have distinctly held in De Lima vs. Bidwell, and yet that it is not, as is now held, embraced by the words 'throughout the United States.' The 'expanding future of our | tral, the Lehigh Valley and the Monon country,' justifying the belief that the system. United States is to become what is called a 'world power'-of which so much was heard at the argument-does not justify any such juggling with the words of the constitution as would authorize the courts to hold that the the Norfolk and Western. words 'throughout the United States.' in the taxing clause of the constitution, do not embrace a 'territory of the United States.' This is a distinction which I am unable to make, and which I do not think ought to be made when we are endeavoring to ascertain the meaning of a great instrument of gov-

THE HANNA BOOM.

ernment."

Many people think the Hanna boom for president is nothing but newspaper talk and that the republican party would not dare to nominate him, as his record in favor of subsidies and trusts would make his defeat certain. The facts are that Hanna and the corporations, the money power and the trusts, think they own the country and can nominate and elect whomsoever they may select. They know they own the republican party and that with the enormous power they can bring to bear the electoral vote can be manipulated to their purpose.

That this program is being arranged is quite probable, for a dispatch to the Chicago Chronicle from Philadelphia

The boom of Senator Hanna for president in 1904 is now well under way. Orlscom president of the International Navigation company, and Senater Han- jority of the American people. na's close personal friend. At the interview it was formally decided to congressmen who do their bidding. fails it will not be because he did not and conventions of both parties or of

fight every inch of the way. Nearly every national committeeman has written a party indorsement of date and important officeholders have done likewise. The suggestion has also have it so. McKinley suits them well, received a most flattering response from Senator Hanna's influential acquaintances among the business men

of the north. Senator Hanna is a great deal more than a possibility and preliminary efforts in behalf of others have been effectually halted without committing Senator Hanna to anything. He can now await events complacently and, unless further contingencies change the present aspects of the republican situation, he will have things his own way three years hence.

HAMMER AND ANVIL The Porto Ricans had a taste of the

constitution for a few months until the Foraker law came along and took per cent tariff. But then they still have "the flag."

The supreme court decides that the still waves there.

Morgan is negotiating for another the American ship builders.

Ohio will be held at Columbus July 9 that tribunal for decision. and 10. Charles Salem of Cleveland | Some consideration was given to the national campaign of 1904.

PRACTICALLY DIRECT LEGISLA-TION IN EVERY STATE.

Unless the People Awake and Demand Initiative and Referendam on All Laws Even the Shadow of Popular Government Will Disappear.

Six men control all the trunk railroads of the country and unless unlooked for disagreements arise competition is a thing of the past. This wonderful combination or "community been formed with extraordinary rapas Wall street. These six men also steel, tinplate, oil and anthracite coal and the accumulation of their vast wealth is being invested in other trusts

These six men are J. P. Morgan, A. J. Cassatt, W. K. Vanderbilt, James J. Hill and George J. Gould.

Morgan controls the Southern railway system, the Mobile and Ohio, the Northern Pacific, the Erie, the Philadelphia and Reading, the Jersey Cen-

A. J. Cassatt controls the Pennsylvania rai!way, the Baltimore and Ohio, the Western New York and Pennsylvania and owns jointly, with the Vanderbilts the Chesapeake and Ohio, and

W. K. Vanderbilt controls the New York Central and allied lines, the Cleveland, Cincinnati, Chicago and St. Louis, the Lake Erie and Western and the Chicago and Northwestern.

E. H. Harriman controls the Illinois Central, the Union Pacific, the Southern Pacific, the Chicago and Alton, the Kansas City Southern and the Chicago Terminal and Transfer.

James J. Hill controls the Great Chicago, Burlington and Quincy and large interests in the Northern Pacific

George J. Gould controls the Missouri Pacific, the St. Louis Southwestern, the Wabash, the International and Great Northern and the Texas Pacific.

Associated with these railroad magnates and owning large blocks of stock are William Rockefeller, Jacob H. Schiff and others whose specialties are banking and trusts.

What a vast political power these men can wield, if only by their contributions to the political party they think will best serve their interests. They are all acting with the Republican party and their donations to the Hanna campaign funds at the last two | have to be taxed to keep the Philippine national elections and the coercion of The matter was settled when Senator the large army of railroad and corpo- have to be burdened with more taxes Hanna visited Philadelphia recently ration employes, turned the scale in than they can bear. This is one of the and had a conference with Clement A. favor of the Republican party and at results of imperialism. least in 1896 defeated the

They control legislators and elect make public the boom of the senator there are but few counties in the from Ohio. According to a statement | United States that have not their paid given out the senator will be in the attorneys at the county seat to watch race from start to finish, and if he their interests and manipulate caucuses which ever is the dominant one for the time being. They are so well served by the present administration Hanna as the logical republican candi- that they hope to see it perpetuated | railroads evade that by controlling the and are willing to pay a high price to they are paying the expenses of his trip through the country and furnishing the choicest foods and wines, not only for him, but for his cabinet and all the followers that make up the party. They are amply paid for this large outlay, for no appointment to office has been made by the president that was opposed by any of these railroad magnates and none ever will be. Not that they favor a third term, Hanna would suit them just as well, may be better, or any other man of the same stamp.

These six men, therefore, control the government of the United States. Is it any wonder that many are looking for government ownership?

it away from them again with a 15 THE SOVEREIGNTY OF THE PRESIDENT.

The supreme court decision on the Porto Rico cases has made considerable flutter on the president's train, constitution did follow the flag for according to the correspondent of the awhile in Porto Rico, and during that Washington Post, who accompanies time no tariff duties could be collect- the party on the trip. He forecasts ed, but congress had the right to take the action of the administration to it away from them again, and the flag | meet the new conditions in the Philippines brought about by the decision as follows:

The president will probably issue an steamship line. If he succeeds in pur- order applying solely to the Philipchasing it the \$180,000,000 proposed to pines, imposing upon goods exported be paid in the Hanna ship-subsidy bill from these islands to the United States will have to be increased so that al. a rate of duty equal to the tariff imthe subsidy hunters can get their fill. posed by the Dingley law upon the This continued purchase of foreign- same articles entering the United built ships does not promise well for States. This, it is believed, will close the door by a method certain to be sustained by the supreme court if a The democratic state convention of test case should be brought before

will be temporary chairman and N. D. question whether the president had the Cochran of Toledo temporary secre- power, under the Spooner act, to imtary. There will be a struggle for pose a duty in this country upon arsupremacy between the Tom L. John- ticles imported from the Philippines. son and McLean forces, and the result The general opinion was that grave will have an important bearing on the doubt existed as to whether he possessed the power, and it seemed to be accepted that the export duty plan of-Senator Fairbanks will be a candi- fered the most feasible solution. The date for the republican nomination for importance of speedy action was empresident. Harry S. New is the author- phasized, in view of the fact that ff ity for this statement, and, being a the matter is left unsettled until conmember of the national committee gress meets next December, there will from Indiana, he is doubtless author- be very large importations from the ized to speak. The more United States Philippines without the payment of senators that are candidates the bet- duty. In addition to this it was reter for the people. They will be more alized that the exporters of Chinese careful of how they vote on ship-sub- tea, which pays 10 cents a pound duty, sidy bills and other schemes to rob the and Chinese silks, which are also subjected to a high tariff, would send their

RAILROADS CONTROL. goods to the Philippines, paying the slight duty there exacted, and then have them forwarded to the United States, where they could be entered without additional cost. Japanese and Oriental goods of all descriptions could also enter the United States by the round-about but economical route.

From this it will be seen that the triumphs of imperialism also has its trials and tribulations and the end is not yet.

FOREIGN COMPETITION.

The reduction of the rate of interest in the United States is bringing about a great change in the industrial conditions and is removing one of the chief props of the protective tariff. Manufacturers are nearly always large borrowers, and the high rates of interest that prevailed until the last few years, was one of the chief reasons why they could not compete with their foreign competitors. This barrier is now removed and the charge that we are still unable to compete with foreigners is well answered by the Chicago Chronicle, which says:

Somebody signing himself "A Lancashire Cotton Spinner" writes from Highland Park to a Chicago contemporary to offer proof that English cotton mills are far behind the pale of competition from the United States. Some twenty years ago the late James G. Blaine, when secretary of state, prepared an official report showing that even then American mills could produce common cotton fabrics at less cost than English mills could, and that the only reason why Americans needed protection in this branch of manufacture was because their plants cost more and the rates of interest were higher in this country. Lately we have heard a great deal about the abundance and cheapness of capital here, and our superiority in machinery, construction of plants, and so on. Then can it be true that as competitors we are relatively worse off than we were in 1881? True, our cotton manufacturers are still handicapped by our tariff to a considerable Northern and jointly with Morgan, the extent. But they are less so than formerly because machinery costs less in spite of the tariff. If, then, we are less able to compete we must have retrograded, relatively, in skill.

POLITICAL COMMENT.

When congress tackles the tariff question, the Porto Rican, Cuban and Philippine tariff will give the administration a good many sleepless nights.

Funds are getting short in the Philippines and sundry expenses formerly borne by the insular treasury are now being pald by the treasury at Washington. This is to be expected, for extravagance and high salaries are running riot there. We shall either government going or the natives will

The meeting of railroad commissioners at San Francisco shows the changed conditions between the railroads and the public that has taken place during the last twenty-five years. Since that time the supreme court of the United States has decided that congress, in the case of interstate railroads and the states, has the power to regulate and control them. The law is on the side of the people, but the commissioners and congress. Where the railroads are charging too high rates the people are themselves to blame, they must select congressmen and commissioners who will attend to their interests.

Looting from your enemies seems to come within the Golden Rule of some of the missionaries in China. "Now and then I branched out to loot from those who were our enemies," says Rev. Gilbert Reid. This "foreign devil" is, according to his own showing, worse than the Boxers, for they at least pretended to have a patriotic purpose in expelling or killing all foreigners who had invaded their country and if any proportion of these foreigners were like Gilbert Reid, they certainly were fully justified in doing

It is one of the strange political changes wrought as a result of the new policy of expansion that an administration headed by a statesman so prominently identified with protection as was Mr. McKinley should now be organizing an effort to break down the tariff walls for the purpose of opening new markets to American manufacturers and of building up dependencies by opening our own markets to the products of the islands of the sea. It is a situation which Democratic tariff reformers are justified in regarding with much satisfaction, since it vindicates the principles for which the Democracy battled for years .-Buffalo Courier.

What a sharp revulsion of feeling has taken place in the public mind on the tariff question. When the Dingley tariff bill was passed it was the boast of the Republicans that the tariff question was settled for a generation and that it would be treason to change it. The business interests of the country demanded a rest from tariff tinkernig. Now we have leading Republicans advocating a revision and a bill introduced wiping out one of the principal schedules. It is true that Hanna says the tariff will not be meddled with, it being too scientifically constructed to stand the strain, and that reciprocity to a small extent might be necessary. But Hanna is known to be in league with the trusts and it is opposition to the trust monopolies that will force tariff revision.

Sugar magnate Havemeyer in his testimony before the Industrial Commission was forced to admit that "the tariff is the mother of the trusts."

plied