

istry of public instruction issued official documents relative to the erection of this laboratory on the same day that Professor Curie was killed. It is interesting to note that Professor Curie as a boy seemed so stupid at school that his parents withdrew him and put him under a private tutor. All through his years of study, including the final preparations for the arts degree, he was hampered by the necessity of studying uncongenial subjects. It was only when he was free to follow his natural bent that his powers were manifested. It was not surprising to learn that Professor Curie was generally so absorbed mentally that he was unaware of happenings around him. There is no doubt that his untimely death can be described to this. While crossing the street in front of a cab which an ordinary man would have passed behind, he suddenly became aware of his danger and ran into a pair of horses drawing a dray, which he apparently did not see, and fell beneath the wheels of the dray. Professor Curie's devoted laboratory assistant, on viewing the body at the police office, said tearfully: 'I knew my dear master would be killed some day. He was very imprudent and was constantly dreaming when walking the streets.'

MANY ACTS OF violence were committed in Paris and in other portions of France on May 1. Several bombs were discovered by the police, and an attempt was made to derail a railroad train. Soldiers charged upon mobs in Paris, and many persons were injured. One thousand arrests were made. For a long time the French public has been greatly stirred because of anticipated trouble on May 1. Two years ago the general confederation of labor, which in France is a socialistic organization, decided on strikes for May 1, 1906. It is claimed that the socialists were anxious to bring about a general strike, believing that it would result in revolution. It is claimed, however, that these socialists were greatly disappointed at the failure of the labor troubles to become widespread.

M. R. PHELAN, FORMER mayor of San Francisco, suggests that the federal government be asked to indorse a loan to be raised by San Francisco. The New York Evening Post says: "Mr. Phelan is quoted as saying that for such endorsement, precedent exists in the loan of the United States to the Pacific railways during the sixties, and, more recently, in its railway loan to the Philippines. What will occur to the practical reader, however, is not only that circumstances were so peculiar in both these cases as to provide no safe precedent, but that the nature of the government aid differed radically from that now suggested in the case of San Francisco. If the Union Pacific had defaulted outright on its interest due the government, the United States possessed the right of foreclosure. If the Philippine railway concessionaires were to fall back on the Philippine commission for its guarantee of interest on their bonds, a similar lien would

exist. Even in the case of the bonds issued by the United States last March to help the construction of public works in the Philippines it was stipulated that we should possess a lien on the lands bought from the Philippine religious orders. The railways and the lands were at least rational security for the federal government to deal with; but it is somewhat difficult to imagine the federal government foreclosing on the San Francisco public-utility systems and the city hall.

IN THE CITY ELECTION held in Omaha, May 1, the democrats won a sweeping victory. The following city officials were chosen: Mayor, James C. Dahlman; clerk, Dan B. Butler; comptroller, C. O. Lobeck; attorney, Harry E. Burnham; building inspector, Charles H. Withnell; city council, First ward, Andy Hansen; Second ward, Lee W. Bridges; Third ward, Harry B. Zimman; Fourth ward, L. B. Johnson; Fifth ward, Goodley F. Brucker; Sixth ward, W. S. Sheldon; Seventh ward, Alma Jackson; Eighth ward, John C. Davis; Ninth ward, Thomas McGovern; Tenth ward, Peter E. Elsasser; Eleventh ward, M. F. Funkhouser; Twelfth ward, Jeff W. Bedford.

ALL OF THE ABOVE named with the exception of Councilman Zimman are democrats. Mr. Dahlman is at present democratic national committeeman for Nebraska. He was first chosen to that position in 1900, and was re-elected at St. Louis in 1904. This is the first time Omaha has gone democratic in sixteen years. The democratic platform promised economy in the administration of the city's affairs, freedom from corporations, reduction of telephone rates, admission of independent telephone companies, acquisition of the Omaha water plant, dollar gas, and after the acquisition of the waterworks the acquisition of an electric light plant and other public utilities. The candidates also pledged themselves not to accept favors, contributions or assistance from any corporation during the campaign or after election.

THE HOUSE COMMITTEE on immigration has recently reported a bill to legalize faulty papers of citizenship. The Washington correspondent for the Record-Herald says: "Between 20,000 and 30,000 naturalized citizens residing at Chicago will be materially benefited by the passage of this bill. The revised statutes provide that an alien may be admitted who has a certificate of naturalization issued by 'a court of record of any of the states having common law jurisdiction and a seal and clerk.' The criminal court of Cook county issued between 20,000 and 30,000 certificates before this provision requiring that the certificates should be issued by a court of record or one that had common law jurisdiction. It is estimated that throughout the country there are between 60,000 and 70,000 aliens who have similar defective certificates. The pending bill legalizes these certificates. Unless the defective certifi-

ates issued at Chicago and elsewhere are validated, a condition of much confusion may result in later years growing out of property transfers by persons who have admitted themselves to be citizens of the United States and acted on that theory for a long term of years."

FORTY-FIVE THOUSAND immigrants entered the United States during the week ending Saturday, April 21. The New York World says: "Within the past thirty days all of this rush of people to the new world, all records have been broken. March broke the record for the months, when 110,741 arrived at New York. The week ending March 31 broke all records for any single week, when 30,706 passed our gates. But a fortnight later this record was knocked out by the 45,000. And the record day—April 13, 1903, with 7,300—was smashed to smithereens by Monday, April 16, with its 17,196 immigrants from all over Europe—Scotch, Irish, English, Italians, Greeks, Poles, Lithuanians, Dalmatians, Croatians, Germans, Swedes, Danes, Russians, Hungarians, French, Portuguese, Spanish, Swiss—everybody. All records were broken in the last recorded year, when 812,870 foreigners entered the United States. Of these 263,150 settled in the state of New York and about one-third of these in the city. 'If the immigration keeps up like this,' said Assistant Commissioner of Immigration Joseph Murray, 'we will pass the million mark in 1906, and possibly make it 1,100,000 all told. It is without doubt going to be a record-breaking year.'"

TOM L. JOHNSON, mayor of Cleveland, is developing an invention which has attracted considerable attention in his home town. Mayor Johnson's product is said to be decidedly promising in the way of a marked improvement in the matter of travel. Many newspapers are having considerable fun out of the mayor's work on this line, the Cleveland correspondent for the New York World sending to his paper this exaggeration: "Mayor Tom L. Johnson has invented a motor which in recent tests developed the theoretical speed of four hundred miles an hour. The mayor hopes to revolutionize travel. The car is to run on an overhead track. At the highest speed of which the motor is capable wheels would fly to pieces. Herner shoes take their place. Powerful magnets take up the weight of the car and minimize the friction of the shoes on the rails. Windows in such a car would be unnecessary, for scenes would change faster than the eye could catch the image. The landscape would be a streaked gray blur. The motorman would have to look through a thick glass bull's-eye, else the force of the wind would make a mat of him on the wall behind. Stops at stations would have to be automatic, otherwise the station would be passed before the motorman could see that it was near. A head-on collision would mean the annihilation of every passenger. The invention will make possible just as high a rate of speed as steel and human endurance will stand."

Power of Congress With Respect to Courts

There has been controversy among lawyers at the national capital concerning the powers of congress with respect to courts. W. W. Ballew, of Corsicana, Texas, makes an interesting contribution to the discussion. Mr. Ballew says that Senator Bailey is eminently correct in his exposition of the constitution and the power of congress over the jurisdiction of federal courts. He says that Senator Bailey is so clearly supported by the authorities that there is no room for controversy over the question.

Mr. Ballew presents the following brief: "Article 3 of the constitution of the United States declares that the judicial power of the United States shall be vested in one supreme court, and in such inferior courts as the congress may from time to time ordain and establish.

"The supreme court is the only court whose jurisdiction has been defined, fixed and determined by the constitution. All other courts of the United States are the creatures of congressional creation.

"Congress has by the constitution exclusive authority to regulate the proceedings in the courts of the United States. (Wyman vs. Southard, 10 Wheaton, 1.)

"Congress possesses the exclusive power to legislate in respect to the form and effect of process, mesne and final in federal courts. (Riggs vs. Johnson Co., 6 Rall., 166.)

"No federal court, save the supreme court,

has any constitutional jurisdiction, and, hence, no inherent powers.

"The sole jurisdiction of all federal courts, other than the supreme court, is granted by act of congress. (United States vs. Hudson, 7 Cranch, 32.)

"Of all the courts which the United States may, under their general powers, constitute, one only—the supreme court—possesses jurisdiction derived from the constitution, and of which the legislative power can not deprive it. All other courts created by the general government possess no jurisdiction but what is given them by the power that creates them, and can be vested with none but what the power ceded to the general government will authorize them to confer. The power which congress possess to create courts of inferior jurisdiction necessarily implies the power to limit the jurisdiction of those courts to particular objects. (United States vs. Hudson, 7 Cranch, 32.)

"The supreme court has been granted the right to adopt rules to regulate the practice in all courts of equity of the United States, and these rules are obligatory upon all the courts of the United States. (Story vs. Livingstone, 13 Peters, 359.) (McDonald vs. Smally, 1 Peters 620.)

"Congress created the circuit court of appeals, the circuit and district courts, the court of claims and bankrupt courts, and conferred upon each all jurisdiction that can be assumed

or exercised by each. Congress can abolish, change, amend, modify or limit the jurisdiction of all federal courts save the supreme court.

"It is the peculiar province of the supreme court of the United States under the acts of congress to determine all questions relating to the subject of the process of federal courts. (Butz vs. Muscatine, 8 Wall, 575.)

"This has been the law for more than 100 years.

"The jurisdiction of the federal courts is limited. That of the supreme court by the constitution which created it, and of all others by the acts of congress which create such courts, confer their jurisdiction and distribute the judicial powers.

"The jurisdiction of federal courts is not general, but special. (Maxfield vs. Levy, 4 Dall, 330.) (Marbury vs. Madison, 1 Cranch, 137.)

"A circuit court can not exercise any equity powers, except those conferred by congress. (Fontain vs. Ravenal, 17 Howard, 369.)"

Mr. Ballew adds:

"The foregoing principles are indisputable, hence congress has the exclusive power to limit the jurisdiction of all federal courts, except the supreme court, and may limit the right to issue the writ of injunction and provide when and how same may issue. The writ of injunction is not a writ of right, but is merely an equitable remedy, that may be limited in any manner authorized by the legislative power."