

constitution question is involved. 4. Gives the commission in the first hearing full power to secure witnesses' evidence and to bring before it all facts in the case. 5. Provides for speedy decision and cuts out, so far as the rights of the disputants permit, all the machinery to delay the final settlement of the case. (1) The present commission should not be made a court, and its administrative worth is of great importance and must be required to perform administrative and non-judicial duties. (2) A court, as such, could not prescribe future rates. That is a semi-legislative function, which congress can delegate to the commission but could not delegate to a court. A court can only pass upon the justness of an existing state of facts.

THE Washington correspondent for the New York Herald is authority for a piece of information that will doubtless be agreeable to the meat consumers of the country. This correspondent says that if the government wins in the beef trust case now before the United States supreme court, it will immediately institute criminal proceedings against the leaders of the trust, not only for an illegal conspiracy, but for contempt of court. This correspondent adds: "The leading members of the trust are alive to the critical situation in which they are likely to find themselves. They did not think that the government would go to the extent of trying to send them to jail, and the publication of the fact that this was in contemplation has caused activity to see what influence will do. The trust contributed to the campaign fund of the republican national committee during the recent campaign, and a leading member of the Armour branch of the combination in an interview declared in favor of the election of Roosevelt and Fairbanks. But nothing, it is said by high officials, will deter the president and the attorney general from bringing the great men in this monopoly to the bar if proof which will stand in court can be obtained of their defiance of the injunction of the United States courts."

A DISPATCH to the Cincinnati Enquirer, under date of London, Ky., January 9, says: "A marriage license was issued today to A. G. Frost, a resident of Brock, this county, to marry Miss Rebecca Goins of Fariston, a village five miles south of here. Frost is only 17 years of age. It was stated to the county court clerk that his bride to be is a maiden lady 60 years old."

AN OLD chest containing more than \$150,000 in English, German and American gold, was found in a secret alcove on the last parcel of the old Theodore M. Macey estate to be sold in the Bronx. James F. Meehan owns the land and becomes the possessor of the gold. The New York American says that the theory is that the former owner of the property hoarded this money.

COLONEL C. H. MURRAY, who died recently at Elkhart, Ind., left an interesting note, giving instructions as to his funeral arrangements. The following is an extract from Colonel Murray's note: "My body will not be taken to a church, nor will there be any funeral services by an officiating minister. If some of my Grand Army comrades wish to accompany the remains from the house to the railway station I should be pleased to have them do so. I want all mourning emblems dispensed with, and no mourning badges used on the door or elsewhere. I do not regard death as a disaster to the individual, but esteem it as much of a natural event as a birth. It is something neither to be dreaded nor mourned. Much reflection causes me to discountenance and disapprove the ordinary funeral services, and I regard them as partaking of the customs of barbarous people whose minds have not been enlightened by reason or by comprehensive views of the order of nature. Feeling this way I do not want my death to be the occasion of a vain or egotistic display, but prefer that the last rites relating to my physical organism be of unostentatious and private character."

SINGING with his last breath the words of the hymn he loved so well—"Jesus, Lover of My Soul,"—Enoch Montgomery Richards, a musician of Wilkesbarre, Pa., died January 8. The Wilkesbarre correspondent for the Cincinnati Enquirer says: "Mr. Richards was stricken with pneumonia several days ago, and when it became evident that he was to die he sent for his pastor and some members of the church and asked a quartet to sing the hymn. As he made the request his voice was a

mere whisper and could barely be heard. As the hymn started he motioned to the attendants to bolster him up in bed, and then, to their surprise, as if with superhuman strength he burst forth in a full, rich bass voice and sang the hymn with them. So firm and strong was the voice that it was heard by his sorrowing relatives downstairs. A look of the greatest happiness lighted his face as he sang and when the last note died away he slipped backward and the next moment was dead."

THE last act of Governor Durbin of Ohio was to grant a pardon to William E. Hinshaw, who had been sentenced to prison for life on the charge of murdering his wife. Hinshaw was a clergyman and a very large number of people have insisted that he was wrongfully convicted. Hinshaw claimed that his wife was killed by a burglar. Mr. Hinshaw was finally arrested and after a long legal trial he was convicted and sentenced to the penitentiary for life.

IT IS estimated by experts that the area of American coal fields at present opened to mining is more than five times as great as that of the coal fields of England, France, Germany or Belgium, the great coal producing countries of Europe. A writer in the Success Magazine says: "While practically all the available coal areas of those countries have been opened to mining, ours have scarcely been estimated. When we take into consideration the fact that coal is one of the great motive powers in the manufacturing world, it is evident that this immense wealth of coal will be of such an advantage to the United States as to be beyond any man's calculation."

THE public seems to be greatly stirred on the question of railroad freight rates. The Philadelphia North American, a newspaper that will at least be readily acquitted of radicalism, says: "It is clear enough to the minds of the railroad official who wants to serve his stockholders in perfect good faith that the way to larger earnings and larger dividends lies right along the path of strict adherence to just rates and final suspension of the free pass lawlessness. Or, if the stockholder already has his share, lower rates for shippers may be given safely if justice shall be done on all sides. The demand of the people, then, is simply for justice. What they want is: (1) The same cost always for the same conditions. (2) No short haul to cost more than a long haul. (3) No pass ever to be issued to any man not actually upon the pay-roll of a railroad company. (4) A heavy penalty whenever, after due notice, cars are not supplied to a shipper. (5) A fixed rate for private cars. (6) Absolute prohibition of direct or indirect control of a competitive company. (7) No fines, but imprisonment always, for discrimination in either freight rates, pass-issuing, hauling of private cars or any other matter inflicting hurt upon individuals or communities."

FOR several days President Roosevelt has held conferences with members of congress on the subject of tariff revision and legislation providing for an increase of the power of the interstate commerce commission. On Jan. 11 the Associated Press sent out what seems to be an authorized statement. In this it was said that unless congress at the present session enacts railroad legislation in line with the president's views, an extraordinary session of congress will be called. The Associated Press said: "It can be said that the president regards the interstate commerce question as the paramount issue now before the American people." The Associated Press added: "He indicated, in so many words, that, while fifty years hence practically nobody would be able to say whether Lie ta iff duties on any given article at this time were 50 per cent ad valorem or 5 per cent ad valorem and nobody would care anything about what the duties were, the interstate commerce question involved a principle dear to every right thinking and right minded American, precisely as the whole matter of dealing with corporations involves a principle and he would fight for that principle with all the power that in him lay."

ALTHOUGH it has been stated that Elmer J. Burkett would be elected to the United States senate by the Nebraska republican legislature, considerable doubt has been expressed as to Mr. Burkett's attitude on the railroad question. It has repeatedly been charged that Mr. Burkett was brought into the contest for the senatorship

by the Union Pacific and Elkhorn railroad companies. Recently the Omaha World-Herald called upon Mr. Burkett to say whether he would stand with the president or against him in his fight against railroad discrimination. Mr. Burkett declined to answer and returned from his home at Lincoln to the national capitol without making public his views. But on January 11 the lower house of the Nebraska legislature adopted one resolution endorsing Mr. Roosevelt's railroad policy and another resolution calling upon Mr. Burkett to appear before the house and explain his position. Mr. Burkett replied by wire promising to stand by the president. Mr. Burkett's promise to stand by the president seems to have been satisfactory to the republican members, for on Tuesday, January 17, he was elected by receiving the majority vote in each house. On Wednesday the legislature in joint session formally declared Burkett the senator. He will succeed Charles H. Dietrich on March 4.

ALTHOUGH pacification of the Philippines is once more completed by benevolent assimilation of a large number of Moros, General Wood says that it must be completed again before long. Commenting upon this, the St. Louis Post Dispatch says: "It is remarkable how thirsty these people are for pacification. If they are not pacified once a week they break out into open mutiny and discontent and make a discouraging row."

"Can it be possible that some traitor has carried the declaration of independence to the swamps of Mindanao and taught the inhabitants of the islands that 'governments derive their just powers from the consent of the governed?' If so the Filipinos commit no logical fault although it must be admitted that they are woefully ignorant of the limitations of logic."

"Of these limitations a Mauser rifle in the hands of the other man is the most important. Whatever truth there may be in the doctrine of consent, it can have no force against well-armed regiments. This, it is hoped, the Filipinos will learn before the assimilation and accompanying pacification are completed. It will be too bad to fly the star spangled banner over a land whose inhabitants died in defense of the principles the flag symbolizes."

ATTORNEYS for Alva Adams, governor-elect of Colorado, applied to the court Dec. 28 for an order to open all of the 204 ballot boxes used in Denver at the late election for the purpose of making a thorough examination of their contents. "I have no question about my election by substantially the majority represented on the face of the returns," said Governor Adams. "I believe if the frauds in outside counties could be unearthed, my honest majority would amount to 20,000. But I want no tainted seat. It is of far greater importance that the extensive election frauds should be unearthed and punished than that I or any other particular individual should be sworn in as governor. I don't know who committed the alleged frauds in Denver. I know nearly thirty men are in jail, ostensibly for contempt of court, but really charged with election crimes. If they are of the character represented, I feel assured that there are men at liberty far more deserving of jail than those who are incarcerated. I feel that some of those in jail have been unjustly dealt with. But be that as it may, I want this investigation made; I want it to extend from the head to the foot and I want the truth known."

THE methods of Mr. Rockefeller are interesting. The Tarrytown correspondent for the Philadelphia North American, referring to Mr. Rockefeller, says:

"For three years he has vainly endeavored to buy John J. Melin's property in Briggsville, a village near the oil magnate's large estate here. Melin keeps a tavern on the road to the Standard Oil king's home. It is obnoxious to Rockefeller, and he has frequently tried to get possession of the land. He has even attempted to get Melin's license revoked, but Melin has beaten him. When Rockefeller realized he had failed to budge Melin, he decided to take the tavern keeper's business away from him. He proceeded to buy up Briggsville. If Mr. Rockefeller purchases the whole village and ousts the tenants there will be nobody to patronize Melin, who must then close out at Rockefeller's price. Rockefeller's many purchases have had their effect on Melin, whose business has dwindled until he is losing money. Melin is willing to sell now, but Rockefeller has withdrawn all offers."