

CURRENT TOPICS

MR. ROOSEVELT is said to be greatly disappointed because of the criticism to which his administration has recently been subjected in the columns of many of the republican newspapers. The St. Louis Globe-Democrat, for instance, congratulates the country that Horace Porter was chosen to be senior special ambassador in the ceremonies attending the transfer of the remains of Paul Jones while Loomis held only the role of junior special ambassador. The Globe-Democrat says that it is not creditable to that country that Loomis had anything to do with the affair, saying: "Loomis' appointment for this mission was a mistake which the president doubtless realized very soon after he made it. Loomis will figure among the liabilities rather than among the assets of the administration." Referring to the Paul Morton-Santa Fe case the Globe-Democrat says: "The country wants to see the square deal in the Morton case," and that "all the public asks is that the law be enforced fairly, regardless of the persons it hits." The Globe-Democrat adds: "Some admissions were made by Morton and other officers of the road in various connections which have a suspicious look. For this reason the president's defense of the secretary was not pleasing to the country."

THE New York Evening Post refers to "Mr. Roosevelt's whitewashing of Paul Morton." It points out that "some hide-bound organs" have defended the whitewashing on the ground "that Roosevelt is great and good and could not possibly err." The Post says: "At the very moment that the president was publishing his defense of Morton, members of the Chicago Teamsters' Union were being sent to prison for violating an injunction forbidding an act not yet committed. The Santa Fe injunction ordered the cessation of acts declared to be illegal. The first may have been open to the criticism that it infringed the liberties of American citizens; the other was unquestionably a just order and a prompt remedy. As the strikers entered their cells they must have envied Paul Morton, who so easily established his innocence by blaming his subordinates or the printers who failed to print the Santa Fe rates correctly. In either case the subordinates and printers escape punishment together with Mr. Morton. By contrast, would it not have been a magnificent spectacle—one to reassure the whole country—if Paul Morton, secretary of the navy, had been brought into court to face his accusers? His would then have been the decisive experience of the man who is indicted, if unjustly, he could have walked out of court with a full vindication, holding his head far higher than now, when amiably whitewashed by a president whose opinion is without legal weight in the premises."

IN EITHER CASE, whether Mr. Morton was found guilty or acquitted, according to the Post, "the power of the court would have been strikingly asserted, no one would have dared to say as well they may today that there exists in this country one kind of justice for railroad officers and another for trackmen and conductors." The Post adds: "If Mr. Roosevelt was so certain that his secretary was merely the victim of subordinates' errors and as 'clean as a hound's tooth,' he should have welcomed this judicial investigation. Instead, in his eagerness to whitewash his friend, he has actually crippled the court, which now finds itself unable to punish those who have defied its orders because its hands have been tied by the prosecuting officers appointed for the express purpose of bringing the guilty to book. True, the president has ordered Mr. Moody to bring proceedings for contempt against the corporations—which makes the corporations rejoice; the men behind them feel free to violate any laws they choose; the interstate commerce commission throws up its hands. This farce of corporate prosecution may well set the judges to reflecting that in fairness they should punish for contempt hereafter no individual strikers or strike leaders, but merely the unions to which they belong. They know, as Messrs. Harmon and Judson said, that 'the object of congress in providing a remedy by injunction in such cases, leaving the necessary penalties for disobedience to the discretion of the court, was to avoid the

niceties of procedure and proof required in strictly criminal prosecutions, and, to apply to railroad officials the remedy so often found effective in other cases.'"

AMONG the republican newspapers which support Messrs. Judson and Harmon in their view of the Paul Morton case and openly criticize Mr. Roosevelt are the New York Press, the Toledo Blade, the Chicago Inter Ocean, the Boston Record, the Pittsburg Dispatch, the Milwaukee Sentinel, the Des Moines Register and Leader, the Kansas City Journal, the Topeka Capital and State Journal, the St. Louis Globe-Democrat, and the Detroit Tribune.

IT WILL be remembered that soon after he was given "a clean bill" Francis B. Loomis was made special ambassador for the purpose of receiving the remains of John Paul Jones, but some one seems to have reminded Mr. Roosevelt that he had gone altogether too far in his anxiety to compliment a man who, as Secretary Taft put it, had been guilty of "indiscretions," and so Mr. Roosevelt appointed Horace Porter as senior special ambassador, which resulted in the reduction of Mr. Loomis to the grade of junior special ambassador. Referring to this change the New York Evening Post says that "it proves that it is never too late to mend, that you never can tell, that second thoughts are best, that one must look before he leaps, or any other trite morality which may apply to a headstrong president." The Post adds: "It is a welcome, if somewhat ridiculous, exit from an untenable position. In his eagerness to do honor to a favorite under fire, Mr. Roosevelt clean forgot Horace Porter, to whose zeal the recovery of Paul Jones' body, or of one 'equally as good,' is due. In this anxiety to pay a compliment to Mr. Loomis Mr. Roosevelt came very near, also, to affronting the French government. As the matter stands, General Porter will have charge over all ceremonies up to the time of the consignment of the remains for transport. Since the mortal remains of a naval hero are not recognized collateral, they will be reasonably safe in the hands of Loomis, 'Acting.'"

THE PROTEST made by President Roosevelt in behalf of Paul Morton and the position taken by Mr. Roosevelt with respect to the condemnation of men before they have been convicted of wrong-doing is, we are reminded by the Dallas (Texas) News, strangely at variance with Mr. Roosevelt's arraignment of General Tyner. Referring to the Roosevelt statement the News says: "If the letter accredited to President Roosevelt, which exculpates Mr. Paul Morton and sets forth the decision of the writer, that the government shall not be permitted to prosecute him for the alleged violation of the interstate commerce law, that he shall not be brought into court in the ordinary way to tell what he knows, and in which the strange doctrine, that a violation of the Elkins law by a corporation does not lay the officers and managers thereof subject to proceedings for contempt, is clearly set forth—if the president really takes it upon himself, as this letter indicates, to say whom the attorney general shall prosecute and whom he shall not prosecute, and 'differentiates between the corporation and its individual officers'—then, of course he has brought before the American people a brand new revelation, both as to the power of an executive officer and the meaning of the law. In spite of the authority by which the letter is declared to be genuine, one would prefer to believe that it is not genuine, or that it has been changed in some way."

THE NEWS adds: "If it is genuine, then all this oratory about rate legislation and other talk indicative of a determination to hold railroad corporations and the trusts to the law is merely tall talk with nothing to it. In the light of the record in this case, it reads like lines designed to deceive and divert the people. The remarkable position assumed, as alleged, by the president is made clear in the statement of one of his friends and admirers, that 'he takes the ground that whatever the officers of the railway

did they did in pursuance of the system at that time in vogue and because they could not well help themselves." Assuming that this is true, that neither Mr. Morton nor any other official is responsible and bound to respect the law in anything he may do, what is there in any other law or in any prospective or possible law that officers and managers of corporations will ever be bound to observe or respect?"

SECRETARY CHEATHAM of the Southern Cotton association says that it has been shown that there was a leakage in the agricultural department and that others besides Assistant Statistician Holmes had something to do with that leakage. The prosecution of Holmes and his associates is generally demanded, but the United States attorney for the District of Columbia has given the opinion that a prosecution will not lie. Congressman Burleson of Texas has drafted a bill to be introduced at the next session of congress making it a penalty of imprisonment for an employe or official of the government to divulge information of a confidential character such as embraced in the crop statistics before their official publication is authorized.

THE ACCEPTANCE by James B. Dill, one of the leading corporation lawyers of the place on New Jersey's court of errors and appeals, has created widespread discussion. The New York World is authority for the statement that Mr. Dill surrenders an income of \$300,000 a year from his law practice to become a judge with a salary of \$3,000 a year, and that his last private act was to refuse a retainer of \$25,000 offered by an insurance financier. Mr. Dill delivered an address at the commencement day exercises of Oberlin college, June 28. He took for his subject "Back to Beginnings," and dealt with the evils of "graft." In that address he had considerable to say about "frenzied finance" and "dummy directors," and his remarks attracted general attention because he has in the past been conspicuously identified with trust organizations. A friend of Mr. Dill says that he goes on the bench "not as a friend of corporations but as a stern and fearless judge."

MR. DILL'S record as a lawyer and his new field of effort are described in brief by the New York World in this way: "As corporation lawyer, he made \$300,000 a year in fees; as judge of the New Jersey court of errors and appeals, he will receive \$3,000 a year salary. As corporation lawyer, he is said to have received a fee of \$1,000,000 for settling the affairs of the Carnegie Steel company; as judge, he can not practice in courts. As corporation lawyer, he drafted and obtained the charters for thirty-three trusts; as judge, he may have to pass upon the crimes and misdemeanors of some of these corporations. As corporation lawyer, he learned all the tricks of Wall street high finance; as judge, he will detect these tricks when tried. As corporation lawyer, on his last day of private practice, he declined a retainer of \$25,000—equal to more than eight years' salary on the bench. Among the corporation charters obtained by Mr. Dill were Federal Steel, American Steel and Wire, American Tin Plate, Otis Elevator, National Biscuit, National Steel, and the Carnegie company."

EASTERN newspapers say that Elihu Root surrendered his profitable law practice and accepted the place of secretary of state in consideration of President Roosevelt's active support for the republican nomination in 1908. The New York World says that Secretary Taft will soon withdraw from the race and give his support to Mr. Root, and in return Mr. Taft will be appointed Chief Justice of the supreme court by Mr. Roosevelt if Chief Justice Fuller retires in his term, or by Mr. Root if he is nominated and elected. The World says: "Mr. Root believes he will have the hearty support of the corporations with which he has been allied professionally since he left the cabinet seventeen months ago. He also is confident that he will be boomed by the New York delegation to the national convention. The president and Mr. Root think this combination can not be beaten. They regard Mr. Root's nomination as a settled fact, and they are supremely confident that he will be elected. The