

The Commoner.

WILLIAM J. BRYAN, EDITOR AND PROPRIETOR

Vol. 6. No. 9

Lincoln, Nebraska, March 16, 1906

Whole Number 269

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NOT A JUDICIAL DUTY

General Weaver, in his speech at the democratic dinner at Lincoln on the 6th inst. while alluding to the wide difference between the principles of government represented by Thomas Jefferson and those taught by Machiavelli, the great Florentine diplomat, paid his respects to the railway rate question now pending in the United States senate. General Weaver declared that the republican leaders know that the question involved is distinctively a legislative question and not judicial in its character, and that unless the order of the interstate commerce commission should be confiscatory their action could not even be reviewed by the courts, and that if a wrong was done, the remedy must be sought at the hands of the legislature rather than the courts. He said this had been the settled rule for thirty years. This accounts, he said, for the great effort now made to have a clause inserted expressly providing for review by the courts. He read from the decision of the supreme court in the celebrated Grange cases handed down in 1876, in which the court speaking through Chief Justice Waite held:

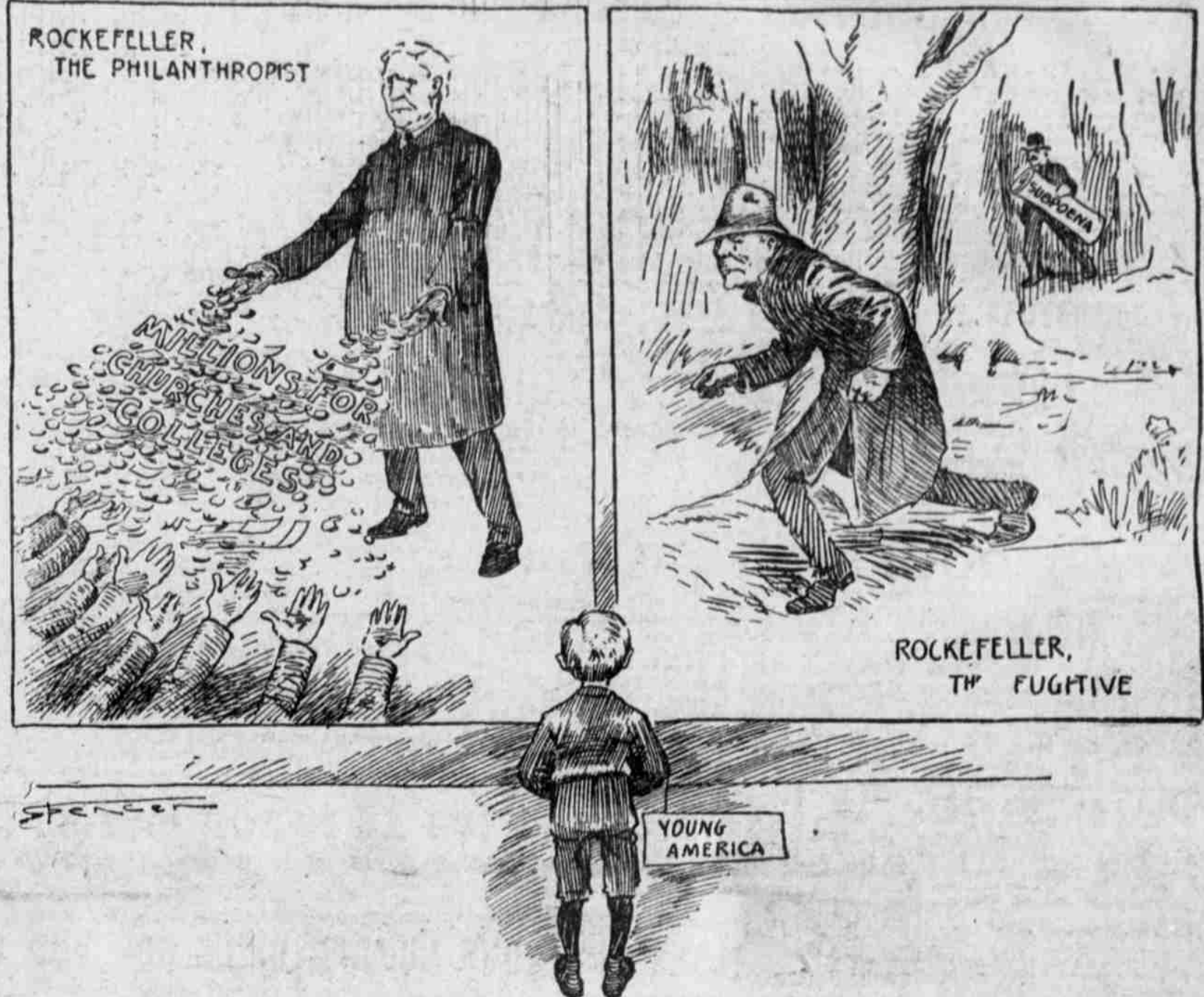
"Railroad companies are carriers for hire. They are incorporated as such, and given extraordinary powers in order that they may better serve the public in that capacity. They are, therefore, engaged in a public employment affecting the public interests, and subject to legislative control as to their rate of fare and freight, unless protected by their charters." Chicago, Burlington & Quincy Railroad Co. vs. Iowa 94, U. S. 155.

In Peit vs. C. B. & Q. Ry. Co., 94, U. S. page 178, the court said:

"Where property has been clothed with a public interest, the legislature may fix a limit to that which shall in law be reasonable for its use. This limit BINDS THE COURT as well as the people. If it has been improperly fixed THE LEGISLATURE, NOT THE COURTS, MUST BE APPEALED TO for the change."

These decisions disclose the Machiavellian cunning and duplicity now being exerted by corporation senators in the effort to secure the insertion of an express clause providing for court review. It will be observed that the trouble in securing needful legislation lies in the senate—the body farthest from the people. Now the proposition is to take the question away from the legislature altogether and lodge it in the courts where the judges hold by the life tenure. Are not these things worthy of serious thought by those concerned in the perpetuity of popular government?

THE RICHEST MAN IN THE WORLD



INSPIRING!

CHINA--AS SHE WAS

Mr. Bryan's Ninth Letter

The contrast between the China of antiquity—hoary with age—and the new China—just awakening into life—is so great as to suggest the treatment of the two periods in different articles. And if the contrast between China of yesterday and the China of today is great, what shall we say of the contrast between the Flowery Kingdom and our own country? The same stars shine overhead and the same laws of nature operate on the earth, but in mode of living, appearance, customs and habits of thought, the Chinese people could scarcely be more different from ours.

First, a word as to the land which they occupy; its very vastness impresses one, unless he has recently consulted his geography. While the eighteen provinces which constitute China proper have something less than two million square miles, yet the Chinese empire with its tributary states has an area of about five million three hundred thousand square miles and extends over thirty degrees north and south and seventy degrees east and west. We hardly realize when we speak of China that her emperor holds sway over a territory nearly twice as large as the United States; that his decrees are law to a population estimated at from two hundred and fifty to four hundred millions; that her climate is like that of Russia in the north, while in the southern provinces her people live under a tropical sun; and that she has so many mountains and such mighty deserts that more than half of her population is crowded together upon a plain which contains but a little more

than two hundred thousand square miles. Williams, in his work entitled "The Middle Kingdom" calls this district "the most densely settled of any part of the world of the same size" and estimates that upon this plain—less than three times the size of Nebraska—one hundred and seventy-seven millions of human beings dwell.

The harbors of China are hardly what one might expect on so extended a line of sea coast. While the harbor at Hong Kong is an admirable one—one of the best in the world—the one at Shanghai has no hills to protect it, the one at Chefoo is open to the storms and the one at Taku does not deserve to be called a harbor at all. In leaving Shanghai we went an hour and a half by launch in order to reach a steamer of only six thousand tons; at Chefoo a still smaller ship was delayed a day because the lighters could not unload it in the wind, and at Taku, the seaport of Tientsin and Peking, we spent a day on the bar waiting for ten feet of water.

The capital of the empire has until recently been so difficult to access that comparatively few tourists have visited it. The large ocean steamers stop at Shanghai and Hong Kong only, making it necessary for one desiring to visit Peking to take a smaller boat and risk indefinite delays on account of wind and tide.

Since the completion of the railroad from Hankow to Peking it is possible to accomplish the journey from Shanghai to Peking in less time, and in addition enjoy the advantage of a trip inland. When the projected road is completed