

Washington Letter

Washington, July 1.—It is interesting to note that Mr. James Bryce, ambassador of Great Britain to the United States, and the author of the best study of American politics given to the public in half a century, says to an Oklahoma Journalist: "I have read the Oklahoma constitution, but only in its unofficial form. I do not think it too long, I do not think it can be charged that it contains too much or treats of too many subjects. The fundamental law of the land can not be too comprehensive."

No man's opinion should carry more weight with the American public than that of Mr. Bryce. His political and historical studies have been profound, ranging from "The Holy Roman Empire" to "The American Commonwealth." And yet at the time that this man, whose coming was so greatly applauded by the powers that be at Washington, was approving in the main the Oklahoma constitution, the administration at Washington was seeking ways to set it aside. Mr. Bryce coming from a nation which has no written constitution and yet whose people enjoy as many constitutional guarantees as do those of this country, approves this latest document which is intended to guarantee to the people of a young and growing community the rights, most of which are enjoyed by their neighbors to the north and to the east, and all of which should be possessed by the people of every American state. Strangely enough the ambassador, reared in the conservative atmosphere of Westminster, long time a cabinet minister, now bound to a certain amount of reserve as a diplomat, could not be induced to show any apprehension as to the results of the initiative and referendum. Some of the New York newspapers which seem to think that this doctrine was invented in Kansas in the populist days might well go back into history, peer across the waters of the Atlantic and find how widely it has been applied in the progressive municipalities and counties of England.

In Mr. Bryce's "American Commonwealth" is a chapter devoted to this subject. In essence he says: "If good legislatures are unattainable, if it is impossible to raise the house and senate of each state above that low level at which (as we shall presently see) they now stand, then the system of direct popular action may be justified as a salutary effort of the forces that make for good government, opening for themselves a new channel."

The interstate commerce commission has undertaken the investigation of the somewhat notorious control of American railroads by a steamship combine, headed by the Hamburg-American line—which, by the way, only a few years ago was execrated as the "cholera line."

It is charged that this combine, by arrangements with railroads to the west and south, controls the price of foreign shipments, "dictate terms, routes and rates to shippers all over the United States and diverts freight to and from American ports at its own will without regard to the natural flow of trade, using coercive and unlawful methods to crush competition."

The hearing is yet to be had; the case yet to be tried. But it is encouraging to find that the interstate commerce commission is willing to take up a trans-Atlantic monopoly. Perhaps in time it may consider the monopoly of coastwise traffic by Charles W. Morse, and that of Long Island Sound by the New York, New Haven & Hartford railway.

The supreme court of the United States is entering upon an epoch in its history as important as the days when Marshall enunciated the now famous doctrine of "implied powers," or Taney handed down the Dred Scott decision. In the next few years the whole question of state and federal regulation of corporations, and the relations that must exist between these concurrent jurisdictions, will be reviewed in our highest court.

One of the first steps in this important undertaking was taken recently when Justice McKenna handed down a decision that practically affirmed the constitutionality of the railroad rate law, especially in the power it gives the interstate commerce commission to fix freight rates. This is the most important decision yet rendered respecting the control of interstate commerce by the federal government. The finding of the court is the more remarkable because neither of these matters of such national importance was directly at issue in the litigation just determined. The court, in fact, went out of its way in order to remove all

doubts concerning the rate making powers of the government and the entire constitutionality of the law which confers that power upon the interstate commerce commission.

Like many cases that have called forth the greatest decisions of our highest court, the litigation in this instance was comparatively simple and insignificant. A firm of lumber dealers in Georgia appealed to the interstate commerce commission against a freight rate increase by the Southern railroad of two cents a hundred pounds on lumber shipped from Georgia points to Ohio river destinations. The commission decided that the increase was an unjust and unreasonable one over profitable rates previously in force, and directed the railroad company to cease its collections on its new schedule. The railroad company fought the commission's order to the highest court, whose decision gives the interstate commerce commission absolute control over the freight rates of a railroad in accordance with the powers conferred upon it by congress. Congressional action makes a rate illegal which is shown to be unjust and unreasonable, and makes the interstate commerce commission both a judicial and an executive body, giving it the power to decide what are reasonable rates, and having decided, to enforce its findings. The railroad attorneys denied the constitutional right of congress to create a body having both judicial and executive functions. The supreme court has negated this contention.

WILLIS J. ABBOT.

Letters From the People

A. C. Matchett, M. D., Bourbon, Ind.—The policy of "Initiative and Referendum," appears to be wonderfully interesting to the people of all political parties and is gaining friends everywhere and will soon be the accepted policy of our country. In view of this wonderful revolution working so powerfully and the policy of a "law of recall," can you not explain these policies for the enlightenment of your millions of readers, and more especially that of the "law of recall," as applied to our public officers and its effect on the officials? Would the "law of recall" be apt to enforce more honesty in the official action of public officers and hold them more loyal to the platforms on which they were elected and prevent them from betraying the voters after their election? (Yes.)

John M. Barker, Montgomery City, Mo.—The greatest menace now to the American people is the practice of pouring out the millions of the people's money from the treasury at Washington into the pockets of the Wall Street gamblers who have bought railroad bonds. It is not at all probable that the Harriman letter would have ever been published, but in revenge against the administration for pouring the public money into Wall Street to stem the tide of ruin covering the holders of water-logged railroad bonds. The government took sides in the gambling. Harriman got mad and had his revenge. But what an awful condition is disclosed. The American treasury is subject to the call of Wall Street thieves and gamblers.

S. T. Williams, Detroit, Mich.—I enclose page of Free Press of this city, which became a radical gold standard paper in 1896. It did then and has since derided the quantitative theory of money and has heretofore given every reason but the right one for the fall in the price of silver. It has repeatedly called bimetalism a "heresy," etc., etc. Note this article which, while not an editorial, was evidently written or prepared by its economic writer.

Following are closing paragraphs from the Free Press article:

"So far as legislation is concerned, it will be seen that the utmost possible injury was inflicted upon silver through the demonetization as a full money metal in 1873 to 1893. With the increased production of gold, and the larger national and international monetary transactions, there has grown up a great demand for subsidiary silver in retail trade, which all the nations of the earth are now compelled to meet. Even the United States has exhausted all the silver purchased by the government under the Bland and Sherman acts and is now compelled to buy 100,000 ounces of silver weekly to meet the requirements of domestic trade. It is probable that in the regeneration of China a great market for silver will be open to the world. That country now, according to the estimates by the commission on international exchange, has a monetary circulation of less than \$1 per capita, most of which is in uncoined silver. If the reformation of the currency of China should

be successfully carried out within the next few years, even if only \$1 per capita should be added each year to the circulation it would make a market for upwards of \$300,000,000 to \$400,000,000 worth of silver. This, of course, is of the future, perhaps the distant future, but it may not be so distant. In the meantime, so long as business activity and prosperity continue in the western world the demand for silver for subsidiary coinage will increase and with the growth in wealth there will be a larger use of silver in the arts. All adverse influences having been outgrown, may it not be true that the increased production of gold has also helped to advance the price of silver?"

O. E. McCutcheon, Idaho Falls, Idaho.—Your issue of May 31 quotes an article from the Great Falls Daily Tribune, containing a criticism of the last legislature of this state on the ground of the passage by the last legislature of a law that reduces by one-half the number of challenges allowed the defense in criminal cases. While the prosecution deny the allegation that this new law was made specially to cut down the chance of the Western Federation officers accused of crime in selecting a jury that was satisfactory to the defense, yet there is little doubt that this was the motive behind the change in the law last winter. I beg to advise you that this is an error. The number of peremptory challenges allowed the defendant in capital cases under the new law is ten, the same as it has been at least since 1864. The change last winter simply gave the state the same number, where it formerly had but half the number. Will you kindly publish a correction? I was a member of the last legislature and probably have enough to answer for on the basis of facts.

John Mc Nicol, Hillsboro, Ohio.—Grant me space in your columns to express my views in regard to some things our "strenuous" president, Mr. Roosevelt is doing. Our president (from his multitudinous utterances) considers himself qualified to regulate our customs, our courts and our industrial conditions. In the issue of The Commoner of May 10, I find a letter addressed to John S. Henry from the president, in regard to Moyer and Haywood and incidentally Debs is touched. Mr. Editor if you can string out a group of sentences as difficult of interpretation I would like to have them simply as a curiosity. Then on page 8 I find the president advising the Elks. Yet the president admits he is not an Elk, but in his wisdom tells that order not to do as he did, that is to shoot any elks. The president is much of the same thought as was the old-fashioned preacher who, in advising his hearers what should be their course of conduct, said: "Don't do as I do or you will go to hell sure." President Roosevelt needs to take a rest from carrying that "big stick" and speaking so softly.

MOTHER LOVE

Take the glory of the conquest and the grandeur of the morn,
The splendor of the triumphs out of toll and patience born,
The beauty of the cities and the armies of the just
Moving down the golden valleys to the victories of the dust—
But the mother love that wraps around a wayward child its wings
Is sweeter than all triumph and is stronger than all kings!

The mother love is patience bearing all the years of care,
With faith to take the burden up and strength to lift and bear;
The mother love is warder of the rosy gates of life,
With kiss goodby to little ones who go to face the strife,
And arms of old endurance waiting there to clasp and greet
The loved who wander back again, the lost with weary feet!

The mother love is gentleness that mellows through the years,
With lips to kiss the brow that aches and song to stay the tears;
The mother love is tireless in the vigil that it keeps
To guard the couch from danger where the bloom of lovehood sleeps!
Oh, wayward, weak, and weary, and ye who walk in sin,
Be sure the heart of mother love will ope and let you in!

—Baltimore Sun.