

it or not, Mr. Burton is yoked to an indefinite program of five-cent fare. The question of fares is all he sees to the problem. The monopoly which for seven years has controlled the republican organization will not permit Mr. Burton to see more than this. But the question is government by the people or government by privileged wealth."

THE AMERICAN representatives at The Hague took the proper stand when they made an effort to prevent the use of the navy for the collection of debt. Speaking on this subject in his Madison Square address, Mr. Bryan said: "I venture to suggest that we may not only promote peace but also advance our commercial interests by announcing as a national policy that our navy will not be used for the collection of private debts. While protecting the lives of our citizens everywhere and guaranteeing personal safety to all who owe allegiance to our flag, we should, in my judgment, announce that persons engaging in business and holding property in other lands for business purposes must be subject to the laws of the countries in which they engage in business enterprises. Many profitable fields of investment are now closed because the people of the smaller nations are afraid that an investment of foreign capital will be made an excuse for a foreign invasion. Several times on this trip this fact has been brought to my attention and I am convinced that for every dollar we could secure to American investors by an attempt to put the government back of their private claims we would lose many dollars by closing the door to investment. Mark the distinction between the protection of the lives of our citizens and the use of the navy to guarantee a profit on investments. We do not imprison for debt in the United States, neither do we put men to death because of their failure to pay what they owe, and our moral prestige as well as our commercial interests will be conserved by assuring all nations that American investments depend for protection upon the laws of the country to which the investors go."

JUDGE LANDIS has decided that the Chicago and Alton railroad is entitled to its immunity bath. An Associated Press dispatch from Chicago says: "It was claimed by Attorney General Bonaparte, whose letter was read to the court by District Attorney Sims, that Mr. Morrison, the predecessor of Mr. Sims in office, had promised immunity to the Alton road provided it assisted in good faith in the prosecution of the Standard Oil company. The attorney general therefore held that it was the duty of the government to see that no further steps toward the punishment of the railroad for its part in the granting of the rebates be taken. He asked that the grand jury, which had been summoned at the instance of Judge Landis to investigate the Alton railroad, be discharged. Judge Landis, in a statement which required fully thirty minutes for its delivery, declined to discharge the jury, but instructed its members that they had no further duty to perform in connection with the Chicago and Alton. The court then called attention to a statement recently issued by President Moffett of the Standard Oil company of Indiana, in which it was claimed that if the Standard Oil company was guilty of receiving rebates, no other manufacturer was innocent. The court directed the jury to investigate the conduct of other manufacturers and directed that a subpoena be issued for President Moffett."

THE LETTER of the attorney general to District Attorney Sims directed Mr. Sims to "inform the court that this department has most carefully considered and again reconsidered all aspects of the case, and is unable to find any sufficient reason for other action on its part than was indicated in the letter dated August 10 last from the attorney general to Hon. K. M. Landis, and to which Judge Landis referred in his remarks to the grand jury on August 14. You will assure the court that this department thoroughly appreciates the force and cogency of the reasons which caused its request that the record of testimony in the case against the Standard Oil company of Indiana be scrutinized by this department, and it fully recognizes the highly appropriate character of the said request under the peculiar circumstances of this unusual case. You will further assure the court of this department's earnest wish to co-operate heartily and effectively with the judiciary in the admirable purpose to bring to justice as speedily as possible all offenders against the statutes reg-

ulating interstate commerce which prompted and was announced in the original order of the court summoning this special grand jury. Moreover, you will renew the expression of regret contained in the attorney general's letter of August 10, that this department by reason of its ignorance of the material facts determining its present action could not advise the court as to the said facts prior to the above mentioned original order. It likewise appears to the department that you should explain to the court the evident necessity which existed in the judgment of the attorney general for a public statement of its position in consequence of your request for a postponement made in this case on September 3 last. The department has duly considered, as you are aware, the interesting and pertinent facts which led you to ask the postponement and in its desire to carry out thoroughly the wishes of the court, expressed in the order of August 14, it has ex-Maioe Cautela gone over again the testimony of all the witnesses then in the employ of the railroad company who testified at the trial of the oil company, and it respectfully reports to the court, through you, that, although the facts render such a scrutiny clearly appropriate and although some parts of the evidence are undeniably open to adverse criticism, the most perfect good faith requires the government of the United States to accord to the Chicago and Alton Railroad company the privileges granted an accomplice who becomes a witness for the prosecution." After quoting authorities and decisions on the subject of privilege of immunity granted such witnesses, the attorney general's letter concluded as follows: "Having submitted the foregoing report, explanation and statement of the department to the court, you will thereupon respectfully move that the special grand jury be discharged from further consideration of the matter and you will immediately report your action in the premises and any which may be taken thereon by the court."

FEDERAL JUDGE J. Otis Humphrey, the jurist who gave the beef packers the immunity bath and thereby brought down on his head the public condemnation of President Roosevelt, stood on the deck of the steamship Noordam recently as she slid up the lower bay and smiled a smile of satisfaction when a representative of the Chicago Examiner informed him that President Roosevelt and Attorney General Bonaparte were determined that an immunity bath should be given the Chicago and Alton railroad. "For eighteen months I have refrained from indulging in any criticism of the president," said the judge, "and I do not feel inclined to criticize him at this time. I felt when I handed down that decision that I was right. If I had deemed it courteous or wise to have plunged into any public controversy with President Roosevelt, I should have done so when he was attacking me in the public prints and was voicing criticism of my decision in the beef packing cases. I felt when I wrote that decision that it was good law and that time would prove it to be. My closest and wisest friends told me at the time that I was right. They counseled silence on my part. You know, of course, that Judge Landis is one of my colleagues on the federal bench in Illinois. I read in Paris of his fining the Standard Oil trust \$29,000,000. I hope that he did the right thing and I firmly believe that he did. Landis is a brave, dashing, fearless and absolutely honest man and he knows the law. If the federal government wishes to have the Chicago and Alton granted immunity, it certainly raises complications, doesn't it?"

ADDRESSING Judge Humphrey, the Examiner representative said: "Inasmuch, Judge, as it is the desire of the president to let that corporation go scot free, while he personally attacked you because you held the beef packers civilly and not criminally guilty, do you care to say anything about the seeming inconsistency of such action?" Judge Humphrey replied: "No, I was right then and it has been proven. When the president sent a special message to congress declaring that my decision was a miscarriage of justice and that such interpretation of the law comes measurably near to making the law a farce, I was angered. Some of my friends hastened to me—some of the hot-headed ones—and suggested that I call the attention of the president to the fact that the constitution of the United States provided for three co-ordinate branches of government; the executive, the legislative and the judicial, and that I was part of the judicial branch. There was a temptation in the suggestion. I felt for a short time that it might be vastly entertaining to tell something of the constitutional rights of federal judges

and to discuss points of law, but I didn't then believe that judges could with dignity take part in newspaper controversies, no matter how exalted their opponents, and I refrained. Chicago newspaper men came to me and earnestly besought statements. I was asked by many to protect my reputation. I didn't. I felt that law would be regarded as good law and that it would stand the acid test of time. Well, I waited. The Chicago Bar association became interested and wanted to pass some rather heated resolutions against the president; other bar associations in various states held meetings and decided that my decision was good law. Big lawyers in Illinois who made a study of the question told me that I was right. I let it stand and have never yet felt that I made a mistake when I refrained from talking back."

THIS INTERESTING dispatch was given to the New York World by its Washington correspondent: "The resignation of former United States Senator William E. Chandler from the Spanish treaty claims' commission, of which he was chairman, is the climax of his long fight with Senator Knox, of Pennsylvania, over the appointment of the latter's friend, Harry K. Daugherty, as a member of the commission. The Pennsylvania senator defeated him so decisively that he could no longer remain on the commission without stultifying himself. Before going Senator Chandler declined to join with the other commissioners in a request made to the president on September 5, that the life of the commission be extended six months, preferring that the commission should die rather than that Daugherty should become a commissioner. Heretofore the suggestion for an extension has always come from the chairman, who made this plea after he had publicly branded the president as a falsifier in connection with the rate bill fight. Mr. Chandler had declared that he thought it a manifest impropriety that Daugherty should serve on the commission where he would review claims that, as special attorney for the government, he had investigated, in a way, as counsel for the defense, as against the claimants. He tried to have the president induce Daugherty to accept a place in the department of justice, or one of counsel for the court of claims, his mediators being Solicitor General Hoyt and some of his friends, who had the president's ear, but neither the president nor Daugherty was moved by the arguments. Instead, when the other commissioners went over the head of their chairman and, having waited until the day before the commission would have died automatically under the law creating it, asked for a continuance of existence, the president granted the extension immediately and without communicating with Mr. Chandler. This was a broad intimation to Mr. Chandler that he could resign or remain and assent to what he considered an impropriety—the association on the commission with Mr. Daugherty, who had already received his appointment. The New Hampshire man was frozen out. Commissioner Daugherty is the only member of the commission in the city. He refuses to discuss Mr. Chandler's resignation, saying that he knows nothing about the matter beyond what has been printed in the papers, and that he understands that Mr. Chandler intends making some public observations on the subject."

WHAT NEXT?

A number of administration organs, pinched by the exactions of the tariff fed paper trust, have finally joined in the demand that the tariff on paper and wood pulp be repealed. Certainly it should be, for it has no other effect than to put a premium on the destruction of our own forests and enrich a few pampered tariff barons. But when these administration organs have succeeded in ridding themselves of a tax that the foreigner does not pay, will they kindly come to the assistance of several millions of us who are compelled to pay the tariff tax, that the foreigner also does not pay, on shoes, clothing, hats, thread, nails, wire, sugar, lumber, coal, oil and its byproducts, leather, cordage and numerous other things? If the tariff on paper and wood pulp pinches the newspaper proprietors, how can they deny that the tariff on other things also pinches the people who must purchase those things?

PER MINUTE

According to the testimony in the Standard Oil hearing in New York, John D. Rockefeller's income from the big trust during the past eight years has been \$21.25 per minute. This is from oil alone. Surely Mr. Rockefeller is a whole regiment of industry.