

with a live dog, a cock, a viper and an ape, and casting it into the sea, and to the English customs of disemboweling traitors and burning alive women who committed treason. The court decided to regard these precedents as milestones in the advance of civilization and not as limitations on the phrase. 'In the application of a constitution,' said Justice McKenna, in announcing the decision of the court, 'our contemplation can not be only of what has been, but of what may be.' This he based on the belief that otherwise the general principles of the constitution 'would have little value and be converted by precedent into impotent and lifeless formulas.' 'Rights declared in words,' said he, 'might be lost in all reality.' Much speculation exists as to the effect of the decision. That it will apply to the territories and the District of Columbia is not doubted. The court has determined that the eighth amendment is not applicable to the states and hence the states will not be compelled to follow the new principles. Most of the states, however, have provisions in their constitutions similar to the eighth amendment and it is believed the decision will have a powerful influence in the future interpretation of these."

WRITING FOR the New York Dramatic Mirror, Howard Herrick, presents a list of one hundred popular plays. Among Mr. Herrick's list are the following: "The Count of Monte Cristo," "The Corsican Brothers," "Riche-lieu," "London Assurance," "Uncle Tom's Cabin," "East Lynne," "Camille," "Ingomar," with its memories of Mary Anderson; the plays that New York saw in the Daly and Palmer days—"Article 47," "Diplomacy," "Frou-Frou," "A Scrap of Paper," "The Two Orphans," with its souvenirs of Kate Claxton; "Fedora," "The Private Secretary," "A Celebrated Case," "Jim the Penman," "The Banker's Daughter," and a full quota of Sardou and Bronson Howard generally. There is "Fanchon," with Maggie Mitchell; "The Shaughraun," with Boucicault; "Shore Acres," "Hazel Kirke," "Trilby," "Ben Hur," and of a more nearly contemporary time "The Heart of Maryland," "The Liars," "Zaza," "A Texas Teer," "The Christian," "Lady Windermere's Fan," "Mrs. Dane's Defense," "The Second Mrs. Tanqueray," "The Witching Hour," "The Climbers," "Peter Pan," "The Great Divide," along with an allowance of Ibsen and Sundermann.

REFERRING TO Mr. Herrick's list, a writer in the New York World says: "It is, however, in the lists of the 'ten plays most acted' compiled for the Mirror by veteran actors that the surest clue to the popular taste is found. Of the five lists drawn up all contained 'Uncle Tom's Cabin,' 'Ten Nights in a Barroom,' 'East Lynne,' 'The Two Orphans,' 'Camille' and 'Rip Van Winkle,' and all but one 'Hamlet,' opinions differing on the inclusion of 'Monte Cristo,' 'Lady Audley's Secret,' 'The Octoroon,' 'The Colleen Bawn' and 'Hazel Kirke.' What 'Hamlet' should be doing in this gallery is a subject for interested speculation. But that it is there and that competent actors still play it to packed houses makes difficult any generalizations on a public taste which, while it holds fast to the Shakespearian masterpiece, shows a marked preference for the simpler emotionalism and more melodramatic expedients of the playwright as evidenced by 'Uncle Tom,' 'East Lynne' and their kind. It is significant that not one of the 'advanced' dramatists has won a place among the public's favorite 'thrillers.'"

THE NEW KING of England is already in trouble. He objects to the anti-Catholic character of the oath that he will be required to take when he opens his first parliament. A London cablegram says: "Already the anti-Catholics, who form an overwhelming majority of the population, are opposing any change in the oath and are importuning members of parliament not to carry out the suggestion that a few of the 'offending sentences' be modified. It is admitted that a majority of the members of parliament favor a change in the oath, which question, in fact, has been under consideration since the Eucharistic congress in London. Owing to the tremendous popular sentiment against a change, however, parliament has deferred action. Now King George has brought the issue to a head. The declaration to which King George is opposed reads: 'I solemnly and sincerely, in the presence of God, profess, testify and declare that I do believe that in the sacrament of the

Lord's supper there is not any transubstantiation of the elements of bread and wine into the body and blood of Christ, at or after the consecration thereof, by any person; and that the invocation or adoration of the Virgin Mary or any other saint, and the sacrifice of the mass as now used in the church of Rome, are superstitious and idolatrous; and I do solemnly, in the presence of God, profess, testify and declare that I do make this declaration and every part thereof, in the plain, ordinary sense of words as commonly understood by English Protestants, without any evasion, equivocation or mental reservation whichever and without any dispensation already granted me for this purpose by the pope or any other authority or person whatsoever." John Redmond, the nationalist leader, and the Duke of Norfolk, the foremost Catholics in England, are lending their aid to the new king in his effort to have this declaration modified. The proposals suggested are to change the words, 'are superstitious and idolatrous' to 'are contrary to my belief,' and to omit the reference to the pope."

MORRISON I. SWIFT of Concord, New Hampshire writes to the New York World this interesting letter: "The recent votes against the national income tax plan in New York and Massachusetts reveal that the legislatures of these two states are dominated by the fraction of the inhabitants owning great wealth. The plea has been heard that it would be unjust to these states in particular to tax incomes, because they are so enormously rich. For that reason, it is said, they would pay a disproportionate part of the tax. In other words, they have such enormous incomes and are so well able to pay the tax that they ought not to be made to do so! The rich man, in fact, considers it a sin to tax him. He regards it as one of the special privileges of the workingman and farmer to bear the whole tax or as much as he can load upon them. England will this year collect \$112,000,000 income tax. An income tax on the same scale here would easily give us \$150,000,000. Much of this burden would be taken off the poor, enabling them to live on a higher plane of life and develop greater intelligence. The character of the whole nation would be uplifted. But no, the inordinately rich must have the money to blow in on motor cars and grand triumphal progresses from hotel to hotel in Europe."

Practical Tariff Talks

Brass is one of the metals very largely entering into the trade of this country. It is made of an alloy of copper and zinc, with sometimes a little tin added. The American market consumes something like \$100,000,000 worth a year—\$99,000,000 in 1905, as per government census. Brass goods are protected by duties ranging from 15 to 45 per cent, most of that used by the average person being under the high rate. The government census for 1905 states that the total labor cost of making these goods is 17 per cent. The average duty is more than twice the total labor cost. With this high a tariff wall around the industry it naturally follows that there is a brass trust, the American Brass company. The trust exports \$4,500,000, its surplus, which is sold at the world market for less than the price charged here. The duty is so high that the importations amount to less than \$100,000 worth. It scarcely needs a demonstration that an industry that produces \$100,000,000 worth a year is no longer an infant and that when it sends abroad \$4,500,000 of its products to be sold at the international price it needs very little tariff.

This, however, is but one of many trusts. There is the car builders trust and the locomotive trust. Both of these industries have a 45 per cent tariff, and there are no imports. Their labor cost approximates 20 per cent—and 45 per cent is levied to represent the difference between labor costs here and abroad. The car building industry produces \$125,000,000 a year, and it sells \$9,000,000 abroad. There are no statistics on locomotive production, but they sell freely abroad, as everybody who reads knows. The American Fork and Hoe company controls 80 per cent of the yearly production of farm tools. It has a 45 per cent protection and exports \$3,500,000 a year. The linseed oil trade is controlled by the American Linseed Oil company, a Standard Oil concern. It is protected

by a 24 per cent tariff, but the refining process involves a labor cost of only 3 per cent of the total.

The United Lead company controls 85 per cent of the pig lead business. The refining cost is 4 per cent, and the tariff runs from ten to twenty times the labor cost—see page 7622 of hearings before ways and means committee of the house. The woolen trust, the American Woolen company, controls 60 per cent of the production. Its labor cost averages 18 per cent and it is protected by tariff running from 55 to 125 per cent on cloth, 70 to 118 per cent on dress goods, 90 to 141 per cent on knit fabrics, 86 to 144 per cent on flannels, and 96 per cent on felts. The glucose industry is controlled by the Corn Products company. Its labor cost in starch making is 11 per cent and its tariff protection 46 to 69 per cent, while the labor cost in glucose making is but 7 per cent, while the tariff protection is 55 per cent. Three million dollars worth a year is sent abroad. The Diamond Match company controls 85 per cent of the match-making industry. Its labor cost is 20 per cent and its tariff protection under the Dingley law ran from 15 to 42 per cent. It was reduced to from 12 to 24 per cent.

Then there is the meat trust, with its 5 per cent total labor cost and a tariff protection of from 10 to 19 per cent. It sells nearly a billion dollars worth at home, and ships abroad something like \$170,000,000 a year. The rubber goods trust has a labor cost of 15 per cent, and a protection ranging from 20 to 35 per cent. The leather trust, the United States Leather company, controlling 60 to 75 per cent has a total labor cost of 15 per cent and a tariff ranging from 15 to 40 per cent. In excess of a quarter of a billion dollars worth of leather goods are sold on the home market and \$32,000,000 worth shipped abroad. These are official figures taken mainly from government publications. They were presented to congress, and that body practically ignored them in making the Payne-Aldrich law. C. Q. D.

THE TRIUMPHANT SPOILERS

The men who had the courage to side with the people against the Morgan-Guggenheim interests that are trying to grab the natural resources of Alaska are fast being weeded out of the public service.

First, the lobbyists were boasting that they would "get" Secretary Garfield—and they did. Garfield had proved a great obstacle to the spoilers. Then Glavis, who saved the nation coal land valued by its prospective purchasers at \$25,000,000, was removed from office. The next to be sacrificed was Pinchot, the founder of the conservation movement in the United States. Saturday the president nominated a successor to Mr. H. M. Hoyt, the efficient attorney general of Porto Rico, whose offense consisted of joining with Glavis in an attempt to foil the looters of the public domain.

When Ballinger refused to pass on the Cunningham claims, on the ground that he had acted as attorney for the claimants, and turned them over to his subordinates, men with their "ears to the ground"—as was remarked by one of them—Glavis sought to save this valuable property by an appeal to the attorney general of the United States. In taking this rash step of insubordination the young land office agent felt the need of counsel and so appealed to Hoyt, who had been a great government prosecutor in the northwest under Roosevelt and had been promoted to the attorney generalship of Porto Rico. Hoyt realized so keenly the danger to the country and the administration that he went personally to Mr. Wickersham and obtained the ruling that saved the coal lands.

But because he refused to join with the administration in the whitewashing of Ballinger before the investigating committee and insisted on telling the truth, he is now out of the government service. Doubtless, the director of the reclamation service, Mr. Newell, and its chief engineer, Mr. Davis, will soon follow.

In these days of an "easy" president and unscrupulous and aggressive advisers, it takes nerve to stand against special privilege.—Kansas City Times, Rep.

All new and renewal subscribers to The Commoner during the month of May will receive a year's subscription to the national farm paper, the American Homestead, without additional charge. Give your friends an opportunity to join you in accepting this offer.