

ORATORY

Its Requirements and Its Rewards.

By John P. Altgeld.

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Empire by One Majority.

The decisions of the supreme court in the insular cases are bewildering. The new possessions are declared to be parts of the United States for some purposes, not for others. They are domestic in some senses, not in others. The line is drawn at the tariff. The trusts win out.

The decisions turn on the tariff issue, for that was the essential subject in dispute. Justice White, a democrat appointed by President Cleveland, from the sugar growing state of Louisiana, turned the scale. If he had agreed with Chief Justice Fuller and Justice Peckham, both democrats, and with Justices Harlan and Brewer, both republicans, the discriminating duty levied on Porto Rican goods in the Downes case, would have been held unconstitutional, because the goods came from a part of the United States, and duties throughout the United States must be uniform and equal. But Justice White went with Justices McKenna, Shiras and the other republicans who drew a line that would protect the trusts and safeguard the sacred McKinley-Dingley tariff, even to the crossing of a "t" and the dotting of an "i," to use the classical language of the great and good Mr. Hanna in that connection.

In order to do this—in order to save the tariff after the court had declared Porto Rico a possession and part of this country, it was necessary to reverse in the most direct and distinct manner a decision of the court rendered by Chief Justice Marshall. That decision had stood unquestioned down to the present time, and it would still stand unquestioned if Justice White had not accepted the administration or sugar view of the case.

Whether accidentally or not, this great court always in great cases takes the side of great capital. It did this in the Dred Scott case, which, as Justice Brown states, was overruled by public sentiment and war. It took the side of capital in the greenback case. So it did in the income tax case, and

it is now supporting by a majority of one the trusts and the tariff.

The essence of these cases, as Solicitor General Richards truthfully states, is the tariff. He should have added, through it the trusts, and through the trusts, the campaign subscribers. By a majority of one these have won. The Dingley tariff at home on the mainland is preserved even to the crossing of a "t" and the dotting of an "i," and the trusts and campaign subscribers are on top in their customary place. The new possessions are told by Justice Brown that they have some rights in common with the mainland under the constitution, but not the right of equal taxation. This the sugar trusts and other trusts could not grant. "The American Empire" is practically established. This phrase is all that is indorsed in Chief Justice Marshall's repudiated decision. The administration is left to deal with Porto Rico under the Foraker act, and the Philippines under the Spooner act, as it pleases, and the trusts are happy and fully protected.—Birmingham Age-Herald.

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