

insular possessions is an export tax, then congress can neither levy such tax nor delegate authority to do so to an insular legislature like that of Porto Rico, and congress cannot delegate a power which it does not itself possess."

That is quite clear and the students of government in this country have, for many years, been impressed with the idea that congress does not possess the power to levy upon any territory or people, subject to United States jurisdiction, a tax that does not also apply to all territory and all people under that jurisdiction. Students of government in this country have long been impressed with the idea that congress cannot delegate even to that remarkable institution known as an "insular legislature" a power which congress does not itself possess.

The court, however, insists that "the maintenance of a separate economic system in an insular country would become practically impossible so far as its commercial relation with the United States were concerned," if these strange doctrines did not prevail. And the court holds that inasmuch as Porto Rico is not foreign territory, goods shipped to Porto Rico are not exports.

This same reasoning would sustain the claim that a tax levied on goods shipped from one state to another was not an export tax because the state or territory to which the goods were billed was not foreign territory.

Chief Justice Fuller and Justices Harlan, Brewer and Peckham hold that the duty imposed is export in its character and that the fact that it was levied for the benefit of Porto Rico does not alter the situation. It is difficult to describe judicial decisions, to sustain which the fundamental law must be twisted and distorted or abandoned altogether. It is difficult to understand how anyone could consider a tax levied on goods exported from the United States as anything other than an export tax; and it is safe to say that in the fullness of time, when the new and strange doctrine is abandoned, the position taken by the chief justice and Justices Harlan, Peckham and Brewer will be vindicated by popular judgment as completely as they must now be vindicated in the mind of every student of government.

They Speak in Enigma.

It cannot be doubted that the people are beginning to realize the evils of the trust system, and this fact is well demonstrated by the attention which the trust organs are giving to the trust question. With a strange and peculiar unanimity, the republican organs seem to have settled upon "publicity," as a solution of the trust problem.

It is significant that this "publicity" scheme is presented not only by republican newspapers suspected of being decidedly favorable to the trust system, but also by lawyers who are believed to be in very close relation with trust magnates. The Chicago Tribune, for instance, quotes Mr. James B. Dill, whom the Tribune admits to have been called "The Father of Trusts." The Tribune thinks that it is important that Mr. Dill said that "The utilization and restraint of trusts are the essential elements in industrial success. This regularity and control can be had only by an enlightened public opinion and by wise legislation." Mr. Dill has not explained how the public may utilize the trusts to advantage. Like all those who speak in behalf of class interests, like all those who work for the advantage of the few to the disadvantage of the many, Mr. Dill speaks in enigma.

It is true that "publicity" concerning the affairs of great corporations as well as concerning all affairs in which the public is interested, will be of great advantage, but the average man of intelligence must be impressed with the belief that the rapidity with which the trust magnates and the trust lawyers and the trust organs rushed to the support of "publicity" as a solution of the trust

problem, arouses grave suspicion. If the trust system is antagonistic to public interests, if the trust system is bad, it should be crushed out, and if a public man is really anxious to solve the great trust problem, he need not resort to mysterious language, he need not indulge in enigmas.

Those who are in favor of trusts will offer apologies and suggest half-way remedies for the trust evil; those who are on the side of the people will boldly stand up in defiance of this powerful influence and will support not only the proposition that there be "publicity" concerning the affairs of corporations, but that every influence and every power and every authority within the possession of the administration or within the reach of political parties that hope to come into the administration of government, will be exerted to the destruction of the trust evil.

The republican party has been very successful in deceiving the public. Republican statesmen have been very successful in pretending to desire that which they never intended nor sought to accomplish. Republican newspapers have continually, and in many instances successfully, pulled the wool over the eyes of the people. It is not at all surprising that on a matter which, like the trust question, so vitally affects every individual, republican leaders and republican newspapers realize the importance of pretending to do away with the evil and pretending to provide the public with relief. It remains to be seen, however, whether all of the people can be deceived all of the time.

Branch Banks.

In his annual report Secretary Gage recommends a great central bank. He says that the existing system does not afford "the highest assurance of protection" and does not establish "a bond of cohesion, the power of co-operative action, the ability to co-ordinate for the general good or for mutual defense," such as would be provided by a central institution with multiplied branches. Those who have carefully observed the part which the banking institutions have played in the politics of the country will obtain a hint of the enormous power a central bank, with "multiplied branches" would wield when they observe that the promoters of the proposed system believe that between the banks as organized today there is no "bond of cohesion" and no "power of co-operative action." Mr. Gage says that the proposition for a large central bank with broad powers for establishment of branches "offends the common instincts of our people," and "may be looked upon at present as impossible of realization." We may accept this language, then, while giving no encouragement for the immediate present, as holding out the hope that after a while, when the people shall have become quite accustomed to republican impositions of all kinds, the "common instincts of our people" may be violated with impunity and even a central bank may be established.

If this proposition does now offend the "common instincts of our people" what manner of official is this who holds out even the smallest hope that the offense may yet be given?

The "common instincts of our people" have provided the safeguard of our liberty and have insured the perpetuation of free government. If Mr. Gage shall finally succeed in establishing this "offense" to the "common instincts of our people," he must either effect a complete change in those "instincts" or he must place the people in such a state of servitude that they will not be able to give expression to their "common instincts."

The central bank is not the only republican proposition that offends the "common instincts of our people," and yet in many other instances the republican party has ignored these "instincts" and established un-American policies without the slightest regard for public criticism. May it not be possible that Mr. Gage has some warrant in

believing that the time will come when even on the question of a great central bank, the "common instincts of our people" may be defied with impunity by the republican party?

As Others See Us.

Those who are inclined toward imperialism ought to find a warning in the views now being expressed by the eminent men of other lands. An American student at Heidelberg, Germany, sends to The Commoner the following extract from a lecture delivered by Professor Jellineck of the Heidelberg University. In discussing international law, the professor said: "The Spanish American war was of immense importance in the future development of international law. America, whose policy previously had been to abstain, in accordance with the principles of the Monroe doctrine, from the affairs of European governments, now abandoned that position and became one of the powers. The people are divided into supporters and opponents of the present policy, and if the former, who have been called imperialists, succeed the organization of the government will inevitably become similar to that of European countries; individual liberty—the rights of each particular man—will be sacrificed in securing a strong central direction."

The German professor is entirely correct. If the imperialists continue in authority, the organization of the government will gradually be changed and made more like that of European countries. This is the necessary result of imperialism and it is because this is the inevitable end of an imperialistic policy that such a policy is resolutely opposed by democrats who love a republican form of government and who believe that individual liberty and self-government are infinitely more important to the American people than anything that imperialism can bring.

"Getting Down Rapidly."

The New York World, in its issue of November 27, printed under a Washington date a statement which its correspondent attributes to a member of Mr. Roosevelt's cabinet. This cabinet member is reported to have said that "all the leading high protectionists of the country have seen the president's message and all are satisfied with it. Undoubtedly it will strike many readers as a strong reciprocity message, but we understand that if it is subjected to analysis it will be found that the language will be susceptible to an interpretation that will give cheer to every protectionist in the country, who has been fearful that something would be done about reciprocity in the coming congress."

It must be admitted by those who have now read the president's message that this cabinet member's statement was an accurate one. Although republican papers very generally commended Mr. McKinley's last speech at Buffalo, wherein he upheld reciprocity, not as merely the "handmaiden of protection," but as an essential departure from the protective theory, the same papers did not hesitate to enthusiastically commend Mr. Roosevelt's message, in which, as accurately anticipated by this cabinet member, the supporters of reciprocity obtained no encouragement.

This same cabinet member is quoted by the World as indulging in some very blunt statements regarding Mr. McKinley's Buffalo speech. This is what this cabinet member said:

"We cannot get down from President McKinley's position too rapidly. That would be unkind to his memory and impolitic. But we can get down, and we will, and by the end of the Fifty-seventh congress we will be just where we started, with no reciprocity of any consequence and with all our protection."

There you have it, blunt and plain. Although Mr. McKinley's last speech was said to outline the future policy of the republican party, here we have a cabinet officer making the frank and candid statement that in the repudiation of Mr. McKinley's position, in deference to his memory, republican leaders will go slow; and yet that position will be repudiated, and in spite of all the commendatory utterances of the republican press concerning the Buffalo speech, "by the end of the Fifty-seventh congress, we will be just where we started, with no reciprocity of any consequence and with all our protection."