

# CURRENT TOPICS

THE United States supreme court on May 16 rendered an opinion in the Turner case. The immigration authorities at New York ordered the deportation of Turner on the ground that he was an anarchist. Turner applied to the United States district court of New York for a writ of habeas corpus. The writ was denied and Turner appealed to the supreme court. Chief Justice Fuller delivered the opinion. He said that Turner did not deny that he was an anarchist and declared that congress has the power to pass laws to exclude anarchists. In concluding the chief justice said: "We are not to be understood as depreciating the vital importance of freedom of speech and of the press, or suggesting futile limitations on the spirit of liberty, in itself unconquerable, but this case does involve those considerations. The flaming brand which guards the realm where no human government is needed still bars the entrance, and as long as human governments endure they cannot be denied the power of self-preservation, as that question is presented here."

REFERRING to the right of the government to bar men who believe as Turner does, the chief justice says: "We are not to be understood as depreciating the vital importance of freedom of speech and of the press, or suggesting futile limitations on the spirit of liberty, in itself unconquerable, but this case does not involve those considerations. The flaming brand which guards the realm where no human government is needed still bars the entrance and as long as human governments endure they cannot be denied the power of self-preservation, as that question is presented here." Of Turner, specifically the opinion says: "Even if Turner, though he did not so state to the immigration board of inquiry, only regarded the absence of government as a political ideal, yet when he sought to attain it by advocating, not simply for the benefit of workmen, who are justly entitled to repel the charge of desiring the destruction of law and order, but 'at any rate as an anarchist,' the 'universal strike,' to which he referred, and by discourses on which he called 'the legal murder of 1887,' referring to the Spies case, and by addressing mass meetings on that subject in association with Most, we cannot say that the inference was unjustifiable, either that he contemplated the ultimate realization of his ideal by the use of force or that his speeches were incitements to that end." Turner left this country several days ago and so will not be formally deported.

AN IMPORTANT opinion was delivered by the supreme court on May 16, when, speaking through Justice Brewer, the court held that a telegraph operator for a railroad company and a fireman on a railroad engine are "fellow servants," and that the negligence of the operator, causing the death of the fireman in the operation of trains was a risk the fireman assumed, and did not provide grounds for damages against the railroad company. The case was that of Alline A. Dixon against the Northern Pacific railroad company for damages for the death of her husband, C. A. Dixon, a fireman on the road, killed in a collision caused by the negligence of a telegraph operator. A dissenting opinion was delivered by Justice White and concurred in by the chief justice and Justices Harlan and McKenna.

ON THE same day the "fellow servant" decision was delivered, Justice Brewer rendered another decision, sustaining the lower court in imposing a fine upon certain labor leaders who were held to be in contempt of court for violating the injunction issued by the federal judge for the Northern district of Indiana during the strike at Hammond.

AN ASSOCIATED PRESS dispatch, under date of Washington, May 27, says: "George F. Ormsby, attorney for John Smith, formerly a seaman in the United States navy, today filed with the secretary of the navy formal charges against Judge Advocate General Lemly and asked that that officer be tried by general court-martial on charges of "falsehood and culpable inefficiency in the performance of duty." The charge grows out

of the case of Smith, now before the supreme court of appeals of the United States, from a judgment in the court of claims. Mr. Ormsby contends that in moving for an advance of the case on the court docket Captain Lemly has made false representations to induce the secretary of the navy to sign a certain letter in connection with the motion to advance the case, the alleged false representations being made, he alleged, to influence the court against his client. The application of Mr. Ormsby that the judge advocate general of the navy be court-martialed will not be granted by Secretary Moody."

THE German geographical paper known as "Export," says that there are 7,642,650 Chinese living out of China—or, in other words, "as many as the total population of Sweden and Norway." According to Export's figures, America has comparatively few Chinese, only 272,829, a few less than the British island of Hong Kong alone boasts. Formosa has 2,600,000, but that used to be Chinese, and they simply haven't moved. Siam is the greatest goal of actual emigration, having 2,500,000 Chinese, who have absorbed pretty much all the active trade of the country. In the Malay peninsula, also, 895,000 Chinese have nearly monopolized trade under British rule. The Sunda isles have 600,000. The Philippines, where the Chinese are already a problem, have only 80,000 of them.

AN INTERESTING story is told by the London correspondent for the New York Herald. Recently a sale was had of the art collection of the late C. H. T. Hawkins. The Herald correspondent, referring to Mr. Hawkins, says: "Though a great art connoisseur, he had no idea of the effective arrangement of his treasures. In fact, they were distributed about his house in the most haphazard fashion. Priceless antiques were to be found in odd corners, while masterpieces of painting stood stacked on the floor or with their faces to the wall. This disorder gave rise, some years ago, to a curious incident. In his domestic menage there came a time when the overflow of the treasures prompted Mr. Hawkins to suggest to his wife that she should stay one night at a hotel, in order to avoid the inconvenient want of space which a new consignment, arriving that day, had caused. She acted upon the suggestion, nor did she leave the hotel for the following sixteen years."

THAT a vast Antarctic continent exists, perhaps twice as large as that of Europe, is in the opinion of a writer in the National Geographic Magazine proven by the reports now appearing of the recent explorations in that region. This writer says: "The American Commander Wilkes, returning from the far south in 1841, asserted the existence of a vast south polar continent, and described his voyage of 1,500 miles in sight of the coast. Ross, however, returning soon after, discredited Wilkes' conclusions, saying that the land seen by Wilkes was merely a great wall of ice. The world has been in doubt which to believe. That Ross was wrong and Wilkes right is very evident from the report of Captain Scott, of the British Antarctic expedition of 1900-04. Captain Scott shows that the mass of ice seen by Ross is in reality an extensive glacier resting on land and covering the land like the ice cap of Greenland. The glacier is about 700 miles wide, and reaches the sea through a plain lying between Victoria Land and Edward VII. Land. The German expedition under Von Drygalski, working 80 degrees of longitude farther west, also found a somewhat similar expanse of ice capped land, whose limits they were unable to trace, but which is apparently a part of the same Antarctic continent."

THE late Theodore Mommson, the great historian, was said to be an absent-minded man. A writer in the Kansas City Journal says that on one occasion, Professor Mommson was engaged in his study in profound researches and failed to notice the presence of his servant, who announced lunch was ready. The servant asked if he might bring it to the professor, and, receiving no reply, laid the table near the writing desk. Returning ten minutes later with some fish, the dishonest

menial found the soup untouched. Thinking it too good to spoil, he sat down and finished soup and fish unobserved of the professor. The remaining courses suffered a similar fate. About an hour later Mommson looked up from his work, and, feeling a vacuum, proceeded to the kitchen and asked why luncheon had not been served. "But the professor has had his luncheon an hour ago!" expostulated the servant. "Dear me!" said the historian of Rome; "how could I be so forgetful?" and returned peaceably to his study."

AN IMPORTANT opinion with respect to the bankruptcy law was delivered by Judge W. H. Munger of the federal court of Omaha. Referring to this opinion, the World-Herald says: "Bankrupts who go into court with a nest-egg up their sleeve with which to begin life anew after their sorrowing creditors have been dispersed are liable to have some interesting little sessions with Judge Munger, who has determined that all persons taking advantage of the bankruptcy act must tote fair with everybody, including the court. One of the prime causes of complaint against the bankruptcy law has been and is that it enables debtors who are so disposed to convert and conceal a portion of their property, then go through bankruptcy, discharging their debts with a pittance, and after the discharge has been entered, coming back to light well equipped to keep the wolf from the door."

ACCORDING to Judge Munger's decision, stringent measures will hereafter be taken to assist referees in bankruptcy to get at all the assets of the bankrupt. Judge Munger has directed two orders toward this end and more will follow when occasion requires. One of these orders calls on Samuel Horwick, a Tekamah merchant who is a petitioner in bankruptcy, to turn over to P. Emerson Taylor, trustee, assets of the value of \$7,000, which the court finds he has failed to turn over. Refusal to obey the order within fifteen days is to be punishment by imprisonment in the Douglas county jail for contempt of court until the order is complied with. Horwick, in his petition placed his liabilities at \$6,293.53, and his assets at \$4,500, of which \$500 was claimed exempt. The second order is against Samuel Diamont of South Omaha, also a merchant who has sought refuge in the bankruptcy law. Judge Munger orders him, on pain of being jailed for contempt, to turn over \$5,000 of assets to Christian M. Schneider, referee."

W. H. MENTOR of Sioux City, Ia., believes that John J. Ingalls knew what he was talking about when he wrote the lines on "Opportunity." A writer on the Sioux City Journal says: "Mr. Mentor, who is a real estate dealer, had a chance to become a half owner of the Pullman palace car business by advancing \$500 to George M. Pullman, but he refused to answer Opportunity's knock, and the caller passed on. 'Back in the '50's Mr. Pullman and I were young men together in Grand Rapids, Mich,' said Mr. Mentor. 'Mr. Pullman was a poor man. He was considered by most people as a crank because of his never ending fussing over patents and get-rich-quick schemes. I was in a mercantile business, my partner being a brother-in-law of Pullman. Pullman sang in the Congregational church choir and received \$400 a year for it. I don't think he had much of an income outside of that. He frequently came to my partner for loans of from \$5 to \$75 to help him out of the hole or get some device patented.'"

ACCORDING to Mr. Mentor, Mr. Pullman called upon him and said that he had under consideration a great scheme. Mr. Pullman explained that he thought that a railway car in which passengers might go to bed and sleep would be a great thing. Mr. Mentor says: "I told him people did not want to go to bed on a train, but he insisted the scheme was a good one. He showed me a model of his sleeping car. He had just been down to Chicago, where he had contracted to elevate some brick buildings for alterations by a scheme which he devised, and he had come home with about \$1,200. He should have made \$20,000 on his contracts, but he took them too low. As it was the first time anything of the kind ever had