

CURRENT TOPICS

POLICE Judge Phelps of Lee, Mass., has become an international figure. Hugh Gurney, third secretary of the British embassy was arrested in Lee on the charge of violating the speed laws for automobiles. When arraigned Mr. Gurney refused to plead, claiming that as he was the third secretary to his Britannic majesty he could not under international law be arrested or held for any crime. Judge Phelps said he did not recognize international law in his court and insisted that Mr. Gurney enter a plea. Mr. Gurney refused. Then Judge Phelps imposed a fine of \$25 for contempt of court and another fine of \$25 for violating the speed ordinance. The fines were paid and Mr. Gurney was released.

THE Lee incident was promptly reported to Washington and since then there has been a large amount of correspondence on the subject, which, because of the novelty of the situation, is interesting. Acting Secretary of State Adee, under date of Washington, Sept. 26, sent to Governor Bates of Massachusetts the following dispatch: "British embassy informs me that Mr. Gurney, third secretary of that embassy, charged with driving automobile at excessive speed, was arrested by deputy sheriff and taken, after entering protest, under threats of force, to the court of Lee, when in spite of his protest he was sentenced by H. C. S. Phelps, special justice of the Lee police court, to pay a fine of \$25, and on his declaring that he could not admit the right of the court to sentence him another fine of \$25 for contempt of court and to go to prison if he did not pay. Section 4063, revised statutes of the United States, declares that any writ or process issued out or prosecuted by any person, in any state court, or judge or justice, whereby the person of any public minister of a foreign state is arrested or imprisoned, shall be deemed void. Section 4064 declares that any person obtaining or prosecuting such writ or process, and every officer concerned in executing it, shall be deemed violator of the law of nations and subject to imprisonment and fine. I have to request that you take such action as may be proper in this case."

LIEUTENANT GOVERNOR GUILD, acting in the absence of Governor Bates, replied to the state department as follows: "Investigation already started. Immediate action will be taken." Then the lieutenant governor sent the following dispatch: "State House, Boston, September 27.—H. C. S. Phelps, Special Justice, Lee, Mass.: The following telegram has been received from the state department at Washington: (Here is given the dispatch of Acting Secretary Adee.) The assistant attorney general informs me that if the facts are as stated above you have in your endeavor to enforce the laws of Massachusetts for the security of life upon our highways committed in this particular case a grave breach of international law. May I ask you to telegraph me at once if Mr. Gurney was arrested and fined in spite of protests? Other channels of redress are open in case of violation of Massachusetts laws by the diplomatic representatives of other nations. Therefore, if fine was imposed and collected the commonwealth will apologize. The fine must be remitted, and I need not suggest to one so respected as you the personal amend that you will, of course, desire to make to Mr. Gurney for the error in method adopted by your court in this unusual case. Kindly forward me affidavit of the evidence of any breach of Massachusetts laws.—Curtis Guild, Jr., Lieutenant Governor, Acting Governor."

JUDGE PHELPS, being interviewed, said that if he found that he had made a mistake he would gladly apologize, adding: "I did only what I believed to be right." Judge Phelps is not a lawyer; he is a manufacturer and stands very high among the people of his community. Just what will be done with the Lee police judge is not certain. The law provides that every officer or attorney who shall assist in the execution of a penalty upon any official connected with an embassy "shall be deemed a violator of the law of nations and a disturber of the public repose and shall be imprisoned for not more than three years and fined at the discretion of the court." The

governor of Massachusetts will be expected to discipline Judge Phelps. Perhaps it will all be made right by an apology upon the part of the police judge.

CONSIDERABLE attention has been attracted to the incident at Lee because of its novelty. The Washington correspondent for the Chicago Chronicle says: "The last important precedent occurred in 1892 at the picnic resort of Bay Ridge, near Baltimore, where Dr. George, an attaché of the Swiss legation in Washington, was arrested by a deputy sheriff on the charge of being a pickpocket and was searched and otherwise treated in a humiliating manner by the local authorities. The state department secured his release at an early moment through the governor of Maryland, who also caused the dismissal of the offending deputy and extended an apology for the incident."

THE Miners' Magazine, published in Denver by the Western Federation of Miners recently printed what purported to be a denunciation of labor unions by Mr. Roosevelt. It is claimed that Mr. Roosevelt had written a letter to Michael Donnelly of Chicago, president of the butchers' and meat cutters' union, in which the president said: "I stand ready to do as my illustrious predecessor, Grover Cleveland, did and assert the power of this nation against all local nullifiers. Last summer I felt impelled to write a letter calling upon my countrymen to put down lynching. But labor union terrorism and crime are as great a national menace as lynch law. Let me tell you that the first duty of the officers of the law, whether they be sheriff, constable, municipal officers, mayors, governors or the president himself, is to maintain public order and put down the mob with an iron hand." After advising Donnelly to put a stop to the strike the president is represented as saying: "In any case be assured I will keep my hands off unless your folly brings you into collision with the laws of the United States, then my hand will go on in a way you will not like. So far as I am concerned you have barked up the wrong tree. I am not to be either wheedled or frightened into meddling with what is none of my business."

UNDER date of September 27, the Associated Press made public the following statement: "White House, Washington, Sept. 26.—Your telegram received. The letter you refer to purporting to be addressed by me to Michael Donnelly and printed in the Miners' Magazine of September 22 is, of course, an absurd and impudent forgery. I have written no such letter, nor any letter even resembling it, to Mr. Donnelly, nor any one else. I have written Mr. Donnelly requesting to know if he has received any such letter and requesting him, if so, to at once lay it before the district attorney of Chicago to find out whether it is possible to discover and punish the forgers.—Theodore Roosevelt." Secretary Haywood of the Western Federation of Miners says that the alleged Roosevelt letter was copied from the "Wisconsin Toller."

THE mystery of the "Roosevelt letter" concerning organized labor has been cleared up. An Associated Press dispatch under date of New York, Sept. 28, says: "The letter alleged to have been received by Michael Donnelly, the leader of the meat strike, purporting to be one sent by President Roosevelt, was copied from an editorial in the New York Evening Post of August 1. The Evening Post says today: 'The letter appeared as an editorial in the Evening Post August 1, and was explicitly stated to be a letter which the president might have written with advantage to himself and the country. In other words it was confessedly an imaginary letter, written for the sake of bringing out certain truths in regard to the meat strike.' The Evening Post also says: 'We had no thought, of course, of being able to make even a presentable imitation of the president's literary style, and as the article was, at the time, commented upon and reproduced somewhat extensively in the press we never dreamed of its coming to figure as a campaign forgery.'

THAT the same measure of home rule now enjoyed by Canada is in store for Ireland before many years have passed is the claim put forth by Paul Lambeth, the London correspondent for the Cincinnati Enquirer. Mr. Lambeth says: "Never since the days of Charles Stewart Parnell have the prospects seemed so bright for the fruition of Irish hopes as they do today. John Redmond is now the leader of a compact body of 80 members of parliament, to whom all questions of public policy are subordinate to the one great question of an Irish legislature for Ireland which will be supreme in all local matters. The condition of English politics today makes it almost certain that this body of home rule members will be essential to the life of any government."

ACCORDING to this same authority, it is a matter of supreme indifference to the Irish home rulers as to which of the two great English parties is in power. Mr. Lambeth explains: "The price of their support will be an Irish parliament, and the party which bids nearest to this ultimate demand is the party which will probably go into power when the next parliament is elected. The statement has already been made that Chamberlain has offered to support home rule if the Irish nationalists will support his tariff policy. While Chamberlain denies that any such deal has been made, little doubt is felt that he will be willing to make it when the time comes. The only question will be how far it will be necessary to go in order to gain the Irish support. Concessions already have been made by the Balfour government, which, a dozen years ago, would have not only been deemed impossible, but which would have doomed the government which made them. There is no question that there has been a radical revision of sentiment among the great masses of the English people on the Irish question. It is coming to be recognized that local self-government to Ireland not only will not threaten the empire, but may actually strengthen it, and it is a crystallization of this feeling which will make it possible for both the liberal and conservative leaders to bid high for Irish support. The next general election is likely to mark an epoch in Irish history."

THE death of Chief Joseph of the Nez Percés is reported. It is said that General Miles once referred to this warrior as the "Napoleon of Indians." A writer in the Rochester, N. Y., Post-Express says that this term is not wholly undeserved in view of Chief Joseph's great march through the passes of the Rocky mountains twenty-seven years ago when he led General Howard's army a wild goose chase, almost defeated General Gibbons' command in one of the most desperate of frontier fights and surrendered to General Miles only after a siege of eight days in the dead of winter. The Post-Express writer adds: "The character of Joseph and his Indians is shown by the fact that they captured parties of tourists in the Yellowstone park and never offered indignities to the women, nor did they molest the settlers in the country through which they passed. Chief Joseph was always a friend of the white man. His tribe did little fighting during the civil war, and he himself was a cool-headed, far-seeing leader. He did not sanction the uprising of 1877, but as his people insisted on resisting the encroachments of the whites, he, as their leader, was forced to take up arms against the soldiers."

FOR printing and stationery alone it is calculated by a writer in Harper's Weekly that each of the campaign committees will spend half a million dollars. This writer says: "Of the scores of millions of documents sent out a great many are franked, but to distribute the residue requires a huge outlay for postage. Extremely expensive also is the house-to-house canvass which is made by each party early in September and again about a fortnight before election. Of course no such canvass is needed in any of the former slave states, except Delaware, Maryland, West Virginia and possibly Kentucky. It would be equally superfluous in Pennsylvania or Vermont. No other item of expenditure is comparable with the sum paid for campaign speeches. It is expected that when the campaign is fully under way no