

CURRENT TOPICS

JUDGE JOHN F. PHILLIPS, of the federal court at Kansas City, has sustained the motion to quash the information filed against the Santa Fe, and other railroad companies, charging them with granting rebates. The court held that it was without jurisdiction in the case. The court's opinion is interesting for various reasons. While holding that it is without jurisdiction, it took occasion to pass upon several more or less interesting points.

FOR INSTANCE, the court gave to President Ripley of the Santa Fe, and to Paul Morton clean bills, saying that these gentlemen were not at all responsible. Then it declared that there was no violation of the law by the railroads, adding that the greatest offender in such transactions is the shipper, and instead of going directly after the shipper under the law, the government seeks alone, by a contempt proceeding, to punish the railroad company who has been held up by the shipper, and that the government will never strike at the root of the rebate evil until it goes after the shipper as well as the railroads; that it is not fair play and "a square deal" that the railroads should first be held up by the shipper and then punished by the government for being "held up," while the shipper gets the "rake off." The court suggested in the opinion that the railroads could best assist in relieving themselves from such an attitude by opening, rather than closing the mouths of those under their control, when their evidence was needed to get at the facts.

WHILE IN THE CASES under consideration Judge Phillips held that the discriminations complained of were not against the law at the time they were committed in 1902, he said that such discriminations are prohibited by the Elkins law, enacted in February 1903, and he took pains to say that this statute is amply sufficient to cover such offenses. That this opinion will be used by the opponents of railroad legislation is evident by the comments made by the Kansas City Journal with respect to this feature. The Journal says: "This view of the rebate evil has been steadily urged by President Ripley, Mr. Samuel Spencer and other leading railway officials, who have contended that President Roosevelt was on the wrong track in seeking to put a stop to discriminations by giving the interstate commerce commission the rate-making power. As this railway rate question comes to be threshed out in the courts and in congress the true path to reform of existing abuses will be made clear, and the prejudices and ignorances which have been engendered and fostered by demagogic politicians and sensational newspapers will gradually disappear."

JOHN SHARP WILLIAMS, leader of the minority in the house of representatives, has introduced a bill which will provide a test for the earnestness of the tariff revisionists in the republican party. Mr. Williams' measure declares the existing tariff schedules to be the maximum tariff, and provides for a reduction of 20 per cent from them as the minimum tariff. The bill extends the operation of the minimum tariff to all countries which grant admission of articles, product or growth of the United States at the minimum tariff levied by them. Mr. Williams explains that he selected 20 per cent "out of deference to republican opinion, and to give republicans who are sincere and honest in their desire to reduce the tariff, an opportunity to act with the knowledge that they would meet with no factious opposition but would receive the hearty support of the democrats."

WHILE MR. WILLIAMS says he would not be satisfied with tariff revision even as far as indicated in his bills, he says that this is a step in the right direction. He adds: "Under the fourth and sixth sections of the Dingley law 20 per cent is the rate reduction fixed as the basis of reciprocity treaties. Senator Dolliver has stated on the floor of the senate that Mr. Dingley himself said that the rates of the Dingley tariff were purposely placed 20 per cent too high in

order that one-fifth of the rates might constitute a margin for reciprocal trade relations." The government is not an agency to make individuals or corporations rich, but is an agency to protect life, liberty, property, public morals and the public health at the least possible cost to the taxpayer, and with the closest approximation to equality of opportunity and equality of burden-bearing."

MR. BALFOUR, prime minister and leader of the conservative party, has resigned. London dispatches say that Sir Henry Campbell-Bannerman has formed a new cabinet. The downfall of the Balfour ministry has been anticipated for some time. Balfour became prime minister in July, 1902. His administration has been characterized by general weakness, and the recent demonstrations by the thousands of laboring men out of employment provided the English public with new opportunity for observing the impotency of the Balfour ministry.

THE BALTIMORE SUN says: "There are some very able men among the British liberals, and Sir Henry Campbell-Bannerman should have no difficulty in organizing a cabinet of strong men. Mr. John Morley, Mr. James Bryce, Mr. Herbert H. Asquith and Sir Edward Grey are public men of the highest type. Mr. Morley and Mr. Bryce also rank among the first literary men of the day. The liberals are in a minority in the house of commons, but it is believed that if Sir Henry Campbell-Bannerman accepts office he will have a majority in the house as a result of the general election which may be held in a few weeks. All signs indicate that there has been a reaction against the policies of the conservative party, which is also divided on the question of tariff changes. The majority of the conservatives, under the leadership of Mr. Chamberlain, seem to be drifting in the direction of a protective tariff. On this issue, however, they have been beaten in nearly every important bye-election in the last eighteen months."

REFERRING TO THE change in the British ministry, a cablegram to the New York World under date of London, December 4, says: "It may be stated as certain that Lord Rosebery will be ignored in the makeup of the new cabinet and that John Morley will be one of Sir Henry's chief advisors. Mr. Morley is likely to go to the Indian office, and it is probable that Herbert Henry Asquith will be chancellor of the exchequer. The foreign affairs portfolio will go either to Lord Elgin or Sir Edward Grey, though the latter is likely to be made colonial secretary. There is some uncertainty as to when parliament will be dissolved, but it is not considered likely until after the new year. Campbell-Bannerman has explained his attitude on home rule for Ireland to those liberal leaders known to be opposed to home rule on the lines of the latest bills before parliament. Since his speech at Stirling, which raised such a furor, Sir Henry has not made any statement, but it is confidently asserted in the liberal clubs that he is ready with a policy which will satisfy the nationalists and at the same time avoid making the issue one of the most prominent planks in his platform. An interesting feature of the political situation is the prospect of a closer alliance between the Irish and the labor parties in the new parliament. James Keir Hardie, socialist and independent, in a political speech tonight frankly invited such an alliance. He pointed out that forty-five labor members, combined with seventy-five Irish members, would have a voting strength no government could afford to ignore."

THE STATE OF MISSOURI is just now conducting an investigation into the affairs of the Standard Oil company, and it is predicted by the New York American that John D. Rockefeller and his associates "are about to face the biggest fight of their lives." The American says: "It is promised by Henry Wollman, of this city, who has been retained by Attorney General Hadley to prosecute the suit, that the testimony will be more remarkable than that elicited in the insurance

investigation. Mr. Wollman expects to be able to fasten to the trust and its officials and directors by their own testimony most of the crimes with which they have been charged from time to time. This, taken in conjunction with the fact that Commissioner of Corporations Garfield and several of his special agents have been in New York for several days gathering information about the Standard Oil trust to be used in a federal investigation planned by President Roosevelt, has convinced the trust magnates that it will be difficult to avoid a thorough sifting of their affairs in the near future."

ACCORDING TO THE American, Mr. Wollman is confident of his ability to show that the merciless grinding methods of the trust, by which thousands of merchants have been driven out of business, have been responsible for scores of suicides all over the country of men whose fortunes have been lost and prospects ruined in their fight for existence against the powerful Standard Oil trust. He will show what has already been testified to in St. Louis, that the Standard Oil trust issued orders to its agents to undersell competitors at all hazards, and that the agents were provided with gauges with which to show that competitors' barrels were short in measure. "Drive the enemy from the field," was the mandate of the trust. The Standard Oil company controlled about sixty per cent of the business in that territory, and within a short time, by dint of its system of underselling competitors, it had acquired 90 per cent of the trade in the Sedalia section. It will be shown, it is promised, that the Waters-Pierce company sold to within fifteen or eighteen miles of Sedalia, and that the agents of the trust were not permitted to go into that territory. The gauges sent by the trust to its agents were made so that they would show competitors' barrels to be four or five gallons short. A part, if not all, of the sensational charges made against John D. Rockefeller and the Standard Oil trust by Thomas W. Lawson and Miss Ida M. Tarbell are expected to be proved. No better practical illustration of the inside workings of "The System" could be given, it is declared, than to bare to the public eye the manifold ramifications of the greatest of all combinations, the Standard Oil trust.

REPRESENTATIVE PAYNE, republican, is the chairman of the ways and means committee. The New York Evening Post says that Mr. Payne recently informed the artists of America that they can not have the tariff taxes on painting and statuary removed. Mr. Payne explained that if any attempt was made to revise the tariff the "whole tariff question would be opened." He also told the artists that he had once befriended them by having inserted in the McKinley tariff "a clause removing the duty on works of art imported from abroad," but he added "it was the Wilson tariff, if I am not mistaken, which placed the tariff on art in operation again."

COMMENTING ON Mr. Payne's statement, the New York Evening Post says: "Well, you are mistaken, congressman. The tariff on art was already, as we have seen, in 'operation,' and the Wilson bill removed it—see section 575 of the tariff act of 1894. Sereno E. Payne was a member of the ways and means committee at the time; but, of course, he was too busy denouncing the Wilson bill to know what was in it. Thus it was the ignorant and wicked democratic party that really befriended the artists of America; as soon as the party of intelligence returned to power, it proceeded to clap on the tax again, to the tune of 20 per cent."

UNITED STATES SENATOR PATTERSON, editor of the Denver News, has been fined for contempt in the sum of \$1,000 by the Colorado supreme court. A newspaper dispatch from Durango, Colo., says that at a meeting held in that town a movement was inaugurated, having for its purpose the raising of Senator Patterson's fine by popular subscription, no citizen, man or woman, to be permitted to contribute more than one cent