

CURRENT TOPICS

THE UNITED STATES supreme court has affirmed the decisions of the lower courts in the conviction of Joseph R. Burton, United States senator from Kansas. Senator Burton was convicted on two counts, and was sentenced to serve nine months in the Iron county (Mo.) jail and to pay a fine of \$2,500. The sentence was sustained by the supreme court by a vote of six to three, Justices White, Brewer and Peckham dissenting. The dissenting justices held that because the United States was not financially interested in the case against the company for which Burton appeared, no crime had been committed. The court gave Mr. Burton's attorneys sixty days in which to file a motion for a re-hearing, and this will act as a stay until October. It is believed, however, that by next fall the Kansas senator must undergo imprisonment.

THREE UNITED STATE senators, Burton of Kansas, Dietrich of Nebraska, and Mitchell of Oregon, have been tried. Dietrich escaped on a technicality, Mitchell was convicted and died pending an appeal, while Burton has waged a long battle. He was convicted under the law which prohibits a senator or representative from practicing before the executive departments. He appeared before the postoffice department as the paid attorney for a grain company doing business in St. Louis, which company had been denied the use of the mails. Mr. Burton was employed by this company to prevent the issuance of a fraud order. Included in the sentence of the court is that Burton be forever debarred from holding office. It is claimed that this, however, does not formally oust him from the senate, but that it will be necessary for the senate to expel him. Senator Hale of Maine, has introduced a resolution providing for an inquiry as to Burton's status with respect to the senate. Topeka, Kansas, dispatches say that in the event Governor Hoch is called upon to appoint a successor to Burton Representative Charles Curtis will be the man.

JUDGE JACKSON of West Virginia who, for more than forty-four years served on the federal bench, says: "Unless a check is put upon the present tendency toward corruption, which has been gaining in force during the last few years, this country will be in a bad way. That there is corruption in private life is demonstrated by the increasing number of divorce cases. The antics of high life, aped by those of lesser wealth, are largely responsible. The remedy for that lies in the moral precepts of the Christian religion."

REFERRING TO THE strong language recently emanating from congress and the White House, a writer in the New York World says that John Randolph of Roanoke would be disgusted with "the poverty of epithet" displayed. According to this writer the best the president could do was to denounce something as "a deliberate and unqualified falsehood" and the best the senator could do was to brand somebody as "a deliberate and malicious liar." The World writer says: "To John Randolph that would have been the innocent prattle of babes. There was a man who knew how to quarrel with presidents and congressmen and cabinet officers! When he objected to the Jay treaty he proposed this toast: 'George Washington, may he be damned!' He used to refer to the Adams family as 'the American house of Stuart,' and habitually spoke of John Quincy Adams as 'the cub.' He dubbed Madison 'the emperor' and Monroe 'the mayor of the palace,' and used to sneer at Jefferson as 'St. Thomas of Cantingbury.'"

ACCORDING TO THIS same authority after Randolph had denounced General Wilkinson as a corruptionist he refused to fight with him because "I can not descend to your level." He described Findlay, of Pennsylvania, as "a toothless old driveller." Once he ordered a fellow-member during a debate not only to sit down but to leave the chamber by the back stairs. After he had had a dispute with Alston, of North Carolina, he met his opponent in the corridor of the capitol, and said: "Alston, if it were worth while

I would cane you, and I believe I will cane you." And cane Alston he did. He pictured the alliance between Adams and Clay as "the coalition of Blifil and Black George, the combination of the Puritan and the blackleg." He described Henry Clay affectionately as "this being so brilliant and so corrupt, which, like a rotten mackerel by moonlight, shone and stunk."

NO MERE PASSING of the lie would, in the opinion of this writer, ever have satisfied John Randolph's artistic soul. This writer concludes: "And when John Quincy Adams felt it necessary to reply to something that Randolph had said there was no feeble reference to unqualified falsehoods. Instead the president quoted Ovid's description of Envy:

His face is livid; gaunt his whole body;
His breast is green with gall; his tongue drips
poison.

They understood the amenities of discussion in those days. A nighthawk cab-driver on Broadway would be ashamed to use the hackneyed epithets that now pass current at Washington. When such weakness, inaptitude and poverty of imagination are shown in a great state quarrel men of blood and bowels instinctively long for the good old days when Matthew Lyon answered Roger Griswold's charges by spitting in his face and rolling with him in a rough-and-tumble fight down the aisle to the speaker's desk."

THE LAST AMENDMENT to the railway rate bill adopted in the senate provided for the striking out of the words "in its judgment" where those words were used in authorizing the interstate commerce commission to fix a just and reasonable rate. Senator Foraker, republican, who voted against the bill, claims that the measure is unconstitutional. Senators Morgan and Pettus of Alabama, who also voted against the measure, declared that they did so because the measure was not in consonance with the doctrine of state rights. Senator Burton of Kansas was absent and unpaired. Senators Depew, Gorman and Proctor were absent and were paired on political questions, but no statement was made in their behalf concerning the position they would take on the railway rate measure. Formal announcement was made that of the absent senators the following, if present, would vote for the bill: Aldrich, Dubois, Burrows, Patterson, Platt, Sutherland, Warren, Kittredge, Money, Gamble and Heyburn.

THE RAILWAY RATE bill after having passed the senate was sent to the house for the purpose of having that body pass upon the amendments adopted in the senate. The provisions of the bill as amended in the senate are described by the Washington correspondent for the New York World in this way: "The bill empowers the interstate commerce commission, comprising five members as at present, to fix a maximum rate whenever it is alleged that a charge made by a railroad company is unjust or unreasonable. The commission may enforce its orders through the courts. Oil pipe lines, express companies and sleeping car companies are made common carriers and placed under the jurisdiction of the commission. No railroad may hereafter furnish free transportation except in exceptional cases. A fine of from \$100 to \$2,000 is provided for the improper issuance of a pass, and the person accepting it is liable to the same punishment. The railroads must before May 1, 1908, divorce themselves from all business connections and confine themselves entirely to the duties of common carriers. They will not be permitted to have a direct or indirect interest in any commodity they transport unless it is intended for their own use. All railroads must provide switches and side tracks for shippers without discrimination. Provision is made for the enforcement of this regulation by the commission. All railroads must file with the commission schedules of their charges. Thirty days' notice must be given the commission of any change in schedules. Any carrier failing to file its charges with the commission is prohibited from transacting business. The granting of rebates and discriminations is forbidden and a fine

of from \$1,000 to \$20,000 is fixed as punishment in addition to imprisonment for a term not exceeding two years. Both penalties may be imposed by the courts. Any person, corporation or company demanding a rebate for the shipment of goods is subject to a fine of three times the amount received or three times the value of any concession granted. All orders of the commission fixing a maximum rate shall take effect within thirty days and continue two years unless suspended or modified by the commission or court of competent jurisdiction. The commission is authorized to establish through rates and joint rates as the maximum to be charged and prescribe the division of the rates. The commission is authorized to prescribe what annual reports shall be made by the railroads. It may also prescribe exactly the forms of any and all accounts, records and memoranda kept by each railroad or carrier. Any person making false entry in the books as ordered to be kept by the commission is liable to a fine of from \$1,000 to \$5,000 and imprisonment for not less than one year and not more than three years. The commission is empowered to employ such special agents and examiners as are necessary to keep that body informed as to the business transacted by the railroads. Any examiner who divulges any fact or information obtained during his inspections, except to the commission, is liable to a fine of not more than \$5,000 and to imprisonment for not more than two years, or both. All railroads are made responsible for any damages or losses sustained on goods delivered to connecting lines. The original bill of lading fixes full responsibility on the carrier accepting the shipment."

THE RAILWAY RATE bill, soon after its arrival in the house, created trouble. Mr. Hepburn, of Iowa, and Mr. Cooper, of Wisconsin, both republicans, clashed and the "lie" was passed. An effort was made to have the senate amendments passed on by the house, but it was defeated by the majority. Mr. Cooper said that he had been informed that a scheme is on foot to omit the express company amendment from the bill. Mr. Hepburn said he did not take stock in any of these reports and insisted that Mr. Cooper give the names of the persons who had declared themselves in favor of this plan. Mr. Cooper, being pressed, said that he was told that Mr. Hepburn had said: "Oh! the express company amendments will go out." Mr. Hepburn was greatly excited, saying that any man who made that statement told a falsehood, and until Mr. Cooper named the individual who made the statement to him, he (Hepburn) would hold that Cooper was drawing upon his imagination. Mr. Cooper said this was the first time he had ever been charged with falsehood, but that the information had been given him in confidence and that he could not reveal the name of the man. Twenty-five republicans voted with the democrats against the rule sending the railroad rate bill to conference, as follows: Adams, Ames, Bede, Birdsell, Brown, Burton, Campbell, Cooper, Darrah, Ellis, Fulkerson, Haugen, Hogg, Hubbard, Kennedy, McCarthy, McCreary, Murdock, Murphy, Norris, Prince, Scott, Steenerson, Volstead, Woodward. Speaker Cannon appointed as house conferees, Hepburn of Iowa, Sherman of New York, and Richardson of Alabama. Richardson is the democratic member. Senate conferees are Elkins of West Virginia, Cullom of Illinois and Tillman of South Carolina.

THE UNITED STATES steel corporation's statement of business for the first three months of 1906 shows that the net earnings were \$36,634,490, an increase of \$13,608,594 as compared with the first quarter of last year. Unfilled orders on hand are 7,018,712 tons, an increase of 1,421,152 tons over a year ago. The directors declared the regular quarterly dividend of 1% per cent on the preferred stock. No dividend was declared on the common stock. The directors organized by re-electing President William E. Corey and all the retiring officers. The net earnings for the quarter are a new high record for any first quarter in the history of the corporation.