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UPHOLDING THE INTERSTATE LAW.

The decision of the United States supreme court reversing the former decision of the circuit court presided over by Judge Gresham and upholding the constitutionality of that part of the interstate commerce law which is intended to compel witnesses to appear and give testimony before the commission will be hailed as a timely step in support of the law, which has of late been regarded by the railroads as being more for show than for observance. Judge Gresham's ruling really proceeded upon the theory that the twelfth section of the interstate commerce law was unconstitutional and void. That section empowers the commission, in case any person who should be summoned to appear before it should refuse to appear or to answer the questions that might be propounded, to apply to the circuit court of the district in which the hearing takes place for compulsory process to force the witness to testify. The commission began to investigate certain Illinois railroads, and on refusal of the officers to answer the questions put to them they were summoned to answer the same questions in the circuit court. They again refused, alleging that the matter was not only irrelevant and immaterial, but also that the twelfth section of the interstate commerce law was unconstitutional. This latter contention was upheld by Judge Gresham, who argued that congress had no power to permit an administrative board to make use of judicial process to prosecute its investigations, and the witnesses were discharged.

The supreme court, with a dissenting minority, takes a precisely opposite view of the constitutional question involved to that of the inferior tribunal. It states clearly that congress has authority to pass a law to enable an administrative body to obtain information necessary for legitimate governmental purposes and to make refusal to appear and testify an offense punishable by the courts. It goes further to say that the provision of the interstate commerce law at issue is a proper and constitutional exercise of this power on the part of congress. It does not lead the judicial power of the court in aid of a nonjudicial body, but makes the violation of that act a cause for an original case brought at the instance of the commission and one to which judicial power extends under the federal constitution. Without the aid of judicial process of some kind says the court, "the regulations that congress may establish with respect to interstate commerce cannot be adequately or efficiently enforced."

Armed again with this power to secure evidence upon questions which it may undertake to investigate, the Interstate Commerce commission ought to be able to once more make its waning authority over the railroads of the country felt. It will have the power to see that the law is enforced and will be held responsible for its exercise. The railroads have for a long time been boldly and openly disregarding the law, convinced that they were secure from prosecution by a commission which had been adjudged impotent. They have thus furnished ample material for the commission to work upon. If the commission fails to bring these railroads to time the people will be forced to believe that it is for want of a will and not for want of a way.

PROTEST AGAINST THE INCOME TAX.

New York business men have organized for the purpose of making a formal protest against the income tax provision in the pending tariff bill. The most prominent merchants and bankers of that city are in the movement and they propose to hold a mass meeting at an early date to give expression to their views. In the call for this meeting the proposed income tax is denounced as an attack on the industries of the north and an attack without any excuse on thrift wherever it may be. It appears that the insurance companies have already begun their attack in the form of petitions, in which they set forth that the contemplated tax would bear so heavily upon the mutual life insurance companies as to materially affect the surplus from which future dividends to policy holders are to be paid, and congress is asked to exempt from taxation the funds of mutual life insurance companies and associations. These companies will unite with other business interests in the movement against an income tax, which would fall more heavily upon New York than upon any other state.

HOW TO BEAUTIFY A GREAT CITY.

There is but one step from the sublime to the ridiculous, but it takes several steps and stages to pass from homely utility to cultured taste and artistic beauty in municipal architecture. A week ago the Chicago Herald invited suggestions for beautifying Chicago. The invitation is responsible for a spontaneous outburst from cranks, artists, architects and eccentrics, whose suggestions are as striking and variegated as Chicago itself, with its unsightly skyscrapers and more unsightly tinny boxes and shanties.

FRAGRANCE OF FUN.

Syracuse Courier: Some people never get higher than a towering rage. Harvard Lampoon: A—Hello, Charles! Mustache cut off, I see. What did you have to brag about? B—Fifteen cents. Chicago Inter Ocean: "Look here, Stagers, I don't believe you can look an honest man in the eye." B—Well, I won't deny it until I'm brought face to face with one."

TOO PROUD TO WORK.

There was a New York Journal. Who was dunned till it drove him to work; But it tarnished his family's scotch-whisky. He got his golden lock and a touch on; So he got his quietus. With appendicitis. And he's gone to his ancestors lurk.

THE SUGAR SCHEDULE.

How much of a fight the senate republicans will make on the sugar schedule, which will be reached this week, is uncertain, but the probability is that the reported democratic expectation that the schedule will be disposed of in two days will be disappointed. More interest attaches to the sugar provision of the tariff bill than to any other, not only because it proposes a policy that must increase the cost of sugar to the consumer and at the same time abrogate what nearly all fair-minded men regard as a contract between the government and the people who have invested capital in the sugar industry, but for the reason also that it gives ample protection to the Sugar trust without showing equal consideration to producers. The pending bill makes the duty on raw sugar 40 per cent ad valorem, and on refined one-eighth of a cent a pound. Senator Gorman, in his recent speech on the bill, which was a carefully prepared and adroit defense of the measure, asserted with regard to the sugar schedule that it is not in the interest of the trust, his specious claim being that the monopoly would be protected to the extent of only one-eighth of a cent a pound. The fact is, however, as has been frequently shown, that the actual protection to the trust is 40 per cent of the refined sugar, with one-eighth of a cent a pound in addition. Moreover, the ad valorem duty will be levied upon foreign valuations, less the cost of transportation and other charges, to the advantage of the trust and the disadvantage of the treasury.

THE IMPENDING ROW.

Springfield (Mass.) Republican: Nebraska Democrats are organizing a free silver league, which will convene next month and capture the state democratic party from the hands of the floridly democratic hands of the administration, if it can.

WRECK OF A GRAND OPPORTUNITY.

Boston Post (dem.): In the senate it is not only the shame of weak delay, but also the account of those recent with monopolies which has even shaken belief in the honesty of the men themselves. And the public are invited to listen to strange tales of corruption and bribery, and to see how careful of its duty in the broader sense. The people are right when they condemn the men who have placed themselves in this position. It is the most shameful wreck of a grand opportunity.

MANAGED TO DEATH.

Louisville Courier-Journal: The democratic cause in congress has been managed to death. The party leaders have been too smart by half. There have been too many strategists and too many managers. The party has been little grape and canister. Too many men have left the ranks to look after the common interest of the people. The party has learned a lesson, although at grievous cost. They have learned that no sacrifice is too high for the sake of a victory that is not to be purchased at the price of a principle or of any part of it.

COLORADO'S DEPLORABLE CONDITION.

Denver Republican: Poor Colorado has been compelled to take a great deal of medicine since the farmers came into power. Just now it is swallowing a very bitter dose. All of this medicine is being poured into the pockets of the few who are in charge of the state. The people are being treated as if they were a herd of cattle. The state is being run as if it were a business. The people are being treated as if they were a source of profit. The state is being run as if it were a business. The people are being treated as if they were a source of profit.

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PEOPLE AND THINGS.

France reverses the old saw. Few of her soldiers are left, but many foreign legionnaires. The inventor accumulated a fortune of \$10,000,000 by his steel process. Senator Hill's vociferous desire for an enlarged free hat is not believed to include Canada and Cuba.

TALK WITH SENATOR CAREY.

Any legislation would relieve the Country Senator John M. Carey of Wyoming, an big as the prairie country which he represents, a representative product of an irrigation state, is in Omaha enroute east to assist in framing a tariff bill. To a representative of The Bee Senator Carey said yesterday: "It is not the measure of legislation but legislation which the country demands from congress, for any legislation will serve to give the unrest that is apparently noticeable in the matter of trade and commerce. The tariff bill will probably pass about the second week in June, the sugar schedule occupying the attention of the senate this week. By the last of next week I anticipate matters will have taken such a course that an expression may be had when the final vote is likely to be reached. If the free sugar schedule is adopted the tariff bill, two additional senators against the bill from the south, but will have a tendency to put Senator Allen in a rather unpleasant predicament. Upon the question of the Commonwealths Judge Carey said: "The movement represents collective instead of individual wrongs. It is a fact that many, in fact hundreds, of these men have been offered work at living wages, but they have refused on the ground that it would prejudice their cause in the public mind. Since Judge Kincaid's decision the Commonwealths will keep clear of Wyoming, in fact a number of the bodies have no expressed themselves, and I look forward to the time when the matter will be settled. Judge Hallett of Colorado has followed in much the same line as Judge Riner of the federal court, and in a conversation I had with Judge Riner he stated that he had great sympathy for the men out of work, but none for train stealers and lawless tramps."

BANK WRECKERS FOUND GUILTY.

Jury in the Indianapolis case unanimous on the First Ballot. INDIANAPOLIS, May 28.—"We, the Jury, find the defendants, Francis A. Coffin and Percival B. Coffin, guilty as charged in all the counts of the indictment, and Albert S. Coffin, guilty as charged in the counts from 37 to 42 inclusive." These three defendants have been on trial for wrecking the Indianapolis National bank, which institution suspended payment last July. Ex-Attorney General Miller immediately moved a new trial and Federal Judge Baker will hear arguments Monday next.

NEBRASKA AND NEBRASKANS.

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