

The Nation.

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The Week.

President Taft's attitude in respect of the newly created Customs Court of Appeals, is understood to be that the judges must be lawyers equal to their responsible duties. The failure of Congress to provide in the Emergency Deficiency bill an appropriation for the judges' salaries may result in the establishment of salaries of \$10,000 a year instead of the \$7,000 rate which was the figure tentatively fixed upon in the deficiency appropriation. The President has decided to make no appointments until Congress acts. He will doubtless take the most solicitous care in filling the new court. The suggestion that it contain lay members he is said to oppose. The experience of importers with the General Board of Appraisers would seem to support this determination on the President's part. We shall confidently expect the new tribunal to contain no "jokers." The confidence of the country would not be gained by seeing Judge Littauer, Judge S. N. D. North, and others of that ilk on the customs bench.

The President's policy in making census appointments in the South is now announced. In States solidly Democratic, the jobs are to be equally divided between the Democrats and the Republicans. In "debatable" States, however, all the census places are to be given to Republicans. The President's statement adds, with gravity, that in all cases he will insist that the appointees "shall not be active partisans, but capable men." If this means anything, it means that some sort of test or examination is to be made, beyond the mere recommendation of politicians. They, of course, always recommend "capable men"—men capable of great usefulness to themselves. Census enumerators, being special and temporary appointees, have long been made a part of the spoils system, and the bill for taking the next census, while providing that the clerks in the bureau at Washington shall be chosen under the civil-service rules, left the naming of the men who are to collect the actual information, as before, to

politicians. The President has shown, by his appointment of a new Director and Assistant Director of the Census, that he is anxious to have a thoroughly scientific and trustworthy piece of work done next year. Yet he must know that a great deal will depend upon the choice of enumerators.

Speaker Cannon's long-promised punishment of the insurgents among his own party reflects not nearly so much upon them as upon him. To his narrow partisan mind it is, of course, just the thing to do. Whip the insubordinate and reward the abjectly obedient—this is always the creed of the party boss, and from his point of view it is often good politics. Not in this case, however; the split in the Republican party has gone too far to be cured in any such way. Indeed, the pettiness of Mr. Cannon's action is likely to make matters worse and intensify the growing opposition to him. And he has not even gone far enough with the axe really to play the executioner impressively. Mr. Fowler has been a very useful man, and so has Congressman Cooper. As for Congressman Gardner, it will hardly improve Senator Lodge's relations with the Speaker that his son-in-law should thus be degraded. The truth is that the Speaker's action will only remind people anew that he belongs to another political age, and that the sooner he disappears from Congress the better will be its atmosphere, the quicker it will respond to the popular will, and the less it will be controlled by selfish interests.

At least one of Mr. Cannon's new appointments will be acclaimed—as it was applauded in the House—that of Congressman James Breck Perkins of Rochester as chairman of the Committee on Foreign Affairs. To this position, he is fully entitled by reason of ability and attainments, and it may well be that his able handling, in behalf of the House, of Mr. Roosevelt's charges against Congressmen in connection with the Secret Service appropriation, won him this preferment. Mr. Vreeland's selection to head the Committee on Banking and Currency had been discounted. He was, with Mr. Aldrich, sponsor for the currency bill pass-

ed last year, which remains so melancholy a piece of largely unused and unnecessary legislation, and will now play a great part in the promised efforts to reform the currency at a future special session. He is one of Mr. Cannon's intimates, and, judging by his past record, may be relied upon to take orders.

In view of the improvement in our consular service, it should seem as if the \$100,000 granted by Congress to Mr. Knox for extending our commerce might best be used to teach American merchants that they cannot trade with natives of Japan or India on the same basis as with their neighbors of Kankakee. The Philadelphia Commercial Museums have long been doing valuable service of this sort, and similar object lessons are widely needed; for we must lay aside the old notion that the Yankee is the shrewdest trader in the world. He is, however, eminently teachable. Our agricultural experiment stations and their wonderful results in diversifying and intensifying crops, prove this beyond dispute. Travelling exhibits of the goods needed abroad and statistics as to the opportunities offered would seem to be one of the needs of the hour, if the American merchant will not study for himself or send the proper commercial traveller—he usually selects a drummer to travel in China, because he has "made good" in some Michigan lumber camp. There is, however, one way in which Mr. Knox's \$100,000 could be made of especial value—by collecting and disseminating information showing how our absurd tariff laws, which close our own markets to foreigners, tend to close theirs to us and invariably sow the seeds of dislike abroad.

It is not a convincing argument for Government railway operation—this report which Mr. Bernard M. Baker has made to President Taft upon the freight charges in force across Panama. The Panama Railroad and the Panama Steamship Company are now owned by the Government, and are operated as commercial lines. The rates in force upon American commerce are sharply discriminatory against our shippers in favor of those of Europe. Thus the rate on dry goods from New York to Cen-

tral America is \$21.40 a ton, while from Europe it is \$20.40 a ton. The Panama Railroad charges from Colon to Panama, in case the consignment comes from New York, \$3.46 per ton; if from Europe, \$2.77 per ton. Coffee, rubber, cocoa, all show the same comparative difference in rates, Mr. Baker declares. He is of opinion that these discriminatory rates were continued by the present company not of set purpose, but merely as an inheritance from the former owners of the Panama properties. Be this as it may, it is certainly a sinister omen that government control necessitates investigation by an outside party to obtain equitable treatment for the shippers of the nation that is building the Panama Canal. The differences in rates which result from charging what the traffic will bear, instead of rates set upon a mileage basis, are notoriously great. The greatest disparities are sometimes seemingly justified by considerations of return loads, competing carriers, or alternative routings. But the case in point seems to be one where the rates simply bleed the American shipper to the advantage of his foreign rivals.

The old tease of convict labor is again to the fore. The State Labor Department of New York has caused the arrest of a dealer for selling convict-made goods from Illinois without displaying a conspicuous sign that he dealt in products of that character. The law of this State prevents clothing made by our own prisoners from being put on the general market. But this apparently makes our market only a favorite dumping-ground for the convict-made products of the Joliet Penitentiary. The arrested dealer's attorney argues that the requirement to display the sign in question is an interference by a State law with the exclusive power of Congress to regulate interstate commerce. It certainly should seem to discriminate against one class of goods, the subject of interstate commerce, in favor of another class. The difficulties affecting the products of convict labor are numerous. To keep convicts idle would be cruelty to them. It would be to forego the reformatory influence that the practice of a trade confers. To let out convict labor (inside the prison) to contractors is to invite harsh treatment of the State's wards if the contractor is cal-

lous or brutal. It too frequently gives an unfair differential advantage over those who make the same product by free labor. To confine the employment of prisoners to tasks which the prison wardens can direct is often uneconomical and ineffective. Probably the best disposition of the matter is to limit the work of the prisoners to providing goods required in the various public institutions. As for the dumping of wares made by foreign convicts upon the markets of another State, the proper remedy would seem to lie in the hands of Congress, and in the widened area of enlightenment in all our States in this matter of prison reform.

It was inevitable that the proposals of the committee of New York Supreme Court judges, aiming to lessen the law's delays, should be sharply criticised by lawyers. Special attack is made upon the suggestion that the demurrer be practically done away with. This is an old and often a most useful pleading, and it is not surprising that the bar should stand up for its continuance. Great abuses have undeniably arisen in connection with it, but these might be got rid of, it should seem, without entirely disallowing the demurrer. Very likely, this was what the justices really had in mind, in their somewhat vague recommendation. As to the salutary nature of their action, as a whole, there can be no difference of opinion. It shows that those most nearly concerned are at last awaking to the need of removing the reproach which attaches to the administration of justice in this State. The judges do well to point out that their plan is only tentative and merely a beginning. To be satisfactory, the reform of judicial procedure will have to be much more far-reaching. The public will be neither contented nor secure until steps are taken to amend the jury laws, so as to make impossible the present outrageous methods, in important trials, and to abolish wanton and frivolous appeals to higher courts.

The defeat of Mayor Johnson of Cleveland, in the special election, or referendum, on another issue in his perennial traction struggle, was apparently not a decision on the merits of the question. It was, rather, an expression of the city's weariness at the way in which the whole matter had been kept in poli-

tics, year after year. The forces arrayed against the Mayor conducted their campaign on that basis. The Chamber of Commerce, as also a non-partisan association of business men, and the leading newspapers of both parties, rang the changes on the great harm to the city which was being done by the continued agitation. The cry was for a final settlement and a good rest. Granting that Mayor Johnson was right in his contentions and sincere in his motives, he made the fatal mistake, politically, of tiring the people out. The ability of a democracy to remain at a white heat of indignation, and to keep its attention fixed steadily upon the same subject for a long time, is notoriously limited. This is a lesson which many a leader before Johnson has had to learn in bitter experience, and it is his turn now. Besides this fatigue of the electors, there was the difficulty that the rival plans submitted to them were not so radically different as easily to arouse intense feeling. The so-called Schmidt franchise was for only a portion of the street-car lines, but was for a flat three-cent fare. On the other hand, the proposal of the old companies, as suggested by Judge Tayler, in whose court the receivership had its authority, was for a reorganization and a franchise, under which the maximum fare was not to exceed seven tickets for twenty-five cents, with one cent additional for transfers, while the earnings of the corporation were to be kept to 6 per cent. on the actual value of its property. This is undoubtedly the settlement which will now be made.

The people of Connecticut evidently think that New York State has got a good thing in its Public Utilities Commission law. Last Thursday in the lower house of the Connecticut Legislature, there was a battle royal between the Chandler bill, modelled after the New York statute, and the Barnum measure, contrived in the interests of the railways and the trolley lines. Connecticut has long had a railway commission of the "weak type," with power only to scold. Places upon it have been political plums, whose net effect has been to draw salaries from the State Treasury and to furnish passes for the Commissioners and their families. The Barnum measure proposes to except from the jurisdiction of the new commission steam and electric roads. It is charged

that the attorney of the New Haven Road is its author. The Chandler bill would do away with the present Railroad Commission, and give the new commission power over all public service corporations. The presence and activity of lobbyists and corporation managers on the floor of the House became so scandalous that the Speaker, amidst an uproar, finally ordered their ejection. After it seemed violently probable that the Chandler substitute for the majority's recommendation of the Barnum measure would just pass, three votes changed with suspicious rapidity, and the substitute for the majority report was negatived, 105 to 103.

Dr. Jameson and Gen. Botha, sitting side by side on the steps of the throne in the House of Lords, while the Colonial Secretary asked for the second reading of the bill to create a South African commonwealth, in which Briton and Boer should have equal rights—this is the astonishing and gratifying spectacle which England is able to offer to the world. Who could have believed it possible, when the desolating war in South Africa was raging, so short a time ago? It is a vivid proof that Great Britain has not lost her acquired skill in colonial administration. So healing and constructive a piece of legislation as this Act of Union for the four South African Colonies has not been seen in many a year. It is an evidence of England's real greatness more convincing than all her battleships. The consummation of this great act of statesmanship under a Liberal Ministry will rank as perhaps the proudest achievement of the present Government. The Conservatives were at first cold to the project, which they pronounced premature, but in view of its triumphant conclusion, they do not stint their applause. Both Lord Curzon and the Marquis of Lansdowne offered their hearty congratulations to the Government, and even Lord Milner uttered no jarring note. All this is far more of a national glory than talking till doomsday about *debellare superbos*.

In replying in the House of Commons, the other day, to the protests of the Labor members at the official welcome to the Czar, the Foreign Secretary declared, for the Government: "It is not our business to know what passes in the internal affairs of other countries where

we have no treaty rights and no extra-territorial obligations." This was in response to the array of statistics showing the appalling number of military executions in Russia. Now, this position of Sir Edward Grey's may be sound, but it certainly is not the traditional position of England. She has long aspired to be, as Lord Rosebery once put it, the "moral censor of Europe," and has made it very much her business to know what passes in the internal affairs of other nations. Is Palmerston so completely forgotten? Has Gladstone passed wholly out of remembrance? In the case of Bulgarian atrocities and Armenian massacres, it is true, England might be alleged to have a right of intervention under her treaties with Turkey; but what really led to intervention was simply moral indignation overflowing the nice boundaries of diplomatic propriety. It is hardly fitting for a Liberal Minister to disown the past of the Liberal party.

Reports of the "general strike" in Stockholm seem to point to a result similar to the recent strike in Paris, and for much the same reasons. Everything now indicates a failure of the strike; partly due, perhaps, to lack of funds and dissatisfaction of the rank and file with their leaders, but due, in large measure, no doubt, to the public opinion, which is probably as strong in Sweden as in France, against a strike which tends to render inoperative the necessary activities of a great city, tying up traffic, shutting down electric lights, and paralyzing postal service. To put up with such widespread practical inconveniences, the community must feel that a great moral and social principle is involved; and whatever one's political and social ideas may be, it is obvious that the general strike is not widely regarded as an inclusive moral measure. Even in the Socialist camp there is much condemnation of the general strike.

Recent threatened revolutions, in Russia, France, Spain, and Sweden, have all been more or less connected with industrial disputes. The "general strike" has played a part in all of them. It may be noted that in these countries, especially in Russia and Sweden, general culture takes a strongly modern turn. Their literature, art, and music are

largely limited to those materials and ideas which are of relatively recent origin. To the imagination of the modern writer, even in a country of classic tastes, such as France, the new social tendencies strongly appeal. Witness not only the great Russian group, but also men like Anatole France, Octave Mirbeau, and, indeed, a large proportion of the contemporary writers of distinction. In music, the name of Tchaikovsky suggests an intense art comment on the modern social consciousness. In Sweden, the "intellectuals" are especially affected by the latest note, often expressed with an extreme hopelessness.

It is about fifteen years ago that the Spaniards were fighting the Moors at Melilla, much as they are to-day, without, however, quite so heavy losses. But conditions in their camps in 1894 explained clearly why they made no better showing against the tribesmen in Africa or the natives in Cuba. At that time the famous Martinez Campos commanded, but the sanitary situation was unspeakably bad, the men being crowded together, with little genuine discipline. The sentry work was poorly performed, and there was a general air of laxity and shiftlessness which fully prepared the observer for the weaknesses exhibited by the Spanish army in Cuba. The Spaniards, moreover, had lost severely in their conflicts with the Kabyles, who then, as now, fought with the fanaticism of the Sudanese in their battles in Egypt. It was currently believed that the Spanish general who fell in one of the engagements was shot in the back by his own men. But the troops were on the whole marvellously cheerful, considering everything. For Melilla is at best an unattractive place, a town crowded on to a high rock jutting out into the Mediterranean—picturesque enough, but lacking in all real comforts and wholly inadequate to house the wounded properly. The fortifications are mainly antiquated, the outlying blockhouses still dangerous to maintain, and the whole town probably untenable, were the enemy in possession of modern artillery to mount upon near-by mountain slopes. That the Spanish army was as unable to profit by the lessons of the 1894 Melilla campaign as by its years of fighting in Cuba, is apparent from the present battling.

THE UNSETTLED TARIFF.

The tariff bill which was to settle everything, has settled nothing. It was to end agitation, but has only sharpened it. No other inference can fairly be drawn from the strong opposition shown to the last by Republicans in both House and Senate, from the President's statement at the time of signing the bill, and from its reception by press and people. The tariff is plainly to remain one of those unsettled questions which will have no pity for the repose of this nation. It will not be settled till it is settled right.

No previous Republican tariff has been passed with such marked Republican disapproval stamped upon it so conspicuously. When the McKinley bill came up for final passage, only one regular Republican Senator, Mr. Plumb of Kansas, voted against it. Senators Pettigrew and Paddock were also recorded in opposition, but they were even then regarded as more Populist or Democratic than Republican, and Mr. Pettigrew did, in fact, shortly abandon even his nominal Republicanism. For the Dingley bill in 1897, the solid Republican vote in the Senate was cast. Contrast this with what we saw on Thursday of last week. Despite the full pressure of party, notwithstanding appeals in which even the President is said to have joined, seven Republican Senators stood out to the end, recording their protest against the Payne bill, as giving the lie to party pledges and containing, as Senator Dolliver boldly contended, swindles upon the American people. The two Senators from Minnesota, the two from Iowa, the only Republican Senator from Indiana, with one from Wisconsin and one from Kansas, refused to fall in line with their party. Nothing so significant and so ominous has ever before attended the passage of a high-tariff bill. It argues irresistibly that a great change has come over the country. These Republican Senators faithfully represent their constituents. The Republicans of the West are up in arms against the continuance of protective duties which mean high prices and monopoly. Unless something is done to satisfy them, disaster to the Republican party is certain to follow.

This sense of widespread dissatisfaction and rebellion is distinctly reflected in President Taft's statement. He signs the bill, for the sake of its good

features, while admitting that it is not "a complete compliance with the promises made." And he gives a plain intimation that the end is not yet. Speaking of the power conferred upon him to employ skilled agents to investigate the actual working of the new tariff, he remarks that they will be enabled to acquire information "under circumstances favorable to its truth." The implication that much of the alleged information submitted to Congress was only a pack of lies, could hardly be clearer. Furthermore, declares Mr. Taft, the exact facts, as secured by the Tariff Commission, will furnish a basis for "future Executive recommendations." But Executive recommendations about the tariff can mean only recommendations to Congress to change certain schedules. This is the obvious inference from the President's language; and it is borne out by the explicit assertion of a Washington correspondent that Mr. Taft is making plans for further tariff revision. This suggestive dispatch says:

The President has let certain Senators and members of the House know within the last few days that he is not satisfied with some of the schedules in the new law, especially with the woollen and cotton schedules. He has made up his mind to pursue the investigation into those schedules which he began just before the bill came out of conference, and upon the results obtained from this line of inquiry to base a recommendation to Congress for further action which will involve a substantial revision of them.

We shall hear more of this when the President makes his Western tour next month. All accounts agree that the Republican managers in the West are deeply concerned over the political outlook. They are counting much upon Mr. Taft's efforts to "soothe" the disgruntled people in their part of the country. But the only way to soothe a man who feels that he has been cheated, is to show that you propose to correct the injustice done him. This is as true of tariff cheating as of any other kind. Men in the West are now persuaded, as the speeches of the Iowa Senators show, that many parts of the Payne-Aldrich bill are designed to rob them; and when the President goes out to talk to them, they will want to know what he is going to do about it. If he intends to go to the root of their discontent, he will have to expand his statement and let it be seen that he means still to use every weapon in his power to redress tariff wrongs.

This will be sneered at as "piece-meal" revision. But that is the only way now left to prevent piece-meal stealing. And an attack upon one iniquitous schedule at a time, would make the pretence that the whole business of the country was again to be thrown into confusion, appear ridiculous. The tariff thieves would, of course, cry out for fear that their plunder might be taken from them, but nobody else would be disturbed. Only by thus pressing on with the work to which he has set his hand, can the President justify himself for accepting a bill which confessedly comes so far short of his promises and his hopes.

THE ALDRICH INCUBUS.

It is announced that Senator Aldrich now thinks it doubtful if the bills for currency reform will be ready for introduction when Congress meets in December. Yet his interest in this subject remains intense. He is to make public addresses on the important topic, during the month of October, in Chicago, St. Louis, and other cities; and is to press the matter upon Congress, either in the regular session, or at a special session which, it is rumored, may be called in the autumn of next year. In any event, the great measure is to be under the peculiar charge of Senator Aldrich. His friends have known for some time that it was his ambition to round out his political career by affixing his name to a comprehensive financial bill that should cure our currency and monetary ills for all time, and cause the Rhode Island Senator to be looked upon by coming generations with something of the admiration and awe that Englishmen cherish for Sir Robert Peel.

With such an ambition, we cannot avoid having a certain sympathy, but truth compels the statement that Senator Aldrich can never realize it. After what has happened in the sight of all men during the past four months, it would be madness for currency reformers to pin their hopes to this man. Any bill identified with his name would be politically damned from the moment of its introduction. We do not like to say this, but we believe it to be the fact. Senator Aldrich's ability and skill we freely admit. His desire to put our financial system upon a sound footing may be perfectly unselfish and states-