

sentiment of brotherhood; there is need of intellectual power and foresight, yoked to pride in unselfish public service. It is his that the country has a right to expect from the educated man.

COLLEGE ATHLETICS

With the Commencement season culminating the athletic feats of the college year, Cornell, as has become almost customary, in the races on the Hudson at Poughkeepsie. This year, as last, it was a clean sweep for Cornell, for in each of the three races—varsity eights, freshmen eights, and varsity fours—the Cornell crew was victorious. This is a notable achievement, especially because in each of these races Cornell had several opponents. At New York, Yale won from Harvard, after a ragged but exciting play on both sides, the deciding baseball game of the series between the two colleges. More than abundant compensation, however, came to Harvard through the races on the Thames, at New London. There, on Thursday of last week, the Harvard varsity eight finished four lengths ahead of Yale, and the Harvard varsity four and the Harvard freshmen eight finished ahead of their Yale rivals. Thus, for the third year in succession, Harvard has won the boat races, and this year, as last, by a clean sweep. The day before these races, however, the Harvard freshmen four were beaten by the Yale freshmen four. Unhappily, the regatta on the Thames was marred by a bit of bad manners on the part of a Harvard crew. In recent years there has been arranged a sort of impromptu race between what have been called jocosely "gentlemen's eights." In a spirit of friendly rivalry, a crew of Harvard graduates has rowed against a crew of Yale graduates for a prize. These two crews are composed of former undergraduate oarsmen who have managed to keep up, after a fashion, their practice with the oars. This year, partly, it is said, because Commencement at Yale came earlier than usual and the graduates had therefore scattered, there was no gentlemen's eight to represent Yale. The Harvard crew thereupon acted like a lot of professionals whose livelihood depends upon their winnings. They rowed over the course alone and claimed the

prize. There is no use in trying to make rules to provide a remedy for actions of this kind. If college men, and particularly college graduates, have not the breeding to prevent them from doing a thing of this sort, even in joke, they can hardly supply the deficiency by an athletic code duly drawn up and enacted. It will not be until such a proceeding as this is regarded as a more serious blot upon a college's athletic reputation than a string of defeats that there will be established a real basis for what is talked of as the reform of college athletics. It is perhaps not just to lay upon Harvard the blame for this particular piece of boorishness, for the crew that committed it was more or less irresponsible, and may very well have been gathered from among men who had imbibed little of the spirit of the university. Nevertheless, the public spirit of the college should be so strong that any action that indicates desire for the reward of contest without the contest itself should be impossible. We believe that a real amateur spirit is developing among American college athletes; but it is developing all too slowly. It ought long ago to have grown so dominant that no college man would think of caring a particle for the fruits of victory without a fair and even struggle.

THE SALE OF THE PRIARS' LANDS

One of the subjects which engaged the attention of the House of Representatives during the session just closed was the sale of certain lands in the Philippine Islands. These lands are a part of what are known as the friars' lands, which were purchased from certain religious orders after negotiations with the owners that were carried on by Mr. Taft, who was then at the head of the Philippine Government. Regarding this sale there may be said to be three questions: First, is it in accordance with law? Second, if it is in accordance with law, is it in accordance with wise administrative policy? Third, if it is in accordance with wise administrative policy, is this particular transaction justifiable? According to the organic law of the Philippine Islands which was passed by Congress in 1902, the property that was acquired by the United States through the treaty of peace

with Spain was placed under control of the Government of the islands subject to the restrictions of the Act. The law then went on to prescribe conditions under which the public domain of the United States might be disposed of. Under those conditions no more than sixteen hectares (the hectare is equivalent to about two and a half acres) could be conveyed to any one person, and not more than one thousand and twenty-four hectares to any corporation. The sale, however, under consideration conveyed about fifty-five thousand acres to a Mr. E. L. Poole, who is understood to have acted as an agent of American sugar interests. Before the sale was completed an opinion was elicited from the Solicitor-General of the United States to the effect that there was no provision of law limiting the area of the friars' lands which may be sold to an individual. An opinion was also obtained from the Attorney-General to the same effect, namely, that the restrictions did not apply to those lands that were purchased from the religious orders. A cursory examination of the organic Act at first gives the impression that these friars' lands were subject to such restrictions; for in Section 65 of that Act it says that all lands acquired by purchase from religious orders shall constitute "a part and portion of the public property of the Government of the Philippine Islands, and may be sold by said Government on terms subject to the limitations and conditions provided for in this Act." A more careful examination, however, reveals an apparent distinction. The lands at first referred to, acquired from Spain, are said to be of the public domain of the *United States*, while these so-called friars' lands are declared to be the property of the *Philippine Government*. It is therefore held that whereas the lands belonging to the United States may be conveyed only in accordance with prescribed restrictions as to area, the land belonging to the Philippine Government may be disposed of as the Philippine Government sees fit, except for such specific restrictions as are prescribed with regard to such lands. There are such restrictions mainly with regard to the incurring of indebtedness. What adds force to this contention is the fact that the Philippine

Legislature itself, as well as the Philippine Commission, has made regulations concerning the disposal of these lands; and that these regulations, having been submitted to Congress, in accordance with the organic law, have been allowed to stand. It appears, therefore, that the sale is in accordance with a perfectly tenable interpretation of the law. The second question, as to whether this sale is in accordance with a wise administrative policy, may be more briefly answered. At first thought it may seem unwise to dispose of land in such a large quantity to any individual or corporation. ¹⁸⁹² However, it is to be remembered: that the friars' lands were a burden to the people for they were held by orders who paid no taxes for the support of the Government. The lands were then purchased; but in the purchase of these lands a debt was incurred on which the Filipino people had to pay interest. In the view of the Philippine Commission, it was decided to be to the advantage of the Filipino people that these lands should be sold, so that this debt could be extinguished, and so that the lands could, through taxation, be made to pay some of the expenses of the Government. Moreover, it must be added, this transaction has apparently been in accordance with the policy that had the approval of the Philippine Legislature. Since the Philippine Government has been given discretion to act in this matter, it does not seem fair to criticise it for exercising that discretion. With regard to the third question, as to whether it was wise to dispose of this land to this particular purchaser, we have no opinion, because we have no basis for forming such an opinion. The charges which have been made on the floor of the House will, we understand, be subject to investigation by the Committee of Congress. Whether those charges have any reasonable foundation or whether they grow out of merely unfounded suspicion will be known when the investigation is completed.

A MENACE OF CRIME

The case of the self-confessed wife-murderer Charlton has brought to public attention (to the surprise, we imagine, of the greater part of the community) a state