and papers by a Republican administration; or against Republican speakers and papers by a Democratic administration. The dangers of centralization from Mr. Roosevelt's recommendations for the punishment of "anarchists," a recommendation as vague as if it were for the punishment of "bad men," are too great to be invoked as lightly and thoughtlessly as the president advises.

Centralization is indeed the dominant note of Mr. Roosevelt's message. Besides urging federal jurisdiction over assaults upon federal officials, it proposes a new cabinet officer whose function it shall be to permanently governmentalize American industries—a step in the direction of socialism which state socialists in their wildest dreams could not have hoped for so soon. It recommends, moreover, the enactment of trust legislation (a constitutional amendment if necessary) which would bring the business of about every corporation in the land within federal jurisdiction. For Mr. Roosevelt would have the nation "assume power of supervision and regulation over all corporations doing an interstate business." As all corporations are in a sense engaged in interstate business, since they buy or sell or both across state lines, and as most of the business of the country is done by corporations, Mr. Roosevelt's trust remedy would culminate in bringing virtually all the domestic as well as all the foreign business of the country within the jurisdiction of the federal courts and under the supervision of a member of the president's cabinet. Were his recommendations adopted, the states would fall to the grade of counties or provinces and an era of state socialism on a national scale and of the most offensively paternal character would be less than 20 years off. Unwittingly, it would seem, he has adopted the socialistic programme. Not so unwittingly, perhaps, he has set forth a scheme of trust reform to which the trust magnates themselves have long been committed.

These evidences of Mr. Roosevelt's continued adolescence are to be regretted. But there is that in his message which is to be regretted even more. Whatever Mr. Roosevelt's faults of character may have been, no one has ever counted "smoothness" among them. Candor always stood to his credit in every man's mind. But this message is not altogether candid. A demagogic strain runs through it. Fortunately, however, the demagogy can do no practical harm. His disingenuousness is too crude. It is the work of a novice, of an incapable imitator. Mr. Roosevelt's display of solicitude for the wage worker is patronizing, perfunctory and clumsy. His eloquent plea for ship subsidies, in which he scrupulously avoids using the word, exposes him as trying to make peace with Senator Hanna's shipping ring without offending his anti-subsidy admirers, to whom he pays the poor compliment of supposing that they cannot recognize a ship subsidy plea without the label. His recommendation of monopolies for the Philippines for the benefit of the natives is also transparently disingenuous. Though he asserts that franchises and land grants in the Philippines for American capitalists are necessary for the welfare of the natives, whom he says we are bringing painfully up to the level of 30 generations of civilization, it is all too evident that the welfare of the natives is not the real purpose, but that franchises and land grants for American monopolists are. Altogether, Mr. Roosevelt's message must be a disappointing performance to all who hoped that heavy responsibility might have awakened him to higher ideals and the possibilities of a nobler public career.

The British ministry will doubtless be pleased to observe that President Roosevelt's message contains no mention at all of the disinterested efforts Great Britain is putting forth to make the Boers "fit for self-government." This was truly thoughtful and friendly on the part of our new president, and Lord Salisbury and Mr. Chamberlain ought to appreciate it. Very likely Mr. Roosevelt had the British and the Boers in mind when, in commenting upon the fact that "over the entire world in recent years wars between the great civilized powers have become less and less frequent," he explained that "wars with barbarous or semi-barbarous peoples come in an entirely different category, being merely a most regrettable but necessary international police duty which must be performed for the sake of the welfare of mankind." That is really a very pretty complimentary allusion to Great Britain's international police duty in South Africa, coming as it does from the head of a nation which is doing similar international police duty in the Philippines. But how will the Boers like to be classed as barbarous or semi-barbarous?

The resemblance of the British "international police duty" in South Africa to the American "international police duty" in the Philippines is much closer, even in detail, than is commonly supposed. The fact is sharply illustrated by a recent incident in the experience of the American Transvaal league. Among the recipients of a circular from this league was an English gentleman temporarily resident in Nice. This gentleman courteously acknowledged the circular, which admonished him to help "Make England Fight Fair," and contained some disagreeable facts about British reconcentrado camps. In his acknowledgment he asked "why the American people do not act fairly by the Filipinos—grant their independence and evacuate their territory?" By so doing, he added, "they would earn a title to take other nations to task." In justification of his question, this English gentleman inclosed several news clippings from Reuter's special service, underlining the pertinent parts. These clippings indicate that the United States is doing in the Philippines precisely what Americans complain of Great Britain

for doing in South Africa. We quote some of the underlined sentences:

Manila, Oct. 25.—Among the American troops in Samar an intensely bitter feeling prevails against the Filipinos, and if they can meet the enemy in the open they are prepared to inflict severe punishment. . . . Gen. Smith, commanding in Samar, has issued a notice ordering the people to concentrate in the towns, and declaring that otherwise they will be considered public enemies and outlaws and will be treated accordingly. . . . .

Manila, Oct. 28.—Most of the towns in the south of Samar have been destroyed.

The fact is that both Great Britain and the United States are descending to the barbarous methods of Weyler in Cuba for the very object that Weyler had in view—the subjugation of a weaker people for the sake of their lands. The event goes far to prove that when the Spanish caricaturists four years ago pictured Uncle Sam as a greedy hog, they were disgustingly sagacious.

Mr. Justice Brown, of the supreme court of the United States, has made two more decisions for that court in the litigation growing out of the new American policy of imperialism. We say that Justice Brown has done this, because he has held the balance of power in the court, deciding with four of his associates upon one point, the other four dissenting, and with the other four upon other points, the first four dissenting. It is evident that Mr. Justice Brown is destined to figure in the constitutional history of the United States either as a very great jurist or as a very absurd one. If the country adopts the imperial policy, for which he has found warrant in the constitution, he will be accounted great. But if the country returns to its old ideals he will be better remembered as a comical than as an imposing character in constitutional history. For in the one case the credit of making a successful judicial bridge for the passage of the country from republic to empire will be his, while in the other he will reap the unenviable reward of having tried to substitute empire for republic and failed. It was his casting vote, both last spring and this week, that made the decision of the court. The voice was the voice of the court, but the decision was the decision of Mr. Justice Brown.

Two cases were decided, one against the government and the other for it, each by a vote of five to four, precisely on this occasion as last spring. An analysis of the two decisions of last spring will be found at page 149. In one, the De Lima case, it was then decided that with reference to existing tariff laws the ratification of treaties of cession instantly and of their own force divest ceded territory of its foreign character and make it territory of the United States. This decision is now followed in the "diamond ring case." An American soldier named Pepke had brought 14 diamond rings home with him from the Philippines. They were seized for nonpayment of tariff duties, under the Dingley law. This was upon the theory that the Philippines were not American territory. But as the treaty of cession had at that time been ratified, the court holds that the Philippines were American territory. The court does not hold, however, that congress is constitutionally prohibited from making tariff laws applicable to the Philippines. This contention is, on the contrary, distinctly overruled in the other case, which relates to Porto Rico and is known as the second Dooley case. The second Dooley case differs in its facts from the Downes case of last spring (p. 150), in only one important particular. In the Downes case it was decided that congress can make a law for national territory which imposes tariff duties upon goods coming from that territory into a state, the constitutional requirement of uniformity being held not to apply in such cases. In the second Dooley case another step is taken. It is there decided that an act of congress imposing tariffs upon goods going out of a state into national territory is also valid, it being held that the constitutional clause forbidding a tariff upon exports from a state does not apply to exports to national territory. Both as to the exports to and the imports from national territory, therefore, congress is now declared to have full discretionary power.

These four decisions, taken together, make precedents for the following constitutional interpretations: (1) The treaty-making power (consisting of the president of the United States and the senate) may acquire inhabited as well as uninhabited territory as the property of the United States by treaty. (2) Territory so acquired ceases, instantly and by force of the treaty, to be foreign territory with reference to existing tariff laws imposing duties upon imports from foreign countries, and in that respect becomes territory of the United States. (3) Congress has power to organize such territory, and in doing so may impose duties upon goods imported from it into a state, without regard to the uniformity clause of the constitution, and may also impose duties upon goods exported to it from a state, without regard to the constitutional clause forbidding tariffs on exports.

So far, then, as the supreme court can by a vote of five to four permanently settle anything of vital concern, it has now either directly or impliedly determined the status of American territories. However densely populated they may be, they are nevertheless only national property. Arizona, New Mexico, and Alaska, as well as Porto Rico and the Philippines are alike in this respect. The treaty-making power may acquire them at will; and at any time before they are invested with statehood this same power may, without the consent of congress, sell, assign, transfer, make over and deliver them to any other nation. They are part of the United States as soon as acquired, cease to be part of it as soon as sold, and meantime are not under the protection of the American constitution with reference to taxation or citizenship, if