

expense of an increased navy to command its observance. If President Roosevelt is going to wipe out the second principle of the Monroe doctrine by interpretation, as he did the rights of the civil service army, if he is going to continue to meddle in the political quarrels of European powers, if he proposes to police the world, he must prepare to back that policy up with ships and men and money, for Europe will most certainly retaliate.

And that is exactly what President Roosevelt proposes to do. He is not a man of peace; the fever of war is in his blood. This was recognized in Washington during the Cuban campaign, when it was ordered that in the event of battle Roosevelt's regiment should be permitted to go to the front; and doubtless it was a great disappointment to him that he struck Kettle hill, from which the last Spaniard was fleeing, instead of San Juan hill, which had been taken by the Negro troops. Since that day he seems to have brooded upon war. War is his theme. He is spreading broadcast the doctrine of war, and if he is re-elected in 1904 the United States will be plunged into war, if not before that time. The mimic war games going on are in anticipation of the real wars which are almost upon us. When we began meddling in European affairs in '98, we antagonized Germany to the very point of hostilities, and Germany has not forgotten it. Already we have cast covetous eyes upon the British West Indies. That is why we are told "they want annexation." That is another reason why we need an "efficient navy." Any thoughtful person who has had his eyes and his ears open for the past two years knows that we also need an "efficient navy" to benevolently assimilate the South American republics, and a little later, Mexico.

President Roosevelt is now engaged in preparing the American mind for the new conditions and in spurring it on to approve his policy. After interpreting the Monroe doctrine in a way which cannot fail to make trouble with Europe, by ignoring the principle which gave protection to Europe, he says to the American people: "If our formulation consists simply of statements on the stump or on paper, they are not worth the breath that utters them, or the paper on which they are written. Remember, the Monroe doctrine will be

respected as long as we have a first-class navy, and not very much longer." But he failed to tell us that this additional expense upon the taxpayer only became necessary after we ceased to respect the Monroe doctrine ourselves, and only because we repudiate one of its principles.

The president continues to "dare" the American people thus: "In private life he who asserts something, says what he is going to do, and does not back it up, is always a contemptible creature, and as a nation the last thing we can afford to do is to take a position which we do not intend to try to make good."

After this stirring dissertation, which is evidently intended to launch the increased navy, with which we will meet the European powers in whose matters we have meddled and intend to meddle, the president cries: "Shame to us if we assert the Monroe doctrine, and, if our assertion be called in question, show that we have only made an idle boast, that we are not prepared to back up our words by deeds;" which, being interpreted, meaneth, Shame if the American people fail to endorse an interpretation of the Monroe doctrine which will ensure war, and under cover of its smoke enable Roosevelt to make a grand charge and capture a second term.

REBECCA J. TAYLOR.

#### THE OWNERSHIP OF THE RAILROADS.

For The Public.

The irrepressible conflict between the rights and liberties of the people and the arrogance and greed of the railroad cormorants, has reached a critical stage. The coal strike has forcibly demonstrated the danger and folly of intrusting to individuals the control and management of enterprises that are completely monopolistic.

The idea, assiduously inculcated by the privileged classes, that railroads are the private property of the stockholders, is as preposterous as it is pernicious.

Railroads are public, and not private property; the fact that they are managed as if they were private property does not alter their character.

A railroad is a public highway, and its managers are public agents or state officials. It is impossible to regard them in any other light, or conceive any other relation. A railroad that is not managed by public agents is not a public highway. The state could not exercise its right of eminent domain if a railroad was private property. To

take the property of one person and bestow it upon another, even with just compensation, would be such an arbitrary exercise of the sovereign power that no state constitution would tolerate it.

Judge Jeremiah S. Black, of Pennsylvania, one of the ablest jurists this country has produced, clearly defined the legal relations existing between the state and the persons whom she authorizes to manage her highways, in an opinion rendered in the case of the Erie & N. E. R. R. vs. Casey (2 Casey pp. 307-324).

T. F. MONAHAN.

#### JUDGE BLACK'S DECISION.

The authority given by the Act of Assembly of October, 1855, to the defendant to take possession of the railroad is asserted by the plaintiff's counsel to be an act of confiscation—a taking of private property for public use without compensation. If this be true, the injunction ought to be awarded; for no legislature can do such a thing under our constitution. When a corporation is dissolved by the repeal of its charter, the legislature may appoint or authorize the governor to appoint a person to take charge of its assets for the benefit of its creditors and its stockholders; and this is not confiscation, any more than it is confiscation to appoint an administrator to a dead man or a committee for a lunatic. But money or goods or lands which are or were the private property of a defunct corporation, cannot be arbitrarily seized for the use of the state without compensation paid or provided. This act, however, takes nothing but the road. Is that private property? Certainly not. It is a public highway, solemnly devoted by law to the public use. When the lands were taken to build it on they were taken for public use; otherwise they could not have been taken at all. It is true the plaintiffs had a right to take tolls from all who traveled or carried freight upon it according to certain rates fixed in the charter, but that was a mere franchise, a privilege derived entirely from the charter, and it was gone when the charter was repealed. The state may grant to a corporation or to an individual the franchise of taking tolls on any highway, open or to be opened, whether it be a railroad or river, canal or bridge, turnpike or common road. When the franchise ceases by its own limitation, by forfeiture or by repeal, the highway is thrown back on the hands of the state, and it becomes her duty as the sovereign guardian of the public interests to take care of it. She may renew the franchise, give it to some other person, exercise it herself, or declare the highway open and free to all the people. If the railway itself was the private property of the stockholders, then it remains theirs, and