

institution known as "insular legislature" a power which congress does not itself possess.

The court, however, insists that "the maintenance of a separate economic system in an insular country would become practically impossible so far as its commercial relations with the United States were concerned," if these strange doctrines did not prevail. And the court holds that inasmuch as Porto Rico is not foreign territory, goods shipped to Porto Rico are not exports.

This same reasoning would sustain the claim that a tax levied on goods shipped from one state to another was not an export tax because the state or territory to which the goods were billed was not foreign territory.

Chief Justice Fuller and Justices Harlan, Brewer and Peckham hold that the duty imposed is export in its character, and that the fact that it was levied for the benefit of Porto Rico does not alter the situation. It is difficult to describe judicial decisions, to sustain which the fundamental law must be twisted and distorted or abandoned altogether. It is difficult to understand how any one could consider a tax levied on goods exported from the United States as anything other than an export tax; and it is safe to say that in the fullness of time, when the new and strange doctrine is abandoned, the position taken by the chief justice and Justices Harlan, Peckham and Brewer will be vindicated by popular judgment as completely as they must now be vindicated in the mind of every student of government.

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### BRANCH BANKS.

In his annual report Secretary Gage recommends a great central bank. He says that the existing system does not afford "the highest assurance of protection" and does not establish "a bond of cohesion, the power of co-operative action, the ability to co-ordinate for the general good or for mutual defense," such as would be provided by a central institution with multiplied branches. Those who have carefully observed the part which the banking institutions have played in the politics of the country will obtain a hint of the enormous power a central bank, with "multiplied branches" would wield when they observe that the promoters of the proposed system believe that between the banks as organized

to-day there is no "bond of cohesion" and no "power of co-operative action." Mr. Gage says that the proposition for a large central bank with broad powers for establishment of branches "offends the common instincts of our people," and "may be looked upon at present as impossible of realization." We may accept this language, then, while giving no encouragement for the immediate present, as holding out the hope that after a while, when the people shall have become quite accustomed to republican impositions of all kinds, the "common instincts of our people" may be violated with impunity and even a central bank may be established.

If this proposition does now offend the "common instincts of our people" what manner of official is this who holds out even the smallest hope that the offense may yet be given?

The "common instincts of our people" have provided the safeguard of our liberty and have insured the perpetuation of free government. If Mr. Gage shall finally succeed in establishing this "offense" to the "common instincts of our people," he must either effect a complete change in those "instincts" or he must place the people in such a state of servitude that they will not be able to give expression to their "common instincts."

The central bank is not the only republican proposition that offends the "common instincts of our people," and yet in many other instances the republican party has ignored these "instincts" and established un-American policies without the slightest regard for public criticism. May it not be possible that Mr. Gage has some warrant in believing that the time will come when even on the question of a great central bank, the "common instincts of our people" may be defied with impunity by the republican party?

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#### AS OTHERS SEE US.

Those who are inclined toward imperialism ought to find a warning in the views now being expressed by the eminent men of other lands. An American student at Heidelberg, Germany, sends to THE COMMONER the following extract from a lecture delivered by Professor Jellineck of the Heidelberg University. In discussing international law, the professor said: "The Spanish American war was of immense importance in the future development of international law. America, whose policy previously had