

that he had had an opportunity on coming from New York to read the answers of Mr. Ballinger and others. I then said to him that I had made up my mind as to my conclusions and had drafted part of my opinion, but that I wished him to examine the full record and bring me his conclusions before I stated mine. He took the whole record away. During the day I examined the draft opinion of Mr. Lawler, but its thirty pages did not state the case in the way in which I wished it stated. It contained references to the evidence which were useful, but its criticisms of Mr. Pinchot and Mr. Glavis I did not think it proper or wise to adopt. I only used a few paragraphs from it containing merely general statements. The Attorney General returned in the evening with notes of the examination which he had made, and reported to me the conclusions which he had reached, which were in substantial accord with my own. We then discussed the matter at some length, particularly some points of law which were involved, and took up the opinion which I had finished and made a number of alterations, and as the result of that discussion, I determined the final form which I employed, and signed the same on Monday, Sept. 13. The conclusions which I reached were based upon my reading of the record, and were fortified by the oral analysis of the evidence and the conclusions which the Attorney General gave me, using the notes which he had made during his reading of the record. I was sorry not to be able to embody this analysis in my opinion, but time did not permit. I therefore directed him to embody in a written statement such analysis and conclusions as he had given me, file it with the record, and date it prior to the date of my opinion, so as to show that my decision was fortified by his summary of the evidence and his conclusions therefrom.

+ +

American Socialist Congress.

A Socialist party congress of the United States recently chosen (p. 350), assembled in Chicago on the 15th for the purpose of settling certain questions of party policy, namely, (1) the attitude of the party toward immigration; (2) its relation to agriculture; (3) organization; (4) campaign methods; and (5) propaganda.

+

On the question of immigration, the committee to which that subject had been referred, was unable to agree upon a report. The majority, consisting of Victor L. Berger, Joshua Wanhope, and Ernest Unterman, reported against permitting immigration of Japanese, Chinese, Koreans and Hindus. The minority report is by John Spargo. Premising that "the Socialist party aims to realize a system of society in which economic distinctions, the foundation of all other class distinctions, shall no longer exist, and in which all human beings without regard to nationality or race, shall have equal opportunities as members of the industrial army of the world," the majority report declares nevertheless that—
our present decaying capitalist system generates many contradictory phases in antagonisms which at

times compel the Socialist movement in its efforts to conform its acts to the present immediate interests of the working class, to come into apparent conflict with its ultimate ideals. This, however, is an unavoidable condition of the general law of social progress. We work toward our ultimate ideals through and despite these apparent contradictions. . . . The general question of immigration and emigration with its multitude of conflicting elements falls clearly into the category of contradictions referred to above. In a conflict between ultimate and immediate class interests, the law of self preservation asserts itself above all ultimate ideals. The Socialist party, in its present activities, cannot outrun the general development of the working class, but must keep step with it. . . . In advocating the policy of restricted immigration, or even a temporary exclusion of specific races, we are not necessarily in contradiction with the essential principles of solidarity of the working class. On the contrary, we are convinced that this policy may, under some conditions, and especially under present conditions in the United States, be the most effective means of promoting the ultimate realization of international and inter-racial solidarity.

Proceeding then to disapprove of so much of the declarations on this subject of the Stuttgart international congress of Socialists as "refer to specific restrictions or to the exclusion of definite races or nations," the report declares that—

present conditions in the United States compel us to make an important exception in the matter of exclusion of immigrants from specific and definite nations. This exception refers altogether to the mass immigration of Chinese, Japanese, Koreans and Hindus to the United States. We advocate the unconditional exclusion of these races, not as races per se—not as peoples with definite physiological characteristics,—but for the evident reason that these peoples occupy definite portions of the earth which are so far behind the general modern development of industry, psychologically as well as economically, that they constitute a drawback, an obstacle and menace to the progress of the most aggressive, militant and intelligent elements of our working class population.

The minority report asserts that "the movement against Asiatic immigration is due to a misunderstanding of facts," the volume of such immigration being "too small to constitute a menace," and there being "no signs of an appreciable increase." Final action on the subject has not yet been taken by the Congress.

+ +

Tom L. Johnson's Home Coming.

A large meeting in Cleveland welcomed ex-Mayor Tom L. Johnson home (p. 441) on the 13th, at which, after an enthusiastic reception, he spoke without referring to local politics. Of his health the Cleveland Press in reporting the meeting said:

Thinner, perhaps, and with some traces of illness remaining, it was apparent to everyone of the crowd of 2,000 that he has gained much in strength and