

act, Judge Grosscup formally advised them on the 27th that they must not make a waiver unless requested to do so by the stockholders and bondholders. Judge Grosscup states his present understanding of the matter as follows:

I have gone far enough into the subject to have ascertained that the first street railways of Chicago were sought to be installed under an ordinance of the city granting franchises in the streets, passed in 1858; that the power of the city to grant such franchises being questioned, an act was passed by the legislature in 1859 validating such ordinance, and that the act of 1865 amended this act of 1859 in no respect other than to enlarge the franchise from one running for 25 years to one running for 99 years.

As to the power of waiver he says:

Of course the stockholders can, if they choose, relinquish their rights to this, as to any other claim of property; so also the bondholders, so far as it constitutes a part of their securities, but the bondholders cannot relinquish for the stockholders, nor the stockholders for the bondholders; nor—and this is the point that concerns you—the court for either or both. Only in case the act is invalid, or is no longer applicable, can the court disregard it as an asset, along with other assets, to be conscientiously conserved.

On the point of invalidity Judge Grosscup lays down the following instructions to the receivers:

The contentions that the act is unconstitutional, and that, assuming its constitutionality, it has been waived by the street railway companies in their former dealings with the city, are subjects for legitimate and controlling inquiry. The questions thus raised lie at the basis of the court's duty respecting the property intrusted to its care. They must be settled, in the mind of the court at least, before the full length of its protecting arm can be intelligently used. I therefore instruct you to prepare a petition bringing to the court all the facts respecting this issue. I instruct you also to invite the bondholders, the railway companies and the city to supply such facts as they may think helpful, and to take part in the discussion which I set down for June 18 next, at ten o'clock a. m. I will hear all or either of these interests without the entry of an appearance, and with the stipulation that no jurisdiction to enter any order shall be predicated upon their participation in the discussion. I will make it an occasion simply of the court seeking for its own guidance light from every source from which light is obtainable.

Meantime Judge Grosscup recognizes

the embarrassment, due to Mayor Harrison's expressed determination that there shall be no extension of franchises by the city while the 99-year act is asserted in behalf of the company; but as to this he instructs the receiver that it is primarily—

the concern of the city on one side and the bondholders and shareholders on the other, and unless invited into it, in the belief that the court might aid in bringing about a just and prompt settlement, you will not intrude.

Other parts of Mayor Harrison's message, quoted from above as to traction questions, relate to the financial condition of the city, to street paving, to the substitution of day labor for the contract method, to subways and track elevation, to the strike situation, and to the use of the police in strikes. On the latter subject he says:

A strike is industrial war. War hardens the conscience, crushes the finer sensibilities, benumbs the better emotions, induces a temporary anaesthesia of the higher qualities of human nature. In an industrial war, as in real war, men do things, men are swayed by impulses and motives, which they would repudiate and disown in normal circumstances. When a strike is on, the radical element comes to the front. As the struggle lengthens, the number of radicals in both camps increases. With this increase the struggle grows more and more imbibited, the combatants less and less open to reason. It is the radicals in the opposing camps who inaugurate and institute unlawful methods. There are those on the side of capital, few indeed though fortunately they may be, who at the very outset clamor for the officer with his club, the militiaman with his rifle, the regular with his machine-like obedience to orders, be the orders what they may be; the radical capitalist asks nothing, is satisfied with nothing, but broken heads and flowing blood. In the hosts of labor are those, few in number, thank God, who believe in the law of force, can see nothing beyond it, recognize no other agency worth invoking. Peaceful picketing, resort to argument and persuasion, are too mild mannered, too milk and watery for their disposition; they are devotees of the law of violence, and to their way of thinking the duty of the police is to turn its back at critical moments and remain blind to the application of the arguments of the fist and the bludgeon.

By the very nature of things the police in times of labor difficulties are between two fires. On the one side is heard the voice of the radi-

cal whom nothing will satisfy but a succession of police charges with swinging of clubs and breaking of heads; on the other side the equally intemperate radical clamors, if not for open aid, at least for acquiescence on the part of the police in his peculiar tactics. They forget that the duty of the police is the preservation of the peace, the enforcement of the law. It is not for him to decide, or even to speculate, on which side is right, which side wrong. Capital is not justified in asking the servant of the people, employed and paid for by the wage-earners as well as by the employers, to win its battles for it. Labor is not justified in expecting from the sworn officer of the law anything beyond absolute and exact neutrality. If capital would pay heed to the laws of humanity, if labor would curb the impetuosity of its radical adherents, or, failing in curbing it, relegate them to the rear ranks, and finally, if the public would stifle its curiosity and leave the scene of action to the participants, the way of the policeman would be plain and easy to follow.

No change has taken place in the Chicago laundry strike (p. 88). Except for some work which is being done surreptitiously by employers of non-union labor, the Chicago laundry business is at a standstill. No collections and deliveries are made, the strength of the strike lying in the loyalty or the fears of drivers.

It is reported from New York that a meeting of large employers was held there on the 22d, to perfect measures for counteracting the strikes which are now prevalent in most industries all over the country. Details of the organization and its purposes are not given extensively, but it appears to be laid upon trade union lines.

Labor organizations in the Philippines appear to have troubles peculiarly their own. A dispatch of the 21st from Manila tells of the seizure there, by the attorney general, of the records and accounts of the Workingmen's union. The formal charge is non-compliance with the provisions of an act or decree of the colonial government which requires all societies and associations to submit annual statements to the colonial treasurer. But the dispatch implies that the real offense in this case is political, for it reads:

It is probable that the investigation of the books will disclose the fact that there has been gross mis-

management of the funds of the organization. It is believed that the money of the union has been diverted from its regular purpose by Gomez, the president of the union, who is also the head of the Nationalist party, and was recently accused of furnishing funds to the ladrones in certain provinces. Gomez is now on a tour of the provinces, where he is holding meetings and agitating questions which border closely on a violation of the sedition act.

Later dispatches from the Philippine island of Cebu (p. 102) confirm previous reports of an insurrection there. A press message of the 26th from Manila tells of a battle between the colonial constabulary of Cebu, under Lieut. Javier, and 200 insurgents, in which 68 of the insurgents were killed and 29 captured. No statement is made of American losses. The fight occurred in the mountains near Tabogan.

Insurrection in Croatia is making trouble for Hungary. Croatia was annexed to Hungary prior to the 14th century, at which time it became more completely incorporated with that kingdom, passing with it in the 16th century to the Austrian House of Hapsburg. But Croatia is Slavic while Hungary is Magyar, and a race bitterness has existed in the province throughout all these centuries. It precipitated an insurrection against Hungary during the Hungarian revolution of 1848-49, which contributed materially to the triumph of Austria. At present, although Croatia is an integral part of Hungary, under the Austro-Hungarian federation, its local government is to a certain extent autonomous. Among other concessions the people are entitled to use the Croatian language for official purposes. But the Hungarian authorities have recently been forcing the use in Croatia of the Magyar language. They have also placed the Hungarian coat of arms on Croatian railroad stations, official buildings, letter boxes, etc., instead of the combined Hungarian-Croatian emblem. This policy has provoked riots in Agram, the Croatian capital, and other towns, by awakening the Croatian race spirit. Economic causes have also been at work. Intense poverty being suffered by the working and agricultural classes. These provocations have been supplemented by the suppression of Slavic newspapers, inhibitions upon public meetings, and government in-

terferences with elections. In consequence, the whole province is reported to be in a revolt which threatens to extend into the neighboring province of Dalmatia. On the 20th a fierce conflict with the police occurred at Agram, in which many persons were wounded and 350 prisoners, including students and women, were taken. Under the cover of martial law, which has been put in force, fully equipped troops are under orders, and over 2,000 people have been arrested. It is reported that 38 have been summarily hanged. Further conflicts are reported as having occurred on the 23d. From Potsused, near Agram, comes the story of a dramatic incident. Upon the arrival of the soldiery to quell a disturbance, all the rioters fled, except one. Being challenged, he answered: "I am a Croat!" and then, tearing his shirt open and baring his breast, he defiantly exclaimed: "Shoot, cowards, if you dare!" Immediately a shot rang out, and the Croat fell dead.

NEWS NOTES.

—New York city celebrated her 250th birthday on the 26th.

—The 73d General Assembly of the Cumberland Presbyterian Church met at Nashville, Tenn., on the 21st.

—The treaty between Cuba and the United States (vol. v, p. 822) was finally signed at Havana on the 22d.

—The Reformed Episcopal Church of America met in triennial General Council at Chicago on the 20th, Bishop Samuel Fallows presiding.

—The German naval ensign who recently murdered an artilleryman from a sense of military obligation (p. 34), was sentenced at Kiel on the 26th to four years' imprisonment and degradation from rank.

—The Republican convention of Pennsylvania met at Harrisburg on the 27th for the nomination of minor State officers. Its platform pledged the State to Roosevelt for 1904 and absolutely opposed general revision of the present tariff.

—President Roosevelt (p. 102) arrived in Portland, Ore., on the 21st. After speaking there he went on to Washington, and was in Tacoma on the 22d, Seattle on the 23d, Walla Walla on the 25th, Spokane on the 26th, and Butte, Mont., on the 27th.

—Owing to the number of fatal accidents caused by an automobile race from Paris to Madrid, beginning on the 24th, Premier Combes issued an order forbidding the continuance of the contest on French territory and the Span-

ish government forbade the racers to cross the frontier.

—Paul Blouet, the author, traveler and lecturer, who is best known as "Max O'Rell," his platform name, died at Paris on the 24th of cancer, at the age of 55. He was a pronounced democrat and a believer in the single tax principle regarding rights to land.

—Judge Boardman of the United States Circuit court at New Orleans, has sentenced to three months' imprisonment in the parish prison there eleven street car men who were convicted of interrupting the progress of mail cars during the recent street car strike (pp. 439, 451) in that city.

—Three small uninhabited islands in the Pacific ocean, near Pitcairn island, were recently appropriated for England by the English resident on Pitcairn, under instructions from the British consul at Tahiti. The appropriation was announced on the 16th, by mail advices from Tahiti received at San Francisco on the 27th, to have been approved by the British foreign office.

—As the result of a long legal fight between the Pennsylvania Railroad and the Western Union Telegraph Co., the former began the destruction on the 21st of the poles and wires of the latter along the railroad right of way east of Pittsburg. The Pennsylvania road has made a contract with the Postal Telegraph Co., but the aggressive action of the Pennsylvania road is attributable to the war between the Vanderbilts and Goulds.

—The Presbyterian General Assembly met at Los Angeles, Cal., on the 21st. Dr. Robert F. Coyle, D. D., was elected moderator to succeed Dr. Van Dyke. On the 22d it was officially announced that the explanations of the confession of faith, adopted by the General Assembly at New York last year (vol. v, p. 122), had been approved by the presbyteries by an almost unanimous vote, only three presbyteries voting against it, and not more than 9 negative votes nor less than 195 in the affirmative being cast by any of the approving presbyteries.

PRESS OPINIONS.

JOHNSON'S LEADERSHIP IN OHIO.

Cleveland Recorder (Dem.), May 26.—There is probably no other man in the State who would have dared do what the Mayor did in this case. The man who is looking forward to something for himself in the future almost always gets timid and fears a "rumpus in the party." But Tom is absolutely fearless along these lines. He sees that there has been no success in Ohio because of the sort of tactics which returns such men as Earhart to the legislature after they have shown that they are unworthy. He appreciated that it is necessary to make the fight, and knowing that his cause was just and that he had nothing to conceal and nothing to explain, except that Earhart had betrayed the people, he went into Richland county, and by such organization and such