

contention is that this law puts an onerous tax upon competitive business corporations with the effect and for the purpose of favoring the monopoly corporations—steam railroads, etc. The question of the constitutionality of the law was raised in the courts by a large number of competitive business corporations. The other decision against Mayor Johnson relates to the 3-cent street car ordinance (p. 73), under which John B. Hoefgen had undertaken to build a 3-cent fare line and to surrender it to the city on demand, at cost and a small advance, when the city should secure permission from the state to own municipal street car systems.

In the lower court that ordinance was sustained (p. 165), but the circuit court, to which the case was carried on appeal in the interest of the existing street car companies, has now reversed the lower court's decision. The reversal rests chiefly upon the ground that the whole route had never been open to bidding. This occurred because consents of property owners could not be obtained for a small proportion of the original route. Consequently, after the bidding, the route was slightly changed to overcome that obstacle. The appellate court holds that if the route had been opened to bidding just as it was finally granted, better bids might have been got. It therefore invalidates the grant. This court further rules that the clause in the ordinance requiring the company, as one of the conditions of the franchise, to arbitrate disputes with employees, and also the clause providing for ultimate municipal ownership, are unreasonable, and consequently calculated to prevent low bidding, which also invalidates the franchise. Mayor Johnson has not appealed this case to the supreme court. No decision of that tribunal could be obtained for many months, and meantime the new company would be tied up with an injunction. He has, instead, taken steps to have a new ordinance adopted by the city council, in conformity in its provisions with the requirements of the circuit court, so that 3-cent fares may be given to the people of Cleveland without long delay.

As the time for the adjournment of Congress approaches,—for, although no date for adjournment has yet been fixed, it is understood that the ses-

sion will not extend beyond the 3d—proceedings in that body begin visibly to converge upon the measures that are to be disposed of if possible. In the lower House the exciting subject of debate this week and last has been the Philippine civil government bill, which came down from the Senate (p. 138) on the 3d. The House committee proposes to strike out of the Senate bill all after the enacting clause and substitute a bill of its own, and this is the point around which the debate swings. The important differences between the bills are two. For one thing, the House bill provides for a gold standard in the islands instead of the silver standard now in use there, which the Senate measure leaves undisturbed. The other point of difference is in the provision for the establishment of a second chamber in the Philippine legislature. By the terms of the Senate bill the Philippine Commission is made the sole legislative body until such time as it can take a complete census of the islands. Then, if it is of the opinion that the time is ripe for the establishment of a popular chamber, the Commission is to certify that fact to the President, who will order an election, if, in his judgment, the opinion of the Commission is sound. But the House bill provides for the election of a lower chamber as soon as the Commission can make the necessary arrangements, the suffrage to be limited to those who can read and write English or Spanish, or who pay taxes amounting to \$15 Mexican a year, or who have held municipal offices under the Spanish regime. The Commission is to act, according to the House bill, as an upper chamber, and, in case the lower chamber fails to vote supplies, is empowered to make appropriations equal to those of the year preceding. Judge Taft and his colleagues are in favor of the adoption of the House bill. They believe that a lower chamber will act as a safety valve, and, in spite of the annoyances which they expect to result from the inexperience of Filipino legislators, that it will, on the whole be beneficial to the people. The supporters of the Senate's proposition point out, on the other hand, that once established a lower chamber would be difficult to abolish, even if it proved injurious.

Another of the important measures which are coming to a head is the Isthmian canal bill (vol. iv., pp. 633, 649, 663, 760). This bill passed the lower House on the 9th of January,

with the Nicaraguan as the chosen route (vol. iv., p. 649). On the 19th of June it passed the Senate, but not until all of the House bill after the enacting clause had been struck out and the Spooner substitute (preferring the Panama route) had taken its place. The Spooner substitute authorizes the President to acquire for the United States all the rights of the "New Panama Canal Co." of France, including the Panama Railroad Co., or at least 68,863 of its shares, for not more than \$40,000,000; also to acquire from the Republic of Colombia perpetual control of a strip of land 6 miles wide across the Isthmus of Panama for such sum as may be agreed upon; and, also, thereupon, to construct a canal across the Isthmus of Panama for vessels of the largest tonnage and greatest draft now in use. But if the President should be unable to acquire the rights mentioned above within a reasonable time, then he shall adopt the Nicaraguan route. So amended this bill passed the Senate by a vote of 42 to 34, and is now again before the lower House. That body refused to concur in the Senate's amendments and conferees from both houses were appointed. It is now (June 25) reported that the conferees have agreed to accept the Senate measures.

#### NEWS NOTES.

—Mark Bangs, one of the old lawyers of Chicago, a copartisan and personal friend of President Lincoln, died on the 23d, at the age of 81.

—King Albert, of Saxony, died on the 19th, at the age of 74, after reigning 29 years. His brother, Prince George, was proclaimed king on the 20th.

—The President's business office was removed from the White House on the 24th, into temporary quarters near by. Permanent quarters are to be ready in the fall.

—The finest vessel of the Chinese navy, the cruiser Kai Chi, blew up on the 22d in the Yangtze river, killing 150 of 152 of its officers and men who were on board. The rest of the crew was ashore.

—The supreme court of Wisconsin decided on the 21st that the law of that state which prohibits employers from discharging workmen because they belong to labor organizations is unconstitutional.

—The supreme court of Illinois, by a decision rendered on the 19th, invalidates as unconstitutional a statute making it lawful for public warehousemen to store their own grain