ly candid, isn't there something demagogic in all the talk about making the flag "stay put?"

President Roosevelt writes to the Episcopal Bishop of Massachusetts an open letter regarding the Philippine atrocities in which he says—

> I hope it is unnecessary to say that no one in the country can be more anxious than I am—save perhaps Secretary Root—to discover and punish every instance of barbarity by our troops in the Philippines. . . . Long before any statements had been made public, and before any action had been taken by Congress, the war department had ordered a rigid investigation of certain of the charges, including the charges of Maj. Gardener, the orders of investigation as regards these particular charges having gone out over three months ago.

Mr. Roosevelt's memory does not cherish his consistency. If he and Mr. Root were as anxious to discover and punish instances of barbarity before the exposure through Congress had made them active, it is rather remarkable that he and Root should have joined in the Miles correspondence. In their celebrated rebuke to Gen. Miles for alluding to these barbarities, they denied his statement that the war had been prosecuted with severity, and asserted that it had been prosecuted with marked humanity; and they gave a color to the whole correspondence well calculated to create a public impression that there had been no barbarities. How does that accord with Mr. Roosevelt's present assurances that he and Root were already on the trail of the perpetrators?

If it is an honorable policy to withdraw from Cuba and leave the island to the government of its own people, why would it be a "scuttle" policy to withdraw from the Philippines archipelago and leave those islands to the government of their own people?

Last week Lewis J. Toombs, convicted recently of a brutal murder, was sentenced by one of the Chicago judges to be handged on the 13th of June. In passing sentence the judge said that the prisoner had been fairly and lawfully tried. Judges always say something like that. Presumably they believe it; otherwise they could not in conscience impose the sentence that only a fair and lawful trial justifies. Nevertheless, men whose convictions are so approved are often granted new trials by higher courts because they have not been fairly and lawfully tried. And if ever there was a case in which a convict did not have a fair trial, the case of this man Toombs is one. Of his guilt we know nothing. But that is beside the question. The question is one of safe government. Innocent men may be hanged through miscarriages of justice. It is unfortunate, but if the trial has been as fair as good faith and good sense can make it, only the immediate victims of the error suffer. It is something to be grievously deplored, but it does not strike the administration of justice at the roots. It does not imperil social order. Very different is it when convictions, even of guilty men, are secured by official fraud, coercion or intimidation. So far as society is concerned, it is better that an innocent man be convicted and punishedthrough an unavoidable miscarriage of justice, than that a guilty one be convicted and punished by a perversion of the machinery of justice. For this reason, whether Toombs be guilty or not, a greater crime against society than the one charged to him, atrocious as that was, will be perpetrated if he is hanged. For he did not have a fair trial. Two juries sat in his case. The first one disagreed. Two members whom no one accuses of bad faith refused to convict. They did not believe the evidence against him. The prosecuting official thereupon denounced them publicly as unfit jurors, for no other reason than that they had done their duty as jurors by forming and standing by their own conclusions. And by bringing the case immediately to trial again he thereby in effect warned the next jury that if any of their number should refuse to convict they might expect to be similarly denounced. Under those circumstances, any juror at the second trial who had been disposed to acquit must have been a moral hero to stand out for acquittal. A jury so menaced could not give the friendless prisoner a fair trial. Yet upon their verdict he is to be hanged. Is there no longer any professional spirit at the bar, that lawyers remain silent under such circumstances? Have judges lost their regard for the due administration of justice, that they tolerate such an instance of unfairness in a capital case without a protest? The time was in this country when bench and bar would with one voice have demanded that even the most friendless prisoner, though he were in fact the vilest criminal, should not suffer the penalty for his crime without a fair trial before an impartial and unintimidated jury. Has all sense of professional and judicial responsibility to the community been displaced by the struggle for money and the itch for success?

In the issue of the Chicago Chronicle of March 23 last, that journalistic representative of bourbon Democracy clearly described the test of party regularity, applying it to Mr. Bryan. It said, having reference to the Democratic party:

> The thing for the party to do is to have a definite, affirmative policy and stand out for it boldly. If Mr. Bryan supports the policy it constitutes him a Democrat. Not otherwise.

Now, for nearly six years the Democratic party has had a definite affirmative policy. It has stood out for it boldly. The policy is as yet unrepealed by any authoritative act of the party, but is its policy still. Mr. Bryan has all along supported and does yet support that policy. Therefore, according to the Chronicle's test, he is a Democrat. His fidelity to the party policy constitutes him one. But the so-called Democrats whom the Chronicle represents have not supported that policy. They are, therefore, according to its own test, not Democrats. but "otherwise." And as Grover Cleveland is conspicuous among the men who have not and do