honorable and conservative men could take to avert a rupture, and every means that thought could suggest to bring the matter in dispute to arbitration, was resorted to by the union, both before the strike order was issued and since it went into effect, but without avail; the coal magnates replying that there was nothing to arbitrate.

Regarding this refusal as equivalent to saying that the strike is without sufficient cause, he explains its merits. The anthracite miners, he says, numbering 147,500, are never employed more than 200 days in the year, and as they receive only $1.42 for a 10-hour day, their average annual earnings are less than $300, which—

> may supply a living on a par with some classes of European laborers; but who will say tnat it is sufficient to support American citizenship, or enable parents to educate and properly maintain their families

As to the 10 per cent. increase in wages granted two years ago, Mr. Mitchell says that—

> a large portion of this 10 per cent. was paid back to the companies to buy the suppression of an old powder grievance. Moreover, according to reliable commercial agencies, the cost of living has increased, particularly in the purchase of foodstuffs, from 30 to 40 per cent.; so that the purchasing power of a miner's earnings is less now than before the strike of 1900.

To the assertion of the presidents of coal carrying railroads that the effectiveness of the miners diminished 12½ per cent. during the year 1901, Mr. Mitchell responds:

> From 1890 to 1900, inclusive, the mines were in active operation an average of 182 days per year, and for each person employed there were produced 363.58 tons of coal per year, or for each day the mines were in operation 2.16 tons were produced per employe, while in the year 1901, against which the operators so bitterly complain, the mines were in operation 194½ days, and there were produced 475.43 tons for each person employed, or for each day the mines were in operation 2.36 tons were produced per employe, thus showing conclusively that instead of a deterioration there was a decided improvement in the productive capacity of the men after they became thoroughly organized. Can the unprejudiced reflect upon these facts and conclude that the anthracite miner is not a better workman than he was before the 10 per cent. concession in wages two years ago?

In reply to the plea of the employers that they cannot increase wages without increasing the price of coal 10 cents a ton, Mr. Mitchell observes that—

> their solicitude for the public weal has not deterred them from advancing the market price of their coal more than $1 per ton since the strike was inaugurated without giving any part of this increase to the mine workers.

And to show that the companies could increase wages without increasing the price of coal he produces extracts from government reports showing that the average selling value of coal loaded on cars at the mines and sold during the 11 years beginning with 1890 and ending with 1900 was $1.48 per ton, while a press bulletin recently issued by Charles D. Walcott, director of the United States geological survey, says that for 1901 "the average price for the marketed anthracite coal, that is, the product shipped to market or sold to local trade, was $1.87, the highest figure obtained since 1888." Mr. Mitchell then proceeds:

> In other words, while, according to President Olyphant, 13 cents per ton represents the operators' increased cost of production in 1901, 39 cents per ton—as compared with 1900—represents the increased value of the product to the operators. In view of the fact that this enormous increase in the selling price of coal has been extorted from the consumer by the coal trust, can anyone say that the demands of the miners for a small portion of the increased wealth their labor has produced are unreasonable or unwarranted?

After presenting other points in detail and pleading in behalf of the miners for sufficient compensation for their labor "to relieve them of the necessity for sending their boys and girls of tender years and frail physique to the mines and mills, there to destroy their youthful vigor in an effort to assist their underpaid parents to maintain their families," Mr. Mitchell concludes:

> Conscious of the great responsibility resting upon us, apprehensive of the danger threatening our commercial supremacy should the coal miners of the entire United States become participants in this struggle, we repeat our proposition to arbitrate all questions in dispute; and, if our premises are wrong, if our position is untenable, if our demands cannot be sustained by facts and figures, we will again return to the mines, take up our tools of industry, and await the day when we shall have a more righteous cause to claim the approval of the American people.

The labor rioting of the 19th at Paterson, N. J., (p. 172), is reported to have grown worse, though no subsequent outbreaks are described. The mayor has suspended the chief of police for not suppressing the riot promptly, and some classes now demand his own removal for permitting what the reports call "anarchist" meetings, but of the real character of which there is no certainty. On the 20th 600 troops of the state militia were called out early in the morning to guard the silk factories, the manufacturers having asked for them on the ground that their operators were timid and afraid to return to work if protected only by the police and firemen. But every silk factory in the county (Union) with one exception was closed on that day, the owners fearing to attempt resumption of operations so soon after the riots of the day before. It is reported among other things that 50 wealthy business men of Paterson have formed a vigilance committee with the object of expelling "anarchists" from the city. They are said to have raised a fund of $250,000 for the purposes of the committee. This was announced to induce the employment of detectives, which probably accounts for a variety of terrorizing revelations of "anarchy" plots, most extraordinary in number and character. One anarchist, William MacQueen, editor of "Liberty," published at Paterson, was arrested in New York on the 23d.

Legal news from Ohio with reference to Mayor Johnson's tax reform and street railroad agitations is somewhat full this week, and altogether against him. For one thing the decision of Judge Babcock in the lower court (p. 165), holding the recent so-called "ripper" statute, which is aimed at abolishing local tax boards in the discretion of county auditors, to be unconstitutional, has been reversed by the circuit court, an intermediate appellate tribunal, and Mayor Johnson has carried the case to the supreme court of the state. Another decision comes from the supreme court. It sustains the constitutionality of what is known as the "Willis" tax law, which was passed last winter (vol. iv., p. 742, and vol. v., p. 18) as a measure of Gov. Nash (Republican) against the opposition of Mayor Johnson (Democrat). Johnson's

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.

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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 session 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.

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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 Yangtse 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