drunk or to save them from bad company on Sunday, does not alter the principle, and every consistent Democrat must stand by the full logic of his principles, that it is better some neighborhood be intruded on by a saloon or a baseball ground or a beer garden, or that some people go to theaters on Sunday instead of church, rather than to give up the precious principle of personal liberty in all personal matters. When any man or any business becomes offensive or a nuisance, he or it can be specially proceeded against on that ground.

✣

In conclusion: If you are for the masses of the people, if you are against all special privilege in every form and wherever found, if you truly want to have as an actual fact equal opportunity for all in all the things of this life (land, money, commerce), if you believe personal liberty is better than goodness by force of law, if you believe that the true science of government is to keep peace and order and that government must everywhere and at all times and in all things be kept down to the very least possible interference with men or business, if you believe in local self government and not government by bureaus and commissions in Washington, if you believe dependent colonies and a large military and naval force to maintain them (all supported by the taxpayer) is a violation of personal liberty and of that truth that "governments are founded on the consent of the governed"—then you should be a Democrat, and not only vote the ticket, but preach its doctrines. If you do not believe in those principles, or are not willing to carry them to their full logical conclusion, then you may consistently be a Republican or a Socialist (this is not said offensively, of course), but you are not yet a democratic Democrat.

C. E. S. WOOD.

[Notwithstanding divergence of view in some particulars, the general principles of the foregoing article and their practical application in most respects are so entirely in harmony with the editorial policy of The Public that we use the article as an editorial, contenting ourselves with calling attention to the points of divergence without elaborate argument. (1) We regard the single tax, and titles to land dependent on actual use and occupation, as the same remedy and not as different remedies for land monopoly, the single tax being a method for making the competitive impulse automatically operative in causing the practical abandonment of all titles except those dependent on occupation and use and for making these secure. (2) We do not think that the control of money controls all industry, nor that the rate of interest is dependent on the relative supply of money. We think that great volumes of exchanges could be freely made without money, and that interest springs from the relation of the element of time to the production of consumable objects. (3) Neither do we regard money as a source of wealth; our view being that land is the sole source of wealth and labor its sole producer, actual money being only a medium of exchange, and money terms (often confused in thought with actual money) mere symbols for the comparison of values. (4) By "local option" is evidently meant those laws which leave to localities the legal right, free from State interference, to determine whether or not to allow the use of liquor as a beverage within their boundaries. This seems to us democratic so far as the State is concerned. For the majority of a "local option" locality to prohibit liquor might be undemocratic, but this does not seem to us to be true of the law referring the question to the people of the locality instead of having it arbitrarily determined by superior legal authority.—Editor of The Public.]

NEWS NARRATIVE

To use the reference figures of this Department for obtaining continuous news narratives:

Observe the reference figures in any article; turn back to the page they indicate and find there the next preceding article on the same subject; observe the reference figures in that article, and turn back as before; continue until you come to the earliest article on the subject; then retrace your course through the indicated pages, reading each article in chronological order, and you will have a continuous news narrative of the subject from its historical beginnings to date.

Week ending Wednesday, May 16.

President Roosevelt and the Railroad-Rate Bill.

The acquiesence of President Roosevelt and his supporters (p. 129) in the so-called Allison amendment to the railroad-rate bill, which would allow unlimited review by the courts of rate regulation fixed by the Interstate Commerce Commission, a concession to the railroad interests which he had previously opposed, raised a storm in the Senate.

✣

Premonitions of this storm appeared on the 11th, when Senators Bailey and Rayner accused the President of vacillation. Senator Rayner said that Senator Aldrich and his associates had tricked the President with the so-called Allison amendment, and while he would not imply that the President had walked into the trap, he was bound to acknowledge that President Roosevelt is so constituted he cannot look at a trap without fooling with the spring.

✣

On the 12th the storm broke. Senator Tillman, contrary to his custom, read a paper on the floor of the Senate, in which he charged the President, inferentially, with bad faith. The paper as it appears in the Congressional Record of May 12 at page 6973, states in substance that—

Senator Tillman was informed, March 31, 1906, by ex-Senator William E. Chandler of New Hampshire, that President Roosevelt had sent Chandler a note requesting his presence at the White House that evening; that Chandler obeyed the call, and the President told him he de-

sired to get into communication with Senators Tillman and Bailey "for the purpose of ascertaining whether there could be such united action among the friends in the Senate of the Hepburn bill as would make a sure majority in its favor and against injurious amendments"; that the President stated "that he had come to a complete disagreement with the Senatorial lawyers who were trying to injure or defeat the bill by ingenious Constitutional arguments, naming Senator Knox in addition to Senators Spooner and Foraker"; that the President "stated carefully and deliberately the basis upon which he thought there should be co-operation, viz: An amendment expressly granting a court review but limiting it to two points: (1) An inquiry whether the commission had acted beyond its authority—ultra vires was his expression—and (2) whether it had violated the Constitutional rights of the carrier;" and that the President repeated that he had reached a final decision that the right of review should be thus limited.

After several interviews between Mr. Chandler (as Mr. Roosevelt's intermediary) and Senator Tillman, a conference between Senators Bailey and Tillman and Attorney General Moody, the latter representing the President, was arranged, at which there "was absolute accord from the first on the proposition that the court review should be limited to the inquiry whether the Commission had exceeded its authority or violated the carrier's Constitutional rights. After talking over the whole case, Mr. Moody said: 'I will send you what I understand to be the kind of an amendment we can agree on, and which I think he will accept.'" Mr. Moody on the following day sent a typewritten draft of a memorandum of the joint views. It is as follows: "(1) Strike out the words 'fairly remunerative' wherever they occur; (2) allow the bill to stand in the respect of providing for maximum rates only; (3) adopt an amendment which is a composite of the amendment printed in Collier's on March 24—the Long amendment—and the Bailey amendment of March 21, as follows: 'That the orders of the Commission, except orders for the payment of money, shall take effect within such reasonable time as shall be prescribed by the Commission, and shall continue for such period of time, not exceeding two years, as shall be prescribed in the order of the Commission, unless sooner set aside by the Commission, or by a court in a suit brought by any carrier, person, or corporation, party to the complaint, affected by the order of the Commission, against the Commission in the circuit court of the United States, sitting as a court of equity in the district wherein any carrier party to said suit has its principal operating office; and jurisdiction is hereby conferred on the circuit courts of the United States to hear and determine in any such suit whether the order complained of was beyond the authority of the Commission or in violation of the rights of the carrier secured by the Constitution; and, if upon the hearing, the court shall find that the order complained of was beyond the authority of the Commission or in violation of the rights of the carrier secured by the Constitution, it shall enjoin the enforcement of the same: Provided, however, That no order of the Commission shall be set aside or suspended by any preliminary or interlocutory decree or order of the court. Said proceedings shall have precedence over all other cases on the docket of a different character, and the court shall have power to make orders to secure the attendance of persons from any part of the United States, and the existing laws relative to evidence and proceedings under the acts to regulate commerce shall be applicable. Either party to said proceedings shall have the right to appeal directly to the Supreme Court of the United States, and such appeal shall have precedence in said Supreme Court over all other cases of a different character pending therein.'" At a subsequent interview with Mr. Moody some slight verbal alterations were made in the proposed amendment and everything was agreed upon, the understanding being that the Senators should work together with the President to get the necessary votes to pass it. During the period covered by the statement—March 31 to May 4—Mr. Bailey and Mr. Tillman "made constant efforts to learn the sentiments of Democratic Senators, and also conferred with a few Republicans," and "informed Mr. Chandler and Mr. Moody that there was no doubt of the passage through the Senate of the amendment under consideration if the President would adhere to his programme." Neither Tillman nor Bailey had any "suspicion that any change was intended until the afternoon of May 4, when the President summoned the thirty-six newspaper correspondents to see and hear him at the White House."

✠

Later in the day on which Senator Tillman read his statement, Senator Lodge got the floor and in behalf of the President said, as reported in the Congressional Record at page 6986:

Mr. President, I was unfortunately out of the chamber and did not have the felicity of hearing the statement which was read in the Senate by the Senator from South Carolina [Mr. Tillman]. When I returned to the chamber I was told about the statement, and there were repeated to me some of the statements that were contained in it. One of the statements attributed to Mr. Chandler in regard to the Senator from Ohio [Mr. Foraker], in regard to the Senator from Wisconsin [Mr. Spooner], and in regard to the Senator from Pennsylvania [Mr. Knox] struck me as so extraordinary, and seemed to me on its face so unlikely to be correct and as so unjust to the three Senators involved that I took it upon myself to go to the office of the stenographers and get the sentence accurately copied out. The sentence to which I refer from the stenographer's notes is this: "Mr. Chandler said the President had stated that he had come to a complete disagreement with the Senatorial lawyers, who were trying to injure or defeat the bill by ingenious Constitutional arguments, naming Senator Knox, in addition to Senators Spooner and Foraker." I then took the liberty of calling up the White House by telephone; it was the most rapid way of reaching the President, and I took down the statement which he made to me over the telephone, and which I will now read to the Senate, because I think it is important that it should go to the country with the allegation which I have just read. I read to the President over the telephone the sentence which I have just read to the Senate, and he said in reply that the statement which I had read to him, attributed to him by Mr. Chandler, was a deliberate and unqualified falsehood; that Senator Foraker's name was never mentioned at all in conversation; that Senator Spooner's name was only mentioned by him to express a cordial approval of Senator Spooner's amendment. "As to Senator Knox, I said that I did not agree with a portion of his proposed amendment, but that I thought he had made out a very strong argument for asserting affirmatively the jurisdiction or authority of the court." I think, Mr. President, that it is a mere act of justice to allow this statement to go out with that which was read and attributed to the late Senator from New Hampshire, Mr. William E. Chandler.

✠

Subsequently Senator Tillman gave out a letter from ex-Senator Chandler corroborating Senator Tillman's speech. This letter begins as follows:

On Saturday afternoon, March 31, 1906, a friend of mine came into my office and told me of the White House conference of that day in which an understanding as to a limited court review had been reached with Senator Long and others, and he told me that the President wished to get into communication with the Democrats and would shortly ask me to come and see him. While he was talking a messenger boy arrived with a letter to me from Mr. Loeb as follows: "White House, Washington, March 31, 1906. My Dear Senator Chandler: The President requests me to say that he would be glad to have you come to the White House to see him at 8:30 o'clock to-night. Will you please let the bearer know whether you can come?" I told the messenger I would be there.

The remainder of the letter relates Mr. Chandler's conversations with the President as already stated by Senator Tillman.

✠

It was not until the 14th that President Roosevelt made formal reply to Senator Tillman. He then

gave out a letter to Senator Allison of which the parts relating to the controversy are as follows:

I was asked to see ex-Senator Chandler as representing Mr. Tillman, who was in charge of the bill. I stated in response that I was of course entirely willing to see Mr. Tillman personally or to see Mr. Chandler or anyone else who could speak for him, and I accordingly directed my secretary to make an appointment for Mr. Chandler to see me. My understanding was that he was the representative of Mr. Tillman. In this first interview he stated to me the views of Mr. Tillman, with seeming authority. He called on me several times. . . . I stated that the Hepburn bill was in its essence entirely satisfactory to me. . . . I also repeatedly stated that while it was entirely satisfactory to me simply to leave the Hepburn bill in substance as it was—that is, with the recognition of the jurisdiction of the court but without any attempt to define that jurisdiction—yet that I was entirely willing that there should be a definition, provided that this definition did not seek to grant a broad review, but explicitly narrowed it to the two subjects which, as a matter of fact, I believed that the courts would alone consider in case there was no attempt to define the limits of their review; that is, would limit it to the question as to whether the commission had acted ultra vires and as to whether any man's constitutional rights had been impaired. I stated that if the question of defining or limiting the review was brought up at all I personally felt that this was the way in which it should be limited or defined. . . . As to none did I ever say, either to Mr. Chandler or to anyone else, that I should insist upon having them in the bill as a condition of my approving it. On the contrary, I was always most careful to state that I was not trying to dictate any particular programme of action. In no case, either in the case of Mr. Chandler or in the case of anyone else, was there the slightest opportunity for any honest misconception of my attitude or any belief that I had pledged myself specifically to one and only one amendment or set of amendments, or that I would not be satisfied with any amendment which preserved the essential feature of the Hepburn bill as it came from the House. . . .

✠

Accompanying the President's letter was one to him (also dated the 14th) from Attorney General Moody reporting his interviews with Senators Bailey and Tillman. On the question in controversy it states:

The conference was arranged by Mr. Chandler and occurred on April 15. It was full and free. It would be impossible to state all that was said in a conference of two hours, but I think no false color is given to the conference by the following statement: "I informed the gentlemen of my belief that you desired, if the scope of the court review were to be expressed in the law at all, that it should be limited to the two subjects hereinbefore named; that in such case the so-called Long amendment was acceptable to you; that you would be glad to see a rigid limitation on the issuance of interlocutory injunction, if such limitation were possible; and I stated further that I would not assume to agree to any form of language whatever for you, but would submit any proposed amendment to you for your consideration. . . . An attempt was made to adopt phraseology which would effect the intention of the two Senators. I made some notes upon this branch of the subject and at the close of the interview said to Senator Bailey that I would put my understanding of their views upon the question of phraseology in writing, send it to him, and, if it met with his approval, submit it to you. This I did and on the next day sent the annexed memorandum to Mr. Bailey, inclosed in a letter, which read as follows: "April 16, 1906. My Dear Senator:—This rough draft is as I understood your suggestions of yesterday. I think it quite likely that this draft might be bettered, but I simply send it to see if I understood you. Very truly your, W. H. Moody." [The draft referred to is the one printed above] . . . I informed you of what occurred at the interview between the two Senators and me and you told me that you had been informed from various Democratic sources that an agreement among the Democrats upon any amendment would be impossible. The two Senators called upon me again on the 23d or 24th of April. There was some further talk about the form of the amendment. . . . I then said that in my opinion any amendment drawn by anyone representing the executive branch of the government, even though it were inspired from heaven, would not be accepted, without change, by the Senate. That that attitude was natural and proper, and that if the exact language of an amendment which could be adopted should be agreed upon, it ought to be drawn by the Senators themselves. I suggested Senator Allison as a proper person for further conference, and the matter, so far as I was concerned, ended there.

✠

On the 15th Senator Tillman replied in the Senate, saying—

I now declare most emphatically that to no human being have I ever given authority or even expressed a wish to have any conference with Theodore Roosevelt with regard to the bill now under consideration. On the contrary, I have expressed the opinion in more than one published interview that he had nothing to do with it, and that it was the business of the Senate; and while I did at his request enter into negotiations with the Attorney General, it is well known to every Senator on this floor what my attitude and feelings have been, and it is most remarkable that, while the President sent for Democrat after Democrat to confer with him about this measure, he should undertake under the circumstances to assert that I sent an agent to him to begin negotiations. The statement is absurd on its face. The other point to which I shall refer is the cavalier way in which Mr. Moody discusses the idea of the President not being bound. While contradicting in no instance, however slight, my statement of what occurred, the Attorney General seems to think that the code of honor among gentlemen is not binding upon the Executive and his cabinet. The President asked him to see Mr. Bailey and myself. We met by appointment made by Senator Chandler and talked over the vital question. He wrote and sent Mr. Bailey his understanding of our views, and when we met subsequently we reported absolute agreement, both as to the form and the substance of a proposed amendment to which he said the President would assent and help get votes for. Of course the President was not bound not to change; but he was bound under such circumstance to give notice, and this was not done. The charge I made and still make is that the President is guilty of bad faith, and that the rate bill, which will be when enacted into law a much better and stronger measure than we had hoped to get, has been emasculated of one of its most valuable and essential features by the President's action. I am ready to leave the whole question to the thoughtful and honorable men of the country.

✠

Senator Tillman placed upon the records of the Senate on the 16th a written statement to him by ex-Senator Chandler, in the course of which the latter said:

As the telephonic denial by President Roosevelt sent to the Senate through Senator Lodge remains in the Congressional Record of May 12, it seems to me that I should take some notice of it, which I do now by reaffirming the essential truth of the statement I made to you and which you repeated in the Senate. Much as I regret that the hasty action of Senator Lodge and the President has forced an issue between the President and myself, the extreme language he used makes such issue unavoidable, and I cannot shrink from or evade it, although I cannot use toward the Chief Executive of the nation language like his own. Upon our respective statements I submit the controversy with confidence to the judgment of those who know me.

For the benefit of those who do not know him, Mr. Chandler reviews at length the circumstantial evidence which, as he argues, "shows that the President could not have omitted to make, in substance, the statement which he denies."