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EDITORIAL

Tariff Relief for San Francisco.

We find it difficult to sympathize with those critics of Congress who are impatient because protection leaders object to putting materials for rebuilding San Francisco temporarily on the free list. If the protective tariff is really for the benefit of American labor, why take it off at a time when an extra demand for protected products will enable labor to profit by it? And if it be true, as protectionists assure us, that the foreigner pays tariff taxes as the price of getting into our markets, it would be a wretched proceeding to remit their taxes on goods destined for an exceptionally good market, merely because it is exceptionally good. Why should foreigners be

exempt from paying for access to the San Francisco market?

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San Francisco Land Values.

Our views regarding land values in San Francisco (p. 98) are further confirmed by Associated Press dispatches. These are to the effect that the local syndicate which owned the Lick House has been offered \$750,000 more for the site than they paid for the site and the building together two years ago, and that they have declined to sell. The offer is locally regarded as a strong indication of down-town site values. It is at the same time an indication of something else, which it is to be hoped the legislature of California will not overlook. The appalling destruction of the values of improvements and personal property is in impressive contrast with the survival and even the enhancement of site values. It is hoped that the legislature will notice this significant difference between the two kinds of property. It is a difference to be considered if exemption from taxation is allowed as a relief measure. The values that are restored by toil and sweat ought to be exempt a longer time than those which, without sweat or toil, rise out of the ashes of the stricken city, not only undiminished but augmented.

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Site Values in General.

There is nothing especially local or peculiar in the fact that site values in San Francisco are higher since the earthquake than before. Values of this kind are more distinctly results of social advances than any others. Houses do not increase in value with social advances, but sites do. An interesting instance comes from New York. Fifty years ago August Belmont sold a plot of vacant land on Fifth avenue for \$35,000. A year ago the same plot, unimproved, was sold for \$1,850,000. If Mr. Belmont had erected a \$35,000 building on that site 50 years ago, the building would certainly be worth no more now; it would probably be worth a good deal less; it would possibly be worth nothing. Yet the site would be worth \$1,850,000. Nor is this an isolated instance. Many sites have risen more marvelously in value in 50 years. A few have lost in value in that period. Some have been stationary. But most sites have risen; some more, some less. Yet no houses have risen at all in value in that time

and most of them have fallen immensely. Is there not, then, a radical difference between property in house values and property in site values, which should be considered with reference to property owners in all their relations? It is not rational to regard the two kinds of property as identical in character. Especially is it irrational when considering them with reference to taxation. The kind of value that rises with social advance irrespective of anything the owner does, which his industry does not maintain and disaster does not destroy, is certainly not entitled to the same favorable consideration as a basis for taxation as are values that depend upon their owner's industry for their maintenance and which disasters sweep away.

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President Roosevelt's Muck-rake.

Aided by Mr. Garfield, President Roosevelt has used a muck rake with good effect. The odorous muck he has turned over includes the slimy transactions of the Standard Oil Company, which most of us learned of when Mr. Roosevelt was absent-mindedly wading in it while gazing at the stars. He probably did not know it was muck even when he raked it over; but he must know it now, for the president of one of the universities that regularly sprinkles it with perfume, on shares, has plainly told him so and denounced him as the worst of all muck-rakers.

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The Source of Public Corruption.

The attorney general of Missouri, Herbert S. Hadley, whose prosecution of the Standard Oil conspirators caused John D. Rockefeller to abscond, has in that experience either learned a valuable lesson or confirmed one already learned. He clearly sees behind the political boss, whom all of us are ready to condemn off-hand, the industrial or business boss or clique to whom the political boss is only a hired man. "If you will search for an explanation," writes Mr. Hadley, "as to how and why it was that the city council or State legislature has been bribed, you will, in the great majority of cases, find that some business interest has been seeking some special privilege or dishonest advantage which it could not secure by the honest judgment of the representatives of the people." Yet these industrial bosses and business cliques, who corrupt the politicians whom we therefore despise, hold high places in our esteem. Clergymen apologize for them, college presidents defend them, respectable lawyers seek their patronage, and business men are proud of their association. To expose their conduct and to speak

of them as the grafters they are, is to invite criticism for "mud-raking." These are the men who not only corrupt our politicians with bribes, but demoralize public sentiment with corrupting views of business life and public morals.

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Judicial Power.

It is reported that Chief Justice Clark, of the Supreme Court of North Carolina, has publicly and deliberately questioned the wisdom of investing a court composed of judges who are not only appointed but appointed for life, with the power to invalidate acts of Congress by adjudging them unconstitutional. It is doubtless a dangerous power. Attempts have been made to minimize its menacing importance by inculcating the idea that judges are sacred and immaculate creatures, who may always be depended upon to do what is right. But judges are like all other officials. They are mere men, influenced by all the passions that influence other men, including the passion for power. This passion was exemplified by the Supreme Court of the United States when it drew to itself the power to nullify legislation. That power was not vested in it by the Constitution. The Court was established as coordinate with Congress and the President; yet it has assumed the power to override them both. The Congress and the President constitute the law-making power, and the Supreme Court is no part of it; but the Supreme Court makes itself the most important part by denouncing as unconstitutional, legislation which they have decided to be constitutional. With this power, a body appointed for life would be able, were the incentive strong enough, to thwart the people in any way a majority of its members might desire. Judge Clark proposes to remove that temptation and danger by making the Federal judiciary elective instead of appointive. The suggestion is a good one. That an elective judiciary is superior to an appointive one has been demonstrated where the change has been made with reference to the State judiciary. The elective judiciary of New York, for example, is quite as high in abilities as the old appointive judiciary; and the nepotism to which the latter was addicted has been entirely eschewed by the former. The people may not always choose wisely, but even in the matter of judges they choose better on the whole than intriguing coteries do.

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Hearst for Governor of New York.

In an interview in the Journal, of Portland, Oregon, on the 4th, ex-Congressman Robert Ba-