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entrance thereto shall be neutral in perpetuity, and shall be opened upon the terms provided for by Section 1 of Article III, of, and in conformity with all the stipulations of, the treaty entered into by the Governments of the United States and Great Britain on November 18, 1901.

And Section 1 of Article III, of the Hay-Pauncefote treaty of 1901, (thus made a part of the Hay-Bunau Varilla treaty of 1903 and a condition of our sovereignty over the Canal Zone, contains these provisions: "The canal shall be free and open to the vessels of commerce and of war of all nations which shall agree to observe these rules, on terms of entire equality, so that there shall be no discrimination against any nation on account of its citizens or subjects, in respect of the conditions or charges of traffic, or otherwise. Such conditions and charges of traffic shall be just and equitable."

The title of the United States to the canal territory and its right to exercise the powers of sovereignty thus depend upon the very obligations which, according to these most singular contrivances, the fact of sovereignty itself relieves us!

Fair Play Even in the Tombs. The action of Miss KATHARINE B. DAVIS in punishing CHARLES BECKER, the police lieutenant now on trial for the murder of HERMAN ROSENTHAL, because an unpleasant round robin was sent to her by prisoners in the Tombs is at least peculiar. There really is not vested in Miss DAVIS as Commissioner of Correction the power to punish any one not convicted of crime. She has power to enforce discipline, but certainly not to the extent of excluding a prisoner from communication with his friends or rendering his consultation with his counsel difficult.

It seems, indeed, as if the unconvicted prisoners in this prison had a real grievance. In order to solve the drug problem with least trouble to herself and her subordinates Miss DAVIS issued an order that no more food be delivered to prisoners from outside the prison walls. This looks like a wholly unwarranted infringement of the rights of men still theoretically innocent. It is unnecessary to take account of the accusation of graft which the men mistakenly embodied in their petition. Leaving it out of consideration, there was a wrong great enough to form the basis of a complaint.

Presumably it is the graft charge which has excited Miss DAVIS to such anger as to order that BECKER may not see his wife at all and his counsel only in a cell. But Miss DAVIS should have more control over her feelings. It is disappointing to find her capping an indiscretion with a cruelty and an injustice. The charge that the attack was made on her to curry favor with Tammany is obviously a mare's nest. It is impossible to make a rational diagram to accommodate it. The whole incident is one which Miss DAVIS might best have passed over in silence, unless indeed she thought fit to modify the original order which brought on the trouble.

It is plain the District Attorney had no sympathy with Miss DAVIS' "drastic" action, and it is to his credit that he promptly placed at BECKER'S disposal the facilities for his defence which were defined in the Tombs.

The Secretary and the Ingrates. Some American "expatriates" recently repatriated into the United States by the good offices of a British warship had the insolence to call upon the Hon. JOSEPH DANIELS, not to thank and bless him for their close escape from death, but actually to complain that the Government had not protected them and their property in Tampico. They and their property! The Secretary of the Navy rebuked the cattiffs politely but austere. "Why did you go to Mexico?" Because, he told these ingrates, they wanted to make money; weren't satisfied with what they could make on their investments in their own country. He had supposed they had come to thank him for having taken (by British proxy) such good care of them. They got out of Mexico with a whole skin. "Aren't you thankful you're alive?" the great man asked this doubtless ashamed and covering band of business men. Property, indeed!

As these and other refugees—the word properly recalls and connotes the Loyalists of the Revolution—don't appreciate their blessings, but utter wicked things of the Administration, they should learn once for all that they were mighty lucky to escape alive. They were in Mexico for the sinister object of fattening their pocketbooks and enlarging American trade. Naturally Mr. DANIELS and Mr. BRYAN and their brethren in well doing cannot approve these enterprises of greed. It is their glorious aim not to safeguard Americans in Mexico, still less the rights, if any rights it has, of property, but to see that the Mexicans get "constitutional government," whether they want it or not.

Who can read the interview between the Tar Heel Nelson and these base commercial rascals to the new freedom without wondering why he didn't order them under arrest at once? Fortunately, out of the seeming evil he deduced good. In a long statement he details for the benefit of the malignants the reasons why Rear Admiral Mayo's warships were removed from the harbor of Tampico just when Tampico was crowded with American citizens eager to get away. The commander of a British warship at Tampico became the counsellor of the American navy and the protector of American life and honor. It is a job the British are used to, and why should the American navy be diverted to it? Mayo had left Tampico for Vera Cruz. When the orders bidding him proceed to that destination were countermanded, his squadron was not sent back to Tampico, because this British commander said that if it came back there might be attacks by the Tampico police on Americans in that town. So

the British and German ships looked after the Americans and brought them off, still ungrateful to their country and their DANIELS.

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His Honor decided to begin at the top, and when the "First Chief" called upon him the other day and refused to be put off any longer the reception on the City Hall steps was soon over. "SWIFT," said the Mayor, "I have a rattling good job for you, and you can go to work at 1 o'clock, helping at a concrete mixer. It's a right hand proposition, but you are strong enough to do it." The agitator pleaded that manual labor was not in his line. "I am an literary man and lecturer," he said. Mr. CURLEY turned to SWIFT'S abled-bodied companions and offered one and all of them a place at the concrete mixer. They had the same story to tell; they were in the literary and uplift job, and did not have a callosity among them. The Mayor terminated the interview at once. "SWIFT," said he, "you fellows don't want to work, you are above it." Thereupon the army leaders adjourned to the Common and talked.

The Mayor of Boston has come to the conclusion that a majority of the men on General SWIFT'S roster of the unemployed have no more stomach for work than their leader, in which he is undoubtedly right, doing no injustice to a worthy minority. Mixing concrete may be hard on the thumbs and vertebrae, but to prescribe it for the notoriety seeking pack of spouting demagogues and professional muckrakers who pose as champions of honest labor and uplifters of poor humanity is not inhumane but eminently rational. Unfortunately for society, none of them can be shamed into doing a man's work by the day or by the hour.

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LA FOLLETTE IN ERUPTION. His Latest Onslaught on Everybody and Everything Not Hostile to Railroads. To the EDITOR OF THE SUN—Sir: In his latest paroxysm in the Senate, on May 5, Senator La Follette declared that there is evidence of a widespread conspiracy to influence the Interstate Commerce Commission to grant Eastern railroads the increase in freight rates they have asked for. He declared that the very general advocacy of the increase by newspapers, bankers and manufacturers was a part of this conspiracy to secure an increase which he thinks wrong. In other words nearly all the well informed people in the country are in agreement against the views of the more or less distinguished Senator, and therefore, in his opinion, they must all be mistaken or corrupt.

Senator La Follette spoke in advocacy of his bill to make it a criminal offence to influence the commission's decision. Then he talked for more than two hours in his own effort to influence it. The only logical inference from this is that he considers it a crime for any one but himself to express an opinion on the subject or perhaps even to have one. The Senator's only oversight seems to have been consisted in not including in his bill a provision making it a crime to go into the railroad business.

Why it should be wrong for the railroads and related business interests to present arguments in defence of their rights, and right for persons less directly concerned and with little or nothing at stake to make vicious attacks on them, is not easily perceptible to minds not inoculated with La Follette's progressiveness, since the difference in the pertinence of the statements is that those of the railroads are based on experience, exact knowledge and truth, and those of their assailants are not.

Not satisfied with the much lower rates and higher wages of American railroads as compared with foreign railroads, Senator La Follette brought about conditions under which customers of the roads virtually fix their own rates, and it is impossible to go much further without compelling the roads to pay people for using them. Railroad baiters, if successful, would deprive the community of the best service in the world, on which prosperity largely depends. In demanding the impossible they are already doing what other nations have found it impossible to equal or approximate, they are like children crying for the moon. Mr. La Follette aspires to be the Cato of the railroads, and behind all his utterances is visible the text, "His railroads must be destroyed!"

Senator La Follette has now qualified as "expert" on the subject of railroads. His policy leaves in Government ownership; and the incapable, extravagant and arbitrarily arrogant methods noticeable in much Government business would be peculiarly fatal to success in railroad management. This is especially true of professedly reform Administrations. Senator Thomas, Democratic ally of the Senator, has said that his party ought to retract all it has ever said about Republican extravagance, and other responsible Democrats in Congress have made similar admissions.

By reference to his speech to "the suggestion that the political party that did not preserve prosperity regardless of its color could not be powerful," the Senator readily admitted that granting the railroads the increase in rates would add to the public prosperity; and so far as "justice" is concerned, few people will share Mr. La Follette's ideas of justice as stated by him. Moreover, it is positively known that the Interstate Commerce Commission has received hundreds of letters from railroad employees, favoring the increase and blaming the delay in granting it for the non-employment of scores of thousands of railroad men.

Mr. La Follette is a political Don Quixote and thinks he is attacking capitalist giants when in reality he is tilting against windmills of labor and industry. Railroad and other corporate securities pay the interest from which the twenty or twenty-five million life insurance policyholders derive the interest and other benefits they get from their investments. In the ultimate analysis these people are the vast majority of capitalists, and the Senator is attacking them and the securities which he assails the railroads and "trusts."

Having berated almost everybody and everything else, Mr. La Follette could not refrain from taking a fling at the President. He pointed out that newspapers friendly to the Administration "have published that the President is known to favor the increase in rates." The Senator pointed out that the President should have let it be known that he resented this imputation; but, as no such imputation ever had been made until Mr. La Follette made it in his speech, it is hard to see how the President could have done so.

Many men of undoubted integrity and intelligence have inferred from their talks with the President that he would like to see the request of the railroads granted, but the President has carefully refrained from making any positive declaration that might be distorted into a hint to the commission. The judgment and reliability of these men who have conversed with the President and concluded confidently that he favored and meant to favor the increase will be at least as highly regarded by most readers as Mr. La Follette's.

In his favorite role, as the cutest little harpy of modern times, the Senator has mused up the toast of reason to the fullest extent of his ability. His speech was practically an expression of resentment against public opinion. WASHINGTON, May 8. E. W. PATL.

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CANAL "SOVEREIGNTY." What Mr. BAINBRIDGE COLBY Has Discovered in Our Treaty With Panama. To the EDITOR OF THE SUN—Sir: The editorial article in yesterday's Sun entitled "An Invitation to Senator O'Gorman" is, I regret to say, like a great deal that you have seen it to print on "Panama tolls question." It is biased and misleading. The facts of the case are as wide as the hypothetical spangling with which you make your play for the reader's attention.

The "three propositions" to which you invite the general attention seem to me to depend upon the first. Your first proposition is a mere hypothesis which assumes facts which have no relation to any aspect of the tolls controversy.

You speak of discrimination at the canal gate between a vessel plying from an American port on the Atlantic to an American port on the Pacific on the one hand, and a vessel plying between two Canadian ports, one on the Atlantic and one on the Pacific.

The Canadian vessel could not engage in American coastwise commerce, and cannot, under the treaty which you are justified in assuming, be competitor with a vessel plying between two American ports. There can be no inequality of treatment and no unfair discrimination on the part of the United States in reference to a Canadian vessel, which by the terms of our navigation laws is wholly excluded from our domestic commerce.

Inasmuch as your second proposition assumes the correctness of this utterly ungrounded premise contained in your first proposition, it falls to the ground. In your third proposition you succumb to the epithetical vehemence which is all your own and always so diverting. You say the talk about surrender is unworthy of any Senator or newspaper of intelligence. I can only say that the talk about surrender is unpleasant to those who hoped to accomplish it without any talk whatever. When you characterize it as "talk," it is apparent you have merely fallen a victim to the whirlwind of your passion.

To those not wholly dependent upon the one-sided selections of the pro-repeal press for information on this question and who have followed the weighty but by you slightly noticed utterances of ex-Attorney General Bonaparte, Senator Joseph Benson Foraker, Judge Thomas Burke and others, it is not surprising that you should endeavor in an awkward and back-handed fashion to reassert our sovereignty in the Canal Zone, which has so long been compromised and is being nibbled by the attention of an obedient party to support its mistaken President.

In this connection do you mind printing a clause from the treaty with Panama which would have the value of abolishing it? It is Article III, of the treaty between the United States and the Republic of Panama, proclaimed February 25, 1903.

"The Republic of Panama grants to the United States all the rights, power and authority within the zone mentioned and described in Article II, of this agreement and within the limits of all auxiliary lands and waters mentioned in Article II, of this agreement, which the United States would possess and exercise if it were the sovereign of the territory within which said zone and auxiliary lands are located, and the exclusion of the exercise by the Republic of Panama of any such sovereign rights, power or authority."

An interesting addendum is the language of the official British note of November 14, 1903, in which the United States has become the practical sovereign of the canal.

In your next editorial invitation to Senator O'Gorman to turn his attention to the proposition of his colleague from New York to the effect that the status of the United States in the Panama Canal Zone, notwithstanding the language above quoted, is not that of a "trustee."

A COOPER UNION MEETING. Mr. Siegfried Jacobsohn on the Turning Down of the Lights. To the EDITOR OF THE SUN—Sir: My attention has been called to a little paragraph in yesterday's SUN in which you state:

"A band of L. W. W. fanatics went to a meeting of women at Cooper Union on Monday night and broke up the proceedings. They bullied the women, put out the light and all but created a panic."

This paragraph is as correct as most of the paragraphs in the SUN. I wish to state, however, that the L. W. W. and so on, I do not expect you to correct your report, which in every word is contrary to the truth, but I wish to give you at least the occasion to state the facts, if you want to do so.

After the close of the meeting while the people were filing out a young man who had been invited to the meeting and whose affiliations I know nothing tried to address the crowd, apparently to get a resolution passed, and thereupon the chairman of the meeting instructed the electrician to turn out the lights. When this was done I myself jumped to the platform and threatened that I would turn on the lights if he did not turn out the lights. A panic started before I had just such idiotic action. So the lights were turned on again and the people continued to file out quietly, without any disturbance whatever.

The odium of almost creating a panic therefore lies not with the L. W. W. or any of the other political branches which you honor with your hatred, but with the manager of the meeting and an employee of the hall who does not know the police ordinances which ought to govern his actions. SIEGFRIED JACOBSON. NEW YORK, May 7.

The Geographical Distribution of Revenue Cutters. To the EDITOR OF THE SUN—Sir: I very respectfully request to submit some facts concerning the patrol of our revenue cutters on this coast.

The bulk of our revenue shipping is done on the eastern coast, from New York to Eastport, Me., we have six powerful cutters to patrol vessels in that direction should occasion arise. The bulk of American shipping lies to the westward, from New York to Norfolk, almost the same distance as from New York to Maine, we have but two cutters. Before the panic disaster three cutters were available for emergency duty on the New Jersey coast. The sending away of the Seneca for leebow scouting renders the situation worse.

Recent disasters to the steamships Paragait, Caneo and Monroe, had to mention schooners, barges, etc., off this treacherous coast, more than justify the stationing of at least two cutters, one at Newark light house and the other at Delaware breakwater. Only very lately a schooner went aground off Sea Bright. The high running sea made it impossible for the ill fated crew to launch a boat. Had a revenue cutter been here, the crew could have resorted to breeches buoys; with no cutter there, the crew of seven men went to their death, all because the Government portions seek protection in the forests. CONGRESS SHOULD LOOK INTO THIS MATTER WITH A VIEW OF PREVENTING A REPEATED LOSS OF LIFE. MORRIS RICK. EX-CHIEF ELECTRICIAN, UNITED STATES REVENUE CUTTER SERVICE. NEW YORK, May 8.

SKYSCRAPER LIMIT HEARING ASSURED. Board of Estimate Will Listen to Arguments on May 19. ZONE DIVISION UNPOPULAR. City Plan Committee Later to Appoint Investigating Commission.

Fear that the city officials propose to divide New York into districts and, without adequate public discussion, put through the programme regulating the height and nature of buildings was removed yesterday by the announcement that the Board of Estimate will give a hearing May 19 on the proposal to appoint a commission to recommend the boundaries and regulations of the proposed districts.

The city charter amendment giving the Board of Estimate power to regulate the height of buildings according to the zone system provides that the board may appoint a commission before taking final action. The committee on city plan of which George McAneny is chairman, asked the board yesterday to appoint a commission after the hearing of May 19. The commission must investigate the whole subject of building regulation and hold public hearings before reporting to the Board of Estimate.

The report of the city plan committee submitted yesterday said that through the zone and restriction plan "the city will take a place in the foremost rank among cities that are taking thought for the future and are directing their growth in accordance with a well considered plan."

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SKYSCRAPER LIMIT HEARING ASSURED. Board of Estimate Will Listen to Arguments on May 19. ZONE DIVISION UNPOPULAR. City Plan Committee Later to Appoint Investigating Commission.

Fear that the city officials propose to divide New York into districts and, without adequate public discussion, put through the programme regulating the height and nature of buildings was removed yesterday by the announcement that the Board of Estimate will give a hearing May 19 on the proposal to appoint a commission to recommend the boundaries and regulations of the proposed districts.

The city charter amendment giving the Board of Estimate power to regulate the height of buildings according to the zone system provides that the board may appoint a commission before taking final action. The committee on city plan of which George McAneny is chairman, asked the board yesterday to appoint a commission after the hearing of May 19. The commission must investigate the whole subject of building regulation and hold public hearings before reporting to the Board of Estimate.

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