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EDITORIAL

Luxury and Poverty.

A thoughtful clergyman has remarked that "luxury is as great a curse to the human race as is abject poverty." This is dreadfully true when the two go together. For where they go together the luxury of some spells poverty for the rest. But the luxury that all might have by earning it, would that be a curse?

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The Understanding with Japan.

However wise, however beneficent the Executive understanding with Japan may be, there is nothing but danger in allowing it to grow into a precedent. Although it may not be a treaty, which is required by the Constitution to be ratified by the Senate, the difference is so slight that treaties might grow out of the practice, and the treaty-making power of the Senate thereby become obsolescent. It is the duty of the Senate to act upon the President's "understanding." Our treaty-making method is altogether too despotic, taking the Constitution as it is; and we can ill afford to allow the President to amend the Constitution in this respect so as to conform to the European method, under which the monarch alone makes treaties.

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Extradition to Russia.

We have already expressed the opinion (p. 879) that this country ought to have no extradition treaties with barbarian gov-

ernments, and that the present government of Russia is barbaric. But the treaty exists, and the President must obey it. If, then, the Russian refugees now held for extradition here are accused of civil offenses within the treaty, the President must extradite them. The only other recourse is to abrogate the treaty through the Senate. But if their offenses are political, it is equally the President's duty to refuse the demand for extradition. And how can there be any reasonable doubt that these offenses are political?

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Rudowitz in Chicago and Pouren in New York are held for acts committed as agents of a revolutionary government in possession of the territory where those acts were committed at the time of their commission. Not only was Russia then in a state of insurrection throughout her boundaries, but the Baltic provinces, where these acts were committed, had established a revolutionary government, and the acts charged as crimes against these men were the acts of that government. To send them back to Russia is therefore to close the traditional doors of this country as an asylum for political refugees. Every son and daughter of the American Revolution ought to protest against it. Every son and daughter of the German refugees of half a century ago ought to protest against it. Every son and daughter of the Irish who found refuge here when Great Britain was "hanging men and women" in Ireland "for the wearing of the green," ought to protest. Not only should the President be strengthened by popular appeal in any desire he may have to refuse the Czar's demand; the popular appeal should be so insistent that he could not extradite these patriotic Russians if he wanted to.

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In the Kuklux days of the early '70's a physician of the Kuklux region in South Carolina, Dr. J. Rufus Bratton, was charged with murdering a Negro. He escaped to Canada. Efforts were made to secure his extradition. They did not succeed. He was kidnaped and brought into the country. The British government demanded his return and he was returned. Now, why did the British government refuse to extradite Dr. Bratton, charged with murder as he was, and why did our government acquiesce? Probably the records of the State Department would show. But what other reason could there have been than that the Kuklux region of South Carolina had been put under martial law by suspension of the writ of habeas corpus? The Bratton case and these Russian cases may not

be alike; but in so far as they differ, the difference is in favor of the refugee Russians.

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One consideration which doubtless weighs against the Russian refugees in American public opinion is the fact that they have had hearings before judicial officers of the United States, and that these officers have decided against them. If the truth about this consideration were generally known, it would arouse the deepest indignation. For while these men were tried by judicial officers, the officers were, for those cases, almost as distinctly employes of the Russian government as were the lawyers retained by Russia. We make no imputations against the officials themselves. They are United States Commissioners, and all are entitled to the benefit of every doubt as to good faith. They may in fact have decided in all good conscience, and we shall assume that they did. But no man can serve two masters. The Russian government selected them out of several whom our statute authorizes to act, and the Russian government pays them. For they are officers whose compensation is in the form of fees. When they act in a Federal case, the Federal government pays them their fees; when they act in extradition cases, the foreign government pays them their fees. If a commissioner selected by the foreign government decides against it in one case, that government may indeed engage him for its next case, but is it likely to? Isn't it more likely to put a Commissioner of independent mind upon its blacklist for employment? We may be considerate of these officials in such circumstances, but the thing itself is scandalous. Our government ought not to permit a foreign government to pick and chose and pay the fees of our officials before whom it goes to prove its cases in extradition proceedings. Should the Secretary of State go behind the judgment of the Commissioners in these cases, and consider all the facts, well and good. But as a substantial basis for Executive action, or for public opinion, the adverse decisions of the Commissioners before whom those Russian refugees were tried are worth as much, in the very nature of such proceedings, as the adverse opinions of the lawyers for Russia—and they are worth no more.

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The Fear of Socialism.

When Leslie M. Shaw, a country banker who was for a time secretary of the treasury, told the alumni of Dickinson College last week that socialism is rampant and alarming, he did not allude