

The Green Bag

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Communications in regard to the contents of the Magazine should be addressed to the Editor,
S. R. WRIGHTINGTON, 31 State Street, Boston, Mass.

The Editor will be glad to receive contributions of articles of moderate length upon subjects of interest to the profession; also anything in the way of legal antiquities or curiosities, facetiae, and anecdotes.

THE REPORT OF THE ATTORNEY-GENERAL.

THE publication of the advance sheets of the report of the Attorney-General of the United States for the year 1906, calls attention to two matters in particular of interest to the profession.

Mr. Moody renews his recommendation of a provision granting the United States the right to a review upon questions of law in criminal cases. Within the last year there have been several instances showing the great public interest in such a law. The blow which wounded most was the decision of Judge Humphrey of Chicago, under an indictment against the beef packers which has been given such notoriety, but other enactments of Congress are called to attention, which have been rendered nugatory by the adverse decision of inferior tribunals. There seems little reason for opposition to this recommendation, and it is hoped that by public discussion the attention of Congress will be forcibly directed to this amendment of the law. Indeed, the most recent reports indicate the likelihood of some legislation on this subject at the present session.

The most striking feature of the report, however, is the publication of the results of the litigation instituted by the United States under the Sherman Anti-Trust Law and Interstate Commerce Law. The public has realized that under the present administration much more energy has been shown in these prosecutions, but the exact extent of its accomplishments and the importance of some of the points determined had not been fully appreciated. From the date of the enactment of the Sherman Act Law to the beginning of President Roosevelt's administration in 1901, sixteen proceedings were begun and

have been concluded. Five of them were indictments in all of which the government failed, and eleven were petitions in equity in which the government prevailed in eight and failed in three. Under the present administration twenty-three proceedings have been begun, seven of which have been concluded and sixteen are pending. Ten of these were indictments, and thirteen petitions in equity. In the seven which have been concluded the government had prevailed. It is to be noted, however, that some of the others have been practically abandoned.

Prosecutions under the Interstate Commerce Act have also been exceedingly vigorous. Seventy-seven indictments have been returned, of which fifty-three are pending and two have been disposed of, with the result of eighteen convictions, three discontinuances, two verdicts of not guilty, and one demurrer to indictment sustained. Upon these indictments, thirteen corporations and seventeen individuals have been found guilty. The total amount of fines imposed upon these indictments has been \$416,125. Since publication of the report the largest single fine namely, \$168,000, has been imposed upon and paid by the American Sugar Refining Company and its subsidiary companies, making a total of over \$600,000 imposed in one year.

LABOR INJUNCTIONS.

THE insistence of labor unions on reform in the issue of injunctions, though open to criticism in many respects, has forced upon the public attention an apparent abuse of this equitable process and an extraordinarily artificial situation which has resulted therefrom. In a recent article in the *Times Magazine* for December, on the effects of labor injunctions, it is stated that in Chicago where this litigation has been most conspicuous and extensive,

IN REPLY ADDRESS
THE SECRETARY OF THE NAVY.
AND REFER TO NO.

W-D

1536-369 NAVY DEPARTMENT.



WASHINGTON.

January 15, 1907.

Sir:

I have the honor to enclose herewith a copy of a translation of a cablegram received from the Naval Attache at Tokyo, relative to the cruise of the Japanese Training Squadron.

Very respectfully,

W. M. Urdy
Secretary.

The Honorable

The Secretary of State.

(1 enclosure)