

pounds of steam pressure but after after this lapse of time the steam pressure should have been reduced. Even after repairs the boilers would be necessarily weak than when new. No such explosion could have occurred with the water tub boilers now generally used in the United States navy.

"The terrible destruction indicated by the newspaper despatches could have been caused by the boiler explosion alone, without the explosion of the magazine. Unlike the water-tube boiler, where one or two dozen tubes might explode without destructive damage, except to life by escaping steam, the explosion of a Babcock & Wilcox type, especially because of the enormous space with a tight atmosphere deck, could rend a vessel almost to pieces. It will be found possibly that many of the killed were scalded to death, as the escaping steam would fill every available space between decks, so that many of the crew might have been killed from that cause as much as from shock or being struck down by rent from work. . . . As to the actual cause of the *Bennington* explosion only future examination may fix the responsibility. It may be that even such examination or investigation may not disclose the actual facts."

## ACQUITTAL OF JUSTICE HOOKER

THE New York papers of both parties agree in condemning the State legislature for its acquittal of Judge Hooker, whose case was considered in its entirety on July 1. The Democratic papers say the judge was acquitted by the Republican legislature because he is a Republican and a friend of himself; Old Republic papers do not say why he was acquitted. The New York Press (Rep.), however, gives the judge and legislature both a sly dig by remarking that the acquittal is due to the fact that Hooker was tried by jury of his peers. A majority of the lower house of the legislature voted for Hooker's removal from the bench, the vote standing 76 to 67, but as two-thirds vote was required (100 out of 150 members of the Assembly) judge stays on the bench. It seems to be the general opinion, however, that even if the Assembly had voted for his removal, the resolution would have failed in the Senate.

"The most appalling feature of this scandal," says the *New York Times* (Dem.), "is that this judge, whose unfitness for the judicial office has been abundantly demonstrated, who has been proved to be a moral imbecile, will nevertheless continue to be a judge and to hear and determine cases." The *Times* recounts some of the charges against Brooks thus:

"The practices of which Justice Hooker was guilty belong in the category of 'graft.' In several instances he procured the appointment to places in the Federal service of persons who needed no other work than to draw their pay. The charges against him in the Ball case \* the United States was defrauded of \$3,533.07, the motive being to enable Ball to pay a prison note of \$3,040.00, endorsed by Judge Hooker's wife. In the case of Minnie Hooker, the judge's snapper was appointed as alderman in the California post-office and doing no service, the United States was defrauded of the sum of \$600.' Catherine K. K. was appointed as clerk at the request of Judge Hooker and received at first \$400 yearly salary, and later \$600, the salary being subsequently by successive increases raised to \$1,000 a year. The motive of the appointment in the first instance, was to enable the clerk to serve his laws. Here again the United States was defrauded, as the charges say "that such service as clerk was unnecessary and the payment to her constituted waste." There are other charges, but these are sufficient, because

a man capable of these acts falls so far below the common standards of honesty and decency that all right-thinking men ought to agree that this press report on the bend could be a backstop to public scandal."

The New York *Truthme* (Rep)) thinks that the verdict, unsatisfactory to it, is his "a victory with the help of a lesson" to "judges, politicians and people." It observes:

"Justice Hobbeker is a type". Many other men who have been plotting in a certain moral blindness will see light. To some that light will carry a conviction of sin and set high bright ideals. To others it will merely carry a warning of public opinion and lead to greater circumspection. But, at any rate, it will raise the standard to which officials and politicians will feel themselves bound in letter, if not in spirit, to conform. The plea of Mr. Rogers that the condemnation of such conduct as Justice Hobbeker's should not consist in making scapegoats of one man in place of high place, but that we should have a moral house cleaning from the bottom up, may be a measure granted.

"Another great benefit off the proceedings the establishment beyond any dispute of the right of the legislature to remove judges for merely immoral acts not done in the exercise of official functions. The original idea of James Kent and Rufus King, subsequently defended by Charles O'Connor and Samuel J. Tilden, is vindicated and the meaning and scope of the Constitution are finally settled. From this time there can be no doubt of the personal as well as official responsibility of judges to the people and of the existence of an effective instrument for their removal responsibility. At the same time the verdict in the Hooker case disposes of all the wild fears about abuse of this instrument. When it is impossible to secure a verdict in the removal case where the attitude of an angry mob hinders acquittal not guilty, but not doing again clearly there is no danger of the positive power being used arbitrarily or to impair the right independence of judges. Like impeachment it can be effective for removal only in extreme cases. Like impeachment it is a reserve power whose chief usefulness is not in its frequent operation, but in its reminder of judgement.

"From that point to be reviewed the failure of the proceedings is not an unmixed evil. The existence of a complete system of machinery to safeguard the courts, independent for the most part of official offense and by joint legislative action for general offenses, is established. And at the same time the branch and the people are assured that neither of these processes can be recklessly and lightly carried out. No honest judge has anything to fear while the dishonest judge knows that however relevant the legislation may be to move, yet his moral conduct is safer all, subject to review and that, even if under such conditions the accused is advantageously removed, his standing may be irreparably impaired."

## TOPICS IN BRIEF

JOHN PAUL JONES is in the hands of his friends. The *The Buffalo Evening News*.

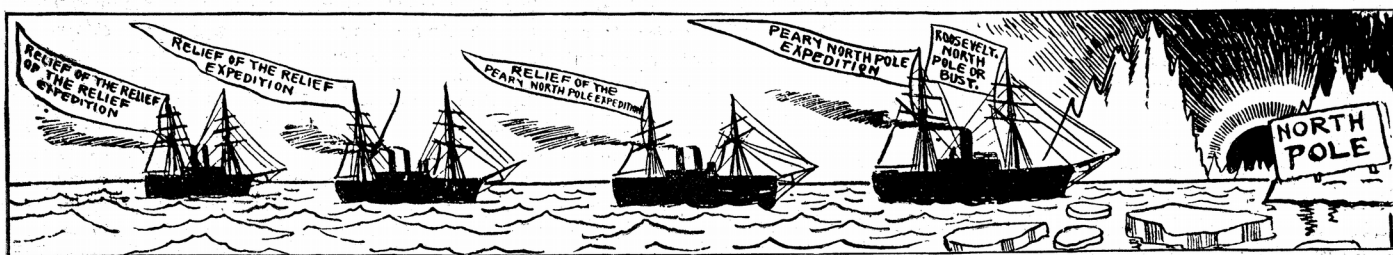
As we understand it the Isthmian canal site is still under that purpose.—  
The Detroit Free Press.

ELIHU ROOT reminds you forcibly of Engineer Wallace. He is so unlike him.—*The Chicago Tribune.*

It is semi-officially stated that Mr. Cleveland will quit the Equitable. The ex-President is not accustomed to handling large sums of money. — *The Washington Post*.

Not being incorporated, the man who permitted the leak in the cotton crop reports must bear an individual responsibility. *The Detroit News-Tribune.*

They may not be the remains of John Bull Jones, but not matter. They serve as a memento to John Bull Jones, who has never forgotten the *The Chicago Record-Herald*.



WHY NOTS SAITHENEMIAIG TOGETHER?

—Maybell in the Brooklyn *Eagle*.