

loss to his art and to his city. It was not the more reprehensible on that account, perhaps—in the eyes of the law we are all equal, or like to think ourselves so—but in the case of eminence realization of wrong done is so much more poignant that the demands for reparation and future protection are naturally more insistent than in the case of mediocrity.

### Showing Belated Caution.

If even some of the rumors in circulation about "war orders" are true, the announced determination of the French Government to investigate, and, in case of need or reason, to revise or abrogate, the contracts made in its behalf will send apprehensive chills down many a spine.

That France and the other Powers with access to our markets should pay what are called "good" prices for what they want and must have in the only country able to supply them—that is all right. At any rate it is right enough by all the rules and regulations ever laid down and observed for the conduct of business in like conditions. But there have been whispers many of foreign agents, more or less officially accredited and authorized, who were not making their purchases with an eye quite single to the interests of their respective principals—who were thinking a little, and even much, about the possibilities of profits that were secret as well as personal.

Tales have been told of agents who demanded—and obtained—from reluctant, but not obdurate, manufacturers two invoices, and even three, for the same goods, and in every such instance, of course, the suspicion that somebody was being robbed could be entertained without convicting the entertainer of very shocking cynicism. However, that contracts made and signed by authorized agents, whether honest and wise or not, can be repudiated or changed at this late day it is not easy to see. To do it would vastly increase the difficulty of future negotiations and lead to a general insistence on "money down" at delivery, or even before.

If the Powers have been sending unfaithful or too acquisitive representatives over here, it is their own fault. American manufacturers are not eager to deal with middlemen, and they are not passionately fond of paying large commissions.

## TOPICS OF THE TIMES.

### New Aspect of the Frank Case.

As all other efforts to secure a new trial for LEO M. FRANK, in circumstances permitting a fair decision

of his guilt or innocence, have come to nothing, the present determination by the Georgia Board of Pardons to make an inquiry into FRANK'S case that will amount to a calm hearing of all the evidence, new or old, is sure to give general satisfaction.

An inquest so elaborate by such a body is, of course, unusual, but it is an entirely legal exercise of a large discretionary power, and it is fully justified by the peculiarities of the situation. It should be, and presumably will be, as gladly welcomed in the State of Georgia as elsewhere. The Georgians are no more desirous than the rest of us that a man should be put to death for a crime that he did not commit or even for one the commission of which by him has not been proved beyond a reasonable doubt. That some of them—a fraction probably not as large as it has been articulate and influential—had, or seem to have had, inclinations of that sort, need not be ascribed to any essential difference between Georgians and other people.

A sufficient explanation can be found in a condition of intense public excitement, produced by a particularly atrocious murder following others of the same sort for which nobody had been punished. That brought strong pressure on the Atlanta police promptly to offer a solution of the latest mystery, and it is not in that city alone that such pressure has led to hasty action, afterward from various motives too long persisted in. And for what has seemed to observers, more or less remote, a groundless, or inadequately grounded, belief in FRANK'S guilt was shown by citizens of Atlanta, not because they thirsted for innocent blood, but largely because the newspapers of the city became irretrievably involved in the police aspect of the case, which was the first and popular impression, based on what has since proven to be a wholly false accusation of FRANK'S degeneracy.

The Board of Pardons will be free of the menaces that were directed against the original jury, and it is almost inconceivable that its members can fail to see what has been so clear to every disinterested student of the conviction—that it was reached in conditions that made a fair trial impossible.

### Karl Bitter's Death Not Forgotten.

Action in the case of the late KARL BITTER, the sculptor, run down and killed by an

automobile in front of the Metropolitan Opera House, seems discouragingly slow to his friends and others who could not accept the verdict of "accidental death" as warranted by the circumstances. Accidental it was, of course, so far as the absence of any evil intent justifies the use of that word, but Mr. BITTER'S closer associates know that he was a man notable for full appreciation of street dangers. Not only did he take rather unusual precautions to avoid them himself, but he systematically taught the members of his family to be careful.

That he was crossing the street in the middle of a block when the so-called accident happened is true, and this in a way introduces the element of contributory negligence, but against this must be counted the well-known fact that in many places a crossing can be made in greater safety in the middle of the block than at the intersection of two streets, where the currents of traffic are more confused and confusing. Whether or not the front of the Opera House can be so described, it is a place where, after each performance, many people do cross, and drivers of automobiles and other vehicles are fairly chargeable with knowledge of this established habit.

Certainly they have no right to ignore that habit, and none to punish with death or injury those who venture into the street at other than the regularly appointed crossings. And always "reasonable" speed is safe speed. Whenever a pedestrian is run down, the strong presumption is that the vehicle doing it was moving at a rate which, in the circumstances, was excessive, as obviously it was a dangerous one.

The taking off of KARL BITTER was a