

of servile attention to corporate interests, as against the interests of the people, tend to seduce the mind from the straight and narrow path that leads to justice. Thus we find the judiciary, under the tutelage of corrupt lawyers, ever ready to crucify the people to satisfy corporate greed.

It has been suggested that there is no need to provide for a recall, in that there is a full and adequate remedy by impeachment. Thomas Jefferson has said that impeachment is scarcely a scarecrow. It certainly falls far short of providing a remedy. In an impeachment proceeding a conviction is practically impossible. But on a recall it rests wholly with the people. They are the ones who are the most concerned and they should have the right to employ and discharge for reasons that seem sufficient to them. The people will judge their judicial servants by the character of their work.

It would be impossible to sustain an impeachment proceeding based upon the decision of the Supreme Court in the recent Standard Oil Case; yet we find them openly charged on the floor of the United States Senate with having usurped the power of Congress and amended the Sherman act when Congress refused to do so, and in so doing with "having yielded to the importunities of those who wanted the act amended."

At the time that decision was rendered the judges of the Supreme Court were well aware of the efforts that had been made to induce Congress to amend the Sherman act, and well knew that Congress had persistently refused. Yet eight out of the nine Justices voted to amend the law when they concurred in the decision in that case—voted to amend the law in open defiance of Congress. The Supreme Court has itself ravished the "ark of the covenant" and with sacrilegious hands has broken the tables of the law.

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The ideals of liberty which we have set up for ourselves have vanished with the first touch of reality. We are no longer consumed with theoretical aspirations for liberty, but are disenchanted by the hard conditions that our liberty brings.

In making the provision in their Constitution providing for a Recall the people of Arizona were but pointing the way for others to follow—a way that it is sincerely hoped will relieve us of the threatened judicial usurpation. When our courts learn that they are but servants of the people, when they learn that a swift and sure judgment will be visited upon those who are unmindful of the interests of the community, they will have

greater care and we shall witness less of that arbitrary power that has been a standing disgrace to our judicial system. An honest judge has nothing to fear from such a provision. It is only the corrupt judge, elected to safeguard special interests, who need fear it.

The President has referred to the proposed provision as a "legal terrorism." Be that as it may. But viewed in the light of its constant aggression, "advancing with noiseless step like a thief over the field of jurisdiction," the action of our judiciary looks in the last analysis like treason.

Let us take heed lest the day of well meant reforms be past and the evil go so deep as to be beyond the power of any man to find a peaceful remedy, and we are confronted with an imposing army of anarchy, with hunger for the propelling power, carrying fire and the sword into the sanctuaries of the law.

JOHN FREEMANTLE.

INCIDENTAL SUGGESTIONS

CONGESTION OF POPULATION IN NEW YORK.

New York, Sept. 2, 1911.

Your editorial on "Hostile Testimony to Single-tax Progress," in *The Public* of September 1 at page 893, gives me undeserved credit for leadership in the movement for the relief of congestion in New York City. This is a popular movement, and uniquely popular is the proposal to reduce the tax-rate on buildings.

As bitter an opponent of the movement as Mr. Allan Robinson, President of the Allied Real Estate Interests, has said that if put to a vote of the people, the halving-of-the-tax-rate-on-buildings bill would be adopted. The following list of organizations which have endorsed this bill indicates the basis for Mr. Robinson's conviction:

- Brooklyn Central Labor Union.
- Tenants' Union of New York.
- The Federation of Churches.
- The Wyckoff Heights Taxpayers' Association.
- The South Brooklyn Board of Trade.
- The City Club of New York.
- The Citizens' Union of the City of New York.
- The People's Institute.
- The Women's Trade Union League.
- The Church Association for Advancing the Interests of Labor.
- The Neighborhood Workers' Association.
- The East Flatbush Taxpayers' Association.
- The People's Forum.
- The Committee on Congestion of Population in New York.
- The United Hebrew Trades.
- The Central Federated Union.
- The New York State League of Savings & Loan Associations.

It is of paramount importance that this question be recognized as a moral issue, and the following

statement by Dr. Walter Laidlaw, Secretary of the Federation of Churches and Christian Organizations, sent to all churches, indicates the judgment of the Federation of Churches which has endorsed the bill:

In the minds of many this bill is an application of the "Gospel according to George." This is only partially true, inasmuch as Henry George advocated the abolition of all taxes except taxes on land, and this bill does not do that. The Federation regards the bill as the most important piece of social legislation introduced at Albany in the last 25 years, not even excepting the race-track gambling measures.

It is a bill in the interest of the proper housing of the people of New York. The Federation has proved by its publications that New York, in 1940, will have less than 10,000,000 people. That is to say, the people of New York a generation from now could be housed on its area at an average of less than 60 people per acre, whereas Manhattan Island has 166 people per acre, with districts running as high as 731 per acre, and individual blocks as high as 1,674 per acre, while Brooklyn has wards running over 300 per acre, and 31.9% of the Bronx's population is housed at an average density above the average density of Manhattan. From July, 1902, to December 31, 1908, 62% of the dwellings erected in the Bronx were five stories or over.

"Tenement House Reform," as a rallying cry for housing movements in New York, should give place to "Tenement House Prevention"; and speculative land owners, who are opposing this bill, which penalizes the non-use of land by placing a larger measure of the carrying charges of the city budget upon it, and rewards the building of homes for the people by exempting them in 1912 10% of their value and adding 10% exemption per annum, till in 1917 50% exemption is granted, should be routed by the combined force of the churches and laboring people of New York. If the tenement many stories high is to house the people of New York of the future, every church will in time be compelled to become an "institutional church." The churches should be willing to assume this form of social service if they are compelled to, but it would be better if they should become "restitutional churches" and so compel the use of the livable area of New York as to restore the single, the two-family and three-family dwelling as the normal type of housing. Rapid transit should not be allowed to enrich a few land speculators, but should be so developed as to distribute the population of New York throughout the whole livable area.

The enactment of this bill cannot be defeated, although it may be delayed a year or two because political organizations represent property interests and not the people's.

BENJAMIN C. MARSH,

Executive Secretary of The Committee on Congestion of Population in New York.

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THE AMERICAN WORKINGMAN AND THE TARIFF.

New York.

The most sensible utterance yet made upon the connection between a high tariff and wages, was by Representative William Hughes of New Jersey in a speech printed in the Congressional Record of June 19, 1911, and quoted in large part in the Public of July 7. Endless hours have been given up to discussion and reams of paper have been covered with written argument as to the pro and con of the question whether a high tariff means high wages. Those who know that it does not, and those

who believe that it does, can never find the exact spot where their arguments—founded on facts in both cases—diverge. This missing link in the chain is revealed by a casual sentence in Mr. Hughes' speech. He says: "I do not deny that the tariff enables manufacturers to pay high wages—but it does not compel them to do so."

This simple truth is the crux of the whole situation, and shows up the utter futility of so much argumentation as to whether a high tariff means high wages—or not; or if not, why not. That's why—but nobody has said so until now.

The American workingman, however, is clearly conscious of the fact. While he is supporting a high tariff to kill competition with the products of foreign labor, he is trying to build up an organization that will enable him to share in what he is thus helping the manufacturer to earn. In other words, he does not trust the manufacturer to divide the plunder of his own free will. He would force him to do it. But Mr. Hughes cleverly points out the futility of this line of conduct. The labor organizations would have to make themselves so perfect and complete that they could say to the manufacturer: "When you're stealing from the public, steal enough for me too, and give it to me."

But as the organization is not strong enough for such action, the American workingman who votes for a protective tariff, is in the position of a man who helps to build a strong room in which to garner plunder stolen from an entire people—and then discovers that some other fellow has the key and has no intention of giving it to him. Then he has to train himself to be big and strong enough to take the key from the other fellow. And he isn't that just yet, so he keeps on with his futile Sisyphus task of first building the strong room, then building an army to conquer it, and take some of the plunder for himself. And meanwhile he is laboring under the disadvantage of being one of the plundered.—a fact that sadly hampers the full exertion of his strength.

Now when so much time and mental and physical strength are devoted to building up organizations—things excellent in themselves, but apparently useless in forcing manufacturers to share the plunder—why not give just a little of this time and strength to destroying the manufacturers' opportunity for plunder? That would give the workingman a fairer chance to get some more of his share of what he earns. For it is surely the honest share of his own earnings he is trying to get. He certainly cannot prefer a share of loot unjustly wrung from a whole people—including himself and his family.

GRACE ISABEL COLBRON.

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THE LIQUOR TRAFFIC IN OHIO.

Cincinnati, Sept. 11.

In "The Public" for 1st September it is stated at page 900 that the United Constitutional Committees of Hamilton county, Ohio, demand "the submission separately to the people of a Constitutional provision on the question of licensing or prohibiting the liquor traffic." But what the Committees formulated reads: "Shall the Constitution provide for the licensing of the traffic in intoxicating liquors.