"Great Landlord Bird" says in one of F. C. G.'s recent cartoons, "It's no use coming here, Mr. Lloyd George; I'm extinct!"

Now, we cannot let the small owners off. That is impossible. All the big estates would immediately be divided and sub-divided in such a way as to escape the tax, and its yield would be reduced to an enormous extent. It might be possible to graduate the tax, but not at first. Moreover, if it is a good thing to limit, by means of a tax, the power over industry possessed by the great landowner, it is an equally good thing to limit the similar power possessed by the small landowner. But what is too often forgotten by our adversaries is that the ownership of land necessarily involves the ownership also of a certain amount of wealth produced by industry—houses and buildings of all kinds, machinery and other appliances necessary to the use and enjoyment of land. Our proposal for the alteration in the system of taxing real property, as we have throughout insisted, has a twofold aspect. The taxation of land according to its market value must be accompanied by the exemption of the products of industry. And so, while land values will be reduced, industry values will benefit—in whatever hands they may be.

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MAHMOUD AND KASAJAS.

Mahmoud the Great on a journey went;
His thoughts were on war and conquest bent.
Kasajas followed him, musing too,
But what his thoughts were, no man knew.
The Sultan spoke: "My wise Vizier,
Marvelous things of thee I hear.
Say, is it true, as men declare,
That thou knowest the speech of the birds of the air?"
Kasajas answered, "Sire, 'tis truth,
A dervish taught me the art in youth.
Whatever by birds is said or sung
I comprehend like my mother tongue."
Two screech-owls sat on a plane-tree bare;
With notes discordant they filled the air.
The Sultan pointed: "Tell me, pray,
What is it those birds of evil say?"
Kasajas listened: "Oh, sire, I fear
To tell thee plainly the thing I hear.
Those hateful screech-owls talk of thee!"
"Verily! What can they say of me?
Tell me the truth, and have no fear;
The truth is best for a monarch's ear."
"Thy servant, sire, obeys thy words.
This is the talk of those evil birds:
'I am content,' said the elder one,
'Unto thy daughter to wed my son,
If twenty villages, ruined all,
To her for her dowry portion fall.'
'Three times twenty such instead
Shall be her portion,' the other said.
'Long may Allah, the kind and good,
Preserve the life of the great Mahmoud!
Wherever he rides, there will be no lack
Of ruined villages in his track!'"
The Sultan's dreams were dark that night.
When came the dawn of the morning light,
He rose from a couch where he found no ease,
And sent an embassage of peace.

—Alice Stone Blackwell.

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LABOR INJUNCTIONS.

A Review by Edwin C. Pierce in the Providence (R.I.) Sunday Journal of November 29, 1908.

The Denver platform contained three essential declarations on the subject of labor injunctions. One declared in favor of jury trial in cases of indirect contempt. The platform also declared that there should be no abridgment of the right of wage earners and producers to organize for the protection of wages and the improvement of labor conditions, to the end that such labor organizations and their members should not be regarded as illegal combinations in restraint of trade.

The real controversy was over the question of the grounds on which injunctions should be issued in industrial disputes. The Denver platform declared "injunctions should not be issued in any cases in which injunctions would not issue if no industrial dispute were involved." Mr. Taft criticised this plank of the Denver platform as loosely drawn and of uncertain meaning. I think his criticism was well founded. Mr. Bryan and the Democratic party would have been far stronger if the Denver platform had frankly recognized that the real question is whether the boycott, primary or secondary, is to be legalized, and had indorsed the principle of the Pearre Anti-Injunction bill.

Mr. Taft was frank in his carefully wrought out acceptance speech, but I think he took untenable ground. He undertook to say what the rights of labor are in industrial disputes and what labor cannot lawfully do. He was only quoting the substance of judge-made law, the opinions of judges, and he ignored altogether the impressive dissenting opinions which have been given.

It is not for Mr. Taft to lay down a bill of rights on the subject of labor. That remains for Congress and State legislatures to do, as the British Parliament has already done. Mr. Taft, however, expressly sanctioned the primary boycott as legal, saying that labor unions have a right "to withdraw themselves and their associates from dealings with or giving custom to those with whom we are in controversy." He drew the line at the secondary boycott, declaring that unions have not the right to injure their employer's business "by carrying on what is sometimes known as a secondary boycott against his customers or those with whom he deals in business." He was frank in declaring bluntly against the secondary boycott, although gravely in error when he said the principle that the secondary boy-

cott is illegal has been "for a great many years settled by the courts of this country and that it is so well settled that it is futile further to discuss the proposition."

Not only had there been impressive dissenting opinion, impressive because coming from eminent judges, but on the first day of June, 1908, less than two months before Judge Taft accepted his nomination, the Supreme Court of an American State, without dissent, in a carefully considered opinion, upheld the legality of the secondary boycott. I do not suppose Judge Taft was aware of the fact when he spoke. Mr. Taft, however, clearly intended to say not only that the secondary boycott is held illegal by a majority of judges, but that it ought to be illegal.

As he was making a pretty full discussion of the rights of labor, it would have been more frank for him to refer to the fact that there is pending in Congress a bill, known as the Pearre Anti-Injunction bill, demanded by the American Federation of Labor, which, if enacted, would legalize the secondary as well as the primary boycott. If he had referred to it, Mr. Taft would have been obliged to declare against such legislation. The Pearre bill, introduced by a Republican Congressman from Maryland, would legalize the boycott by simply providing that it shall not be deemed unlawful for several persons to do in combination what either of them might lawfully do individually.

As a legal question this matter of the boycott involves simply the right of every person to control his own patronage or dealing in any way, and to bestow his trade or favor just as he pleases, for any reason he pleases, or for no reason. No one ever disputed that legal right, and yet courts have held that members of a labor union, each one of whom has that right, cannot agree among themselves to bestow or withhold their patronage according to their view of their common interests.

The labor question is a large question and will require time, patience, justice and statesmanship for its complete solution. It will be a dangerous mistake if the legal rights of labor unions are not recognized at an early day. It will not be long, now that the question has become acute, before it will be a matter of wonder that the legal principles for which the American Federation of Labor contends were ever disputed. It is a pity that the labor injunctions issue was not treated with the utmost frankness on both sides. It was not. Neither Mr. Taft nor Mr. Bryan made the slightest allusion to the Pearre bill which the Federation had made its fighting demand, nor did they discuss the propriety of such legislation. Nor was it brought out on the side of Mr. Bryan, not even by Mr. Gompers, that great judges have upheld the very principles which Mr. Taft condemned as without standing in the courts of this country. It is a disgrace to American politics that the Presidential campaign of 1908 was not made the occasion of as great and clarifying a discussion as Lincoln and Douglas gave to the great questions involved in the Dred Scott decision. Nothing can be gained and grave injury may be done to the country by suppressing or avoiding a full and frank discussion of the legal and social questions relating to labor unionism. The legal status and the legal principles involved should be thoroughly understood and fairly considered.

The Presidential campaign had almost reached its end without any real debate on the injunction question, when Mr. Roosevelt and Senator Knox, evidently acting in concert, challenged Mr. Bryan to declare whether the Democratic platform meant an indorsement of the principles of the Pearre anti-injunction bill. To this question, sprung within about a week of the election, Mr. Bryan made no categorical reply.

Mr. Roosevelt, indeed, addressed his letter directly to Mr. Gompers and denounced the provision of the Pearre bill on the subject of conspiracy as unconstitutional, because it would legalize the secondary boycott, which he declared to be cruel and wicked.

The President said that so clearly unconstitutional was the Pearre bill in its provision that no man shall be prosecuted for conspiracy in a labor dispute when the act for which he is prosecuted is not unlawful when committed by an individual that it would certainly be held unconstitutional by the Supreme Court unless, indeed, Mr. Bryan as President should pack the court to uphold it. This is the same thing as saying that no decent judge, no judge selected on account of his standing as a jurist, would uphold such a doctrine, even if enacted by Congress. Mr. Gompers could have made the crushing reply that one of the present justices of the Supreme Court, Mr. Justice Holmes, formerly Chief Justice of the Supreme Judicial Court of Massachusetts, when on the Supreme bench of Massachusetts, gave a dissenting opinion upholding the legality of the secondary boycott in the strongest terms. The case is Plant vs. Woods, 176 Massachusetts 492, decided in 1900. The wit of man could not imagine a more extreme case than the opinion Judge Holmes upheld. If any lawyer will read Judge Holmes's opinion, he will say that, without packing, at least one Supreme Court judge is already on record in favor of the principles of the Pearre bill.

Judge Holmes does not stand alone. Judge Caldwell, in the United State Circuit Court in 1897 (83 Fed. Rep., 912), gave a dissenting opinion against the injunction restraining a boycott against a firm using machines to hoop barrels and in his opinion Judge Caldwell condemns the practice of taking crimes from the jury by turning them into contempts. If any lawyer will read

Judge Caldwell's opinion he will read a very stern denunciation of the labor injunction, calling the proposition that it is unlawful for men to do collectively what they may lawfully do individually, a relic of the Dark Ages. The Missouri Supreme Court in 1902 upheld boycotts as legal. On the first day of June of the present year the Supreme Court of the State of Montana, in the Lindsay case, upheld the legality of the boycott, whether primary or secondary. The Montana court says:

Certainly it cannot be said that Lindsay & Co. had a property right in the trade of any particular person. In this country patronage depends upon good will, and we do not think that it will be contended by anyone that it was wrongful or unlawful or violated any right of the plaintiff company for any particular individual in Billings to withdraw his patronage from Lindsay & Co. or from any other concern which might be doing business with that company, and that too, without regard to his reason for doing so.

But there can be found running through our legal literature many remarkable statements that an act perfectly lawful when done by one person becomes by some sort of legerdemain criminal when done by two or more persons acting in concert, and this upon the theory that the concerted action amounts to a conspiracy.

But with this doctrine we do not agree.

If an individual is clothed with a right when acting alone, he does not lose such right merely by acting with others, each of whom is clothed with the same right.

There is the secondary boycott upheld by the Supreme Court of a Republican State on June 1, and yet in July Judge Taft said that the doctrine that the secondary boycott is illegal is so well settled that "it is futile further to discuss the proposition." It is, indeed, true that the majority of the decisions are in accord with Judge Taft's view, but evidently the question is not settled. The most recent decision—the Montana—sustains the contention of labor.

Perhaps as important a fact as any, in considering the probable outcome, is that in Great Britain, Parliament, after 20 years of agitation, passed an act in 1906 embodying in the most radical form the very principle of the Pearre bill which Mr. Roosevelt denounces as so dreadful.

In conclusion I desire to say that I have presented this matter in its legal aspect in the November McClure's. Samuel Gompers says: "Personally I should prefer to use only the primary boycott in our disputes. That is, I would rather boycott only the goods of the person opposing us, and not those of the second party—the dealer who buys from him. But that is a question of ethics or policy."

Mr. Gompers is quite right in disfavoring the use of the secondary boycott. Boycotts of all kinds and strikes will recede into the background as better remedies for industrial injustice come forward. Effective arbitration is a much better remedy. As long, however, as a condition of industrial warfare exists or impends, as Mr. Taft a year ago gravely declared it does, it is natural and it is necessary for organized labor to insist upon being left in possession of its legal weapons of defence.

And it is not in the interest of the peace and good order of society to treat so important a question as settled without the fullest consideration and debate.

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THE NEW MOON.

"New Moon tonight!" you will hear them say,
Turning their eyes to the glint of gold;
But this, as you know, is their quaint little way—
For the Moon she is centuries old!

She swings like a boat in the darkening sky,
A boat that is gilded from stem to stern,
And "Turn your money!" the old wives cry—
But every moon we have less to turn.

Yet saint and sinner and baron and boor,
In log-built cabin or marble hall,
Happy-go-lucky and rich and poor—
The brave little Moon has a smile for all.

Her cargo has listed astern, this trip,
And her bows are above the foam,
But she ploughs away down in the mists, a ship
That is eager enough for home.

Alone in the drifts of the leagueless heights
Her course to the west she steers,
Rail-high with the lore of a million nights
And the legends of all the years.

"New Moon tonight!" so the people say;
But the winds that cross her and croon
They have sung in her silvery sails all day,
And they know her the old, old Moon.

And the pine-trees listen and toss their heads
And laugh in a splendid scorn,
For the old Moon sailed by their cradle-beds
Before the speakers were born.

"New Moon tonight!" So the people say,
Lifting their eyes to the curve of gold;
But this, as you know, is their quaint little way—
For the Moon she is centuries old!

—Will H. Ogilvie.

BOOKS

THE MODERN CHILD.

The Town Child. By Reginald A. Bray, L. C. C. Published by T. Fisher Unwin, Adelphi Terrace, London. Price net in Great Britain, 7s 6d—about $1.85.

Unwin books would look readable whether worth the reading or not, so attractive are they as