

the mouth, with no treachery, only plain duty well performed.—Springfield (Mass.) Republican.

THE WAR SPIRIT.

To secure permanent peace the cause of war must be removed, and the cause of war is a psychological one. It is a temper, or what is called in New England "a frame of mind." It is readiness to fight, and the readiness awaits only the occasion. The occasion may be fanciful or real. The war spirit needs but the spark to set off the mine.

This readiness to fight rests upon a traditional belief, as old as savage tribes, that the interests of tribes and nations are antagonistic. What is well for Spain must be bad for Germany. What is bad for Russia must be well for England. China's and Japan's interests cannot be mutual, cannot harmonize, must be antagonistic. And this the world over. Among nations there must be supremacy on the part of one nation, not equality among all. The natives of India must be kept under, and England must be on top, as if it might never occur to any sane statesman that both might be on top. And because the interests of nations are antagonistic, each nation must be ready to defend its rights; not only this, but be alert to grasp more.

No one seems to dream that the logic of all this is isolation first, and lastly total annihilation.

Because to cripple another nation reduces the commercial value of that nation; to destroy that nation makes one less customer. And to cripple and destroy many nations looks to a logical result of leaving the destroying nation in a state of isolation, till one day it remains alone in the awful stillness wrought by subjugating extermination. Of course, this extremity is never reached. This is only the logic of it, but courses rarely run to their logical ends. And I point this out only to show that the principle involved is at fault somewhere. The truth is this—the interests of nations are not antagonistic, but are mutual.

To set up this principle of mutual interests is to remove the cause of war. I admit that temporary advantage often arises from the misfortunes of others, and this temporary advantage has blinded statesmen to the truth that mutual interest is the condition upon which rests the permanent prosperity of any nation.

A famine in India makes the London stock market active, and wheat is bullish. But when thousands and tens of thousands perish of hunger there is something involved besides

sentiment. A generation of consumers is swept from the earth, little or much as may be their consumption. The future markets react, and the bull market in wheat becomes a boomerang. It all illustrates the principle that nations, like individuals, and they in turn, like the members of the body—arms, legs and hands—are members one of another; and where one suffers, in the long run, each and all must suffer.—Rev. Samuel Richard Fuller, in *The Coming Age*.

LAWSON PURDY'S PLAN FOR TAX REFORM.

J. E. Scripps, in *Detroit News* of April 22.

Hon. Lawson Purdy's suggestions for tax reform, launched at the dinner given by the merchants and manufacturers of Detroit last week, were really a notable presentation of an entirely novel theory in governmental economics.

We have heard in the past a good deal about local option in taxation, but we have all understood by it something exceptional, rather than a general system. Without interference with the machinery of the general state tax law, the advocates of local option have urged the granting of the power to cities to raise revenues for municipal purposes in any way they choose. This has been the extent of the idea in the past.

But now comes Mr. Purdy with a proposal that local option be made the general rule, and not an exceptional thing. In effect, he would make the counties, or perhaps the townships, the independent units in the exercise of the taxing powers, the first prerogative of government. It is a step in the direction of bringing the power of government still nearer to the people.

When optional taxation has been talked of for the municipal revenues it has always been conceded that the state and county taxes would have to be raised in the old way, because the constitution requires uniformity of taxation. A double system has thus been supposed to be necessary where a city adopts any rule differing from that adopted by the state. No one hitherto seems to have thought any other condition possible.

Mr. Purdy's proposal, therefore, of a system under which local option could be enjoyed without the duplication of the taxing machinery came like a ray of light into what was all darkness before. His plan, briefly outlined, is for every county and city to raise its revenues in any way it pleases, then for the amount of the

state budget to be assessed upon the counties in direct proportion to the amount they tax themselves for local purposes. The beauty of this system lies in its giving to the counties some say as to how much they will contribute for state purposes. If any county wished to get off lightly it would only be necessary to keep down its local expenses, while if lavish in its appropriations for county purposes it has the full liberty to be so, but with full knowledge that thereby it assumes also a larger share of the state expenses.

Practically, under this system, the general law might be repealed, and all the expensive and cumbersome machinery of the tax department of the auditor-general's office done away with. The legislature would still control the amount of the annual budget, which amount would be assessed by the proper state officers upon the several counties and municipalities in direct proportion to the amounts which they taxed themselves for local purposes.

In effect, it would be an application of the principle of the income tax. Every locality would be taxed for state purposes upon the basis of its local income or revenues. Theoretically nothing could be more perfect or equitable.

There is one very strong argument for it. It would bring the control of the purse strings so close to the people that economy in the public service would be greatly promoted. As it is, the people are enslaved to a system. They have no voice whatever in the apportionment of the state tax, and this makes them careless as to the county and municipal burdens laid upon them. Their only present mode of relief is the swearing down of their individual assessments, or removal to some township, or state where local taxes are lighter or assessments more loosely made.

There can be no doubt that under our present system this is becoming one of the worst tax-ridden countries in the world. One Detroit citizen remarked the other evening that it took fully one-tenth of his entire income to pay his taxes. This would be the equivalent of a laboring man who earns \$600 having to pay a tax of \$60. It is altogether too burdensome. And yet the burden is growing year by year.

No better remedy has been suggested than that proposed by Mr. Purdy, which is to bring the taxing power down very close to the people.

He did not say so, but it may be assumed that every township would enjoy the right of fixing its own taxes and determining the mode of raising the same. When the taxpayers have the matter absolutely in their own hands it may be depended upon there will be far less waste and extravagance and the public burdens will be lightened.

Objections have been urged that this would discourage enterprise and our cities would become unprogressive and niggardly in their own expenditures, in order to keep their proportion of the state expenses as small as possible.

For heaven's sake, have they not a right to?

Are we in such abject slavery to progress that the popular will must be overridden and communities forced to be enterprising by the operation of law?

Where is our boasted self-government if any such consideration can be valid?

There may be danger from too much progress. The great evil of the age is over-government. The best-governed people are those who are the least governed, and self-government tends to simplicity.

The essence of Mr. Purdy's plan is to bring the powers of government much nearer to the people. To claim that there is danger in it is to assert that popular government is a failure.

THE THEORY ON WHICH INJUNCTIONS ARE GRANTED.

An explanation made at a meeting of the Social Reform Club of the City of New York, by John Brooks Leavitt, chairman of a committee reporting on the Use of Injunctions in Labor Disputes.

The scheme of government adopted by our fathers, as best calculated to preserve our liberties and promote our welfare, was that of a three-fold division into legislative, executive and judicial functions; the first to make the laws, the second to execute them, and the third to pass on the rights and duties of the citizen under the guarantees of the constitution.

Unconstitutional acts by a president or governor can be punished by impeachment in the legislative branch. Unconstitutional acts of congress or state legislatures can be declared null by the courts. But the only tribunal where errors of the judiciary can be corrected is that of public opinion.

The jurisdiction of the courts is of two kinds, civil and criminal. The criminal courts only try cases involv-

ing crimes and misdemeanors upon complaint of the people through their duly elected or appointed officials. The controversies between private citizens can only be tried in the civil courts.

We inherit from England our system of administering justice, and in England there very early grew up a custom which has a direct bearing here, and one which it is necessary to know historically in order fully to understand the subject in hand.

Originally in England the only thing a man could do when injured by his neighbor, was either to have the wrong-doer punished in the criminal court, or to sue him in the civil court for damages, that is for an amount of money which 12 jurymen should consider proper compensation for failure to carry out a contract or to observe another's rights. This measurement of men by dollars was as unsatisfactory to our ancestors as it is to us. The remedy thus afforded by the law courts was in many cases inadequate. A noble lord might be guilty of some act of oppression, or of interfering with a right of private way over his premises, or of obstructing the public highway; and the humble citizen would find that neither punishment nor money would be sufficient reparation. The courts could, however, give him no other redress. In those days the king was looked upon as the fountain of power, of justice, of goodness. "The king could do no wrong." To him therefore the citizen, who had no adequate remedy in the courts, made humble petition that the king would of his great power and goodness make his oppressor respect his rights. The king, who in theory was a benevolent tyrant, in fact was more interested in the pleasures of war, the tourney, the chase, the table or the chamber. He had no time to look into the matter, unless it was something that could be settled off-hand. He would therefore refer a pertinacious suitor to one of his officers with instructions to the latter to examine into the affair and report his opinion as to what the king ought to do. As such controversies involved equitable rather than legal questions, they were generally sent to the keeper of his conscience, as he was styled, an official called his chancellor, usually a priest. He heard the parties, reported to the king, who would then either dismiss the matter, or decree that the offender do what he ought to do, or refrain from doing what he ought not to do. Thus the deficiencies of

legal procedure were supplemented by decrees of the king.

As time went on, the system became crystallized, his chancellor became a judge, who sat in a court of equity as it was called, heard cases as the law judges did, but without a jury; and in the name of the king granted decrees which recited the facts, pointed out that there was no adequate remedy at law, and commanded the defendant what he should do or leave undone.

It will easily be seen that if a chancellor were to be guided by nothing but caprice, his court would become a terrible engine for tyranny. It used often to be sneeringly said that equity decisions depended on the length of the chancellor's foot. So there came into existence certain set rules under which equity was administered. Those rules were admirably adapted to the end of keeping the chancellor within proper bounds. "Equity follows the law;" "Equality is equity;" "He who asks equity must do equity;" "He who comes into a court of equity must come with clean hands," and the like. The general rule was, that wherever money damage for a wrong would be adequate compensation a court of equity would not interfere. There grew up this stereotyped phrase, that the plaintiff had no adequate remedy at law. If he could show that the defendant was doing or threatened to do him a continuing injury, irreparable in its nature, and for which money would not be compensation, he could obtain in an otherwise proper case a decree enjoining the defendant from continuing to do the act, or from carrying out his threat. In order that the complainant might not be injured while the court was examining into the case, it would on affidavits showing the necessity grant a preliminary writ, calling a temporary injunction, commanding the defendant to abstain from doing the thing during the pendency of the action.

In our country the system of separate courts, one to give money judgments after a trial by a jury, the other to issue decrees after hearing before a judge, has been changed in most states, so that one court does both. This is the fact also as to the federal courts. We have still, however, in theory kept up the rule that a party asking for a command rather than money, must satisfy the court that compensation in dollars will not meet the case, and that precedents warrant the command.

Right here is where the danger point