

The Public

A Journal of Fundamental Democracy and
A Weekly Narrative of History in the Making

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LOUIS F. POST
EDITOR

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FOR TABLE OF CONTENTS SEE FIRST EDITORIAL PAGE

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 THE CITY REPUBLIC
 THE CITY CHARTER
 THE COST OF THE SLUM
 THE CITY'S HOMES
 THE CITY'S WRECKAGE
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 THE CITY FOR THE PEOPLE
 THE HOPE OF DEMOCRACY
 INDEX

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The author divides his work into three parts, the physical, the psychological, and the ethical kinship. Under the first he considers man as an animal, a vertebrate, a mammal, primate and then deals with him in his relation to the physical environment. In the second chapter the conflict of science and tradition is discussed with the evidences of psychological evolution and the comparison of the human and non-human mind. Ethically, human nature is a product of the jungle, but these ethics have been different in savage, ancient, and modern times, and these various stages are traced and their probable future tendencies pointed out. It is maintained that the ethical implication of evolution is that all living things are akin and that the relations between them are all subject to the same ethical judgment. The work is written in a simple yet scientific style that is difficult to attain. Perhaps a general idea of the book can best be gained by the preface, which is given herewith.

PREFACE.

The Universal Kinship means the kinship of all the inhabitants of the planet Earth. Whether they come into existence among the waters or among desert sands, in a hole in the earth, in the hollow of a tree, or in a palace; whether they build nests or empires; whether they swim, fly, crawl, or ambulate; and whether they realize it or not, they are all related, physically, mentally, morally—this is the thesis of this book. But since man is the most gifted and influential of animals, and since his relationship with other animals is more important and more reluctantly recognized than any other, the chief purpose of these pages is to prove and interpret the kinship of the human species with the other species of animals.

The thesis of this book comes pretty squarely in conflict with widely-practiced and highly-prized sins. It will therefore be generally criticised where it is not passed by in silence. Men as a rule do not care to improve. Altho they have but one life to live, they are satisfied to live the thing out as they have started on it.

Enthusiasm, which in an enlightened or ideal race would be devoted to self-improvement, is used by men in weaving excuses for their own inertia or in singing of the infirmities of others.

But there is a future. And the creeds and ideals men bow down to today will in time to come pass away, and new creeds and ideals will claim their allegiance. Shrines change as the generations come and go, and out of the decomposition of the old comes the new. The time will come when the sentiments of these pages will not be hailed by two or three, and ridiculed and ignored by the rest; *they will represent Public Opinion and Law.*

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THE PUBLIC is now widely recognized as the best journal of the forward movement of democracy, which is making rapid progress. The circulation is steadily increasing and has now reached 7,400. The reduction of the subscription price to \$1.00 yearly was a very popular move. The paper has been called "the best dollar's worth among periodicals." Friends who actively work to advance our principles obtain new subscriptions very readily. The increased size and improved form of the new volume will further such efforts. THE PUBLIC permanently holds practically all its readers, old and new, and our object is to get the paper into the hands of every one who can be brought to favor thorough-going honesty and fairness and fundamental democracy in all political and economic affairs. **We appeal to all our readers to co-operate in this work in every way they can. Everyone can help in one or more of the following ways:**

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The Public

LOUIS F. POST, Editor

Volume VIII

Number 414

CHICAGO, SATURDAY, MARCH 10, 1906.

CONTENTS.

EDITORIAL:

Our colonial policy.....	813
A verbal confusion.....	813
How McKinley was elected.....	813
Lawlessness in Idaho.....	813
Impeding the administration of justice.....	814
Postal censorship of banking.....	814
Ohio grafters and home owners.....	814
The monopoly issue and "moral" issues.....	815
Our Despotical Postal Censorship.....	815

NEWS NARRATIVE:

Russian reorganization.....	821
Ministerial crisis in France.....	821
Congress and railroad rates.....	821
La Follette's defeat in the Senate.....	821
Defeat of the Philippine tariff bill.....	821
The divorce-law congress.....	821
Democratic politics in Nebraska.....	822
John W. Bengough in the United States.....	822
News Notes.....	822
Press Opinions.....	822
In Congress.....	823

RELATED THINGS:

Prophecy (Pease).....	823
One Touch of Human Nature.....	823
The Relation of Gambling to Theft (Orton).....	823
The New Friendship.....	823
The Sacredness of Public Property (Bigelow).....	824
Puerto Rican Ideals.....	824
The Democracy of Salvation (Leach).....	825
Of One Blood.....	825
The Georgia Equal Rights Convention.....	826

BOOKS:

The State.....	827
Who's Who in America.....	828
Books Received.....	828
Pamphlets.....	829
Periodicals.....	830

CARTOON.—A Timely Buffer (Bengough).....828

For terms and other particulars of publication see cartoon page

EDITORIAL

Our colonial policy.

In a recent address before the New England Anti-Imperialist League, Mr. Fiske Warren gave an excellent reason for hope in connection with the Philippine question. Referring to President McKinley as having defied the Constitution "boldly and openly," he rightly described it as an advantage that under President Roosevelt "imperialism skulks when before it stalked defiant." In the same speech Mr. Warren embodied some remarks about railroads in the Philippines that

should not be overlooked. "The Filipinos want railroads," he said, "but they do not wish something in the nature of a bait with a hook inside." Unless we watch the grafters who have not yet given up regarding the Philippines as their prey, it is something in the nature of bait with a hook inside that in our national name will be offered the Filipinos.

A verbal confusion.

The word "rebate" because of its evil associations has burnt itself upon the public conscience as a thing to be abhorred. And yet the connection in which we sometimes see the word used, makes one doubt whether the hatred it arouses is as intelligent as could be wished. We have heard a good deal about life insurance rebates recently, and have heard them spoken of as if they were in the same class as railway rebates. To hold such an opinion is to betray a misconception of the whole rebate evil. A preferential freight rate on a railway means that the man who gets it gets to that extent a monopoly in the production of wealth; for one need hardly point out that transportation, in the economic sense, is equivalent to production. A life insurance rebate is only a case of a laborer, the insurance agent, sacrificing, through stress of competition, a part of his hire. The transaction is an individual one; the rights of the community are not involved; if anybody is injured it is the agent who parts with his commission. He, presumably, is fit to take care of himself.

How McKinley was elected.

We confess to a good deal of sympathy with the Chicago Chronicle, a Republican newspaper, in its candid protest of the 2nd against the ingratitude of the Republican party in condemning the great financial corporations for having made political contributions. "What was it," asks the Chronicle, "that plucked us from the dark despair in which the free silver craze had plunged us, and

inaugurated this unheard of and indescribable prosperity?" The answer is the frankest we have ever seen in print. "It was the contributions of these corporations to the McKinley campaign fund." That reads like the answer of an irreverent Bryanite, but it is not. It is the confession of a Republican newspaper organ. Nor is this confession a mere self-indulgence. It is preliminary to a very serious warning. For the Chronicle proceeds:

If the Republican party now insanely punishes those for contributing to campaign funds who have the most at stake in elections and whose contributions have often been the salvation of the party in the past, it can confidently reckon on some kind of disaster in the future.

Lawlessness in Idaho.

Reports coming down from Idaho are significant of grossly illegal proceedings there in connection with a criminal prosecution, which ought to be denounced wherever a particle of respect for Anglo-Saxon liberty and fair play remains. One of the men who were arrested upon extradition warrants in Denver recently, and spirited away to Idaho at midnight in a private train by private detectives, so that habeas corpus proceedings could not be resorted to in their behalf, is reported to be in solitary confinement in the Idaho penitentiary. This alone is infamous in the case of an untried man who is presumed by the law to be innocent, but it is not all. This solitary prisoner is being subjected to the "sweating" process by a private detective, and the "sweating" process appears from the reports to involve physical torture. Its object is said to be to secure a confession. There is no country except Russia and the United States where that treatment of an unconvicted prisoner would be possible. The "sweating" process would not be tolerated at all in England; on the continent it would be conducted under the eye and subject to the control of a responsible judicial officer; and with

the single exception of Russia, nowhere on the continent would physical torture be permitted. But in the United States, this process, which England does not permit at all, is at the will of irresponsible detectives—in the instance in question a private detective apparently employed by the vultures at 26 Broadway, New York,—and physical torture is freely resorted to.

Impeding the administration of justice.

Justice in criminal cases does not consist in convicting and punishing accused persons, as nearly all newspapers, most prosecutors and some judges have come to think. It consists no more in convicting and punishing the guilty than in acquitting the innocent. In order that this ideal of justice may be most completely realized, everything tending to influence officers of the law unduly or unfairly should be avoided. Their work is difficult enough without importing into it the extra burden of doing their duty in the face of intimidating clamors. Especially should jurors be guarded as much as possible from this dangerous species of intimidation. It is worse than "jury fixing," for jurors who are too honest to be "fixed" may be intimidated. And the courts have the power to prevent clamorous intimidation. If it comes from a mob, the trial judge can call upon the peace officers and they upon the military if necessary. If it comes from newspapers during a trial, the trial judge can invoke his power of punishing for contempt, a power judges are not always reluctant to exercise in resentment of criticism of themselves, yet which they seldom if ever use to protect helpless prisoners on trial before them. Johann Hoch, recently hanged in Chicago, was a victim of newspaper clamor, and the trial judge did nothing to protect him from it. He may have been guilty, but he was unfairly tried. Another instance is that of a youth now on trial in Chicago for a peculiarly brutal murder. He is said

to have confessed, but confessions of capital crime by innocent persons are not unfamiliar to students of criminal history, and they are especially suspicious when extorted by "sweat-box" methods. This youth may be guilty. But that is the question on trial, and the trial ought to be fair. Yet, while a jury is being impanelled to determine the question of whether or not he is a murderer, a Chicago newspaper publishes the prisoner's portrait with the word "murderer" printed on his forehead. This is only one journalistic shriek in a continuous clamor with which this prisoner is assailed by all the local papers as he faces his jury. The judge who permits such flagrant acts in obstruction of justice, without exerting all his powers to protect the prisoner, is unfit to preside at a criminal trial. Trials so conducted are not trials, they are lynchings.

Postal censorship of banking.

The Lewis case of St. Louis (p. 778) is a striking instance of the dangerous meddlesomeness of the postal department in private business. Lewis had undertaken to establish a banking business with certain novel features. Whether these features would be useful or not we make no pretense of saying. We are quite convinced, however, that post office "inspectors" (the official name for mail bag detectives) are not qualified judges; and we doubt the competency of a Postmaster General who collected campaign contributions from financial corporations to be used for his chief's election. Yet this Postmaster General, upon the ex parte report of such detectives, did by arbitrary order close the mails to Lewis's banking enterprise. Of course that meant death to the enterprise, for mail facilities are vital to every modern business. The pretense was that the business was fraudulent. But this pretense has been killed by the report of the receiver of the assassinated enterprise, who says of it that every loan and investment

has been liquidated 100 cents on the dollar with interest in full; that the depositors are being paid in full; and that he has already declared dividends to the stockholders of 85 per cent. If that was a fraudulent institution, making loans on wildcat securities, what shall be said of the honest ones whose securities do not pan out in full, whose depositors get but a fraction of their money back, and whose stockholders are lucky if they don't have to submit to an assessment? Besides this evidence of the legitimacy of Mr. Lewis's assassinated business, we have the signed statement of Alexander Del Mar, the distinguished publicist who is editor of the American Banker, that he is satisfied after minute examination that the banking business in question—

however original its method of promotion, or however novel its features and plan of working, was an honestly designed, and an honestly conducted institution and one which, had it not been disturbed, would have proved profitable to its stockholders and depositors and even beneficial to the country at large, by increasing the revenues of the post office department, providing a safe and expenseless money order system and affording facilities to the multitude for obtaining small loans of money upon pledges. I am constrained to add that the dates and other details of the attacks made upon it by the several parties indicated point to a concerted effort, originating in trade rivalry and embittered by malice.

The fact that such a business could be ruined by the fiat of a cabinet officer is reason enough for overhauling the statutes under which an administrative department of the central government has drawn to itself such monstrous power.

Ohio grafters and "home owners."

Corporation influence is not wholly absent from the new legislature of Ohio. This is evident from the action of the lower house on the Metzger bill (p. 806), a bill providing that no street car franchise shall be granted without a peoples' referendum, that a property owner cannot stop the building of a street car line so authorized unless a majority of the prop-

erty owners present protests, and that the question of municipal ownership of street car service may be submitted to popular referendum. The bill was urged by Mayor Johnson of Cleveland and opposed by the street car rings of the State, especially those of Cleveland and Cincinnati. That this bill was defeated by corporation interests was evident in the debate, and it is confirmed by the comment of the *Commerce Bulletin*, a financial publication of Cleveland which is far from being in sympathy with Mayor Johnson. In its issue of February 22 that paper said, editorially, that if the Metzger bill were to pass, the reform forces (Mayor Johnson and his supporters) would "achieve their first step," and traction stock would decline. The defeat of the bill "in the interest of home owners," as the traction lobby and their phonographs on the floor put it, belongs to the "widow and orphan" type of legislative motive. Next to the "widow and orphan," the "home owner" exercises the most dangerous influence of any in our legislative bodies. Yet neither "widow and orphan" nor "home owner" know that they exercise any influence at all.

The monopoly issue and "moral" issues.

With a journalistic flourish of trumpets, Chicago has raised the license tax for saloons from \$500 to \$1,000. This is done in the interest of real estate tax dodgers for the degrading purpose of raising public funds from what the advocates of the movement themselves denounce as a vicious business. It will respectabilize and add profit and power to the vice it is ostensibly designed to curb, and it can no more serve the purpose of lessening predatory crime than of abolishing the changes of the moon, with which it is as closely related. The exciting exploitation of this movement at this time is for the purpose of diverting public opinion from the movement against the traction companies. The trick is

an old one, and was played upon the city of Pittsburg a few years ago. A diversion of the public mind was needed to carry through a great franchise steal in Pittsburg, and the opportunity was found in an incipient religious revival. With the aid of the corporation newspapers this was soon raised to a feverish pitch, requiring daily pages of space to report it. The types fairly roared, and under the cover of this roar the franchise ordinance slipped through. That done, the revival meetings no longer interested the newspapers and the pious excitement subsided. This is the sort of thing the Chicago newspapers are lending themselves to now. With no more reasons for higher saloon licenses than for years, the saloon license question has been expanded to broad newspaper proportions. With no more crime than every Winter, Chicago has become (in the traction newspapers but not elsewhere) the most dangerous city in the world. With fewer Bridewell pardons than under Mayor Harrison, an outcry against pardons is raised. And so it goes. But the transparent object is to serve, not the people of Chicago but the corporations that are grafting in Chicago. These "moral" noises are like the noise of the machinery in the automaton chess player, which makes it easy for the living player to hide himself in the machine without attracting attention to his presence there.

OUR DESPOTIC POSTAL CENSORSHIP

We recur with much reluctance to the despotic censorship which is growing up in the Post Office Department (p. 420), under cover of well-meant Congressional legislation for the suppression of vice and fraud. The subject cannot be neglected while that crude and careless legislation remains upon the statute books unamended. For this censorship, already destructive of some of the legitimate postal rights of some persons, is becoming more and more expansive in scope and despotic in execution.

The particular instance regard-

ing which we are about to submit the facts, relates, as did a previous one (p. 290), to the Chicago periodical known as "Lucifer," which the Post Office Department is endeavoring to suppress on the manifestly false pretense that it is an obscene publication. On the same pretense and by the same influence, the editor, Mr. Moses Harman, has been imprisoned (p. 806) through the machinery of the Federal courts.

Lucifer is devoted in good faith to the propagation of its editor's opinions regarding sex relationships. Although these opinions are contrary to ours, we conceive that they may nevertheless be entitled to respectful consideration, and we therefore demand for them the same freedom of expression that we enjoy for our own. They are, indeed, hostile to the perpetuation of certain ecclesiastical and social conventionalities, but only a false witness or a moral pervert would deliberately pronounce them obscene. The product of a philosophical and not a salacious mind, they present for rational thought questions of human welfare which demand uncensored expression.

But the vital question presented by the particular circumstances to be here considered, is not whether "Lucifer's" opinions and ours, or its opinions and anybody else's, are at variance. It is not whether one kind of opinion or another shall be suppressed. It is not whether obscenity shall be excluded from the mails, nor even whether "Lucifer" is actually guilty of obscene utterances. The vital question to the American people in this and all similar cases, is whether any person shall, upon any pretense whatever, be deprived of his liberty or his property, so far as either depends upon the use of the mails, without a fair trial and in accordance with public law and unconcealed precedents. It is the old question of "administrative process" in a new form.

That the right to use the mails depends, under the act of Congress as it now exists, upon the mere whim of administrative officers we have already proved. We purpose now to confirm that proof with additional evidence.

At the same time we shall demonstrate specifically the following assertions:

1. Any periodical, though it contains nothing obscene, is subject to exclusion peremptorily from the mails as a purveyor of obscenity, upon the mere order of administrative officials of the Post Office Department.

2. Exclusion orders are made ostensibly in accordance with precedents of the department created by rulings in particular cases upon what constitutes obscenity; but these precedents are secret, and by refusing to define their limitations upon request the Department prevents publishers from guarding against the penalties of orders of exclusion.

3. Publishers whose periodicals are so excluded are accorded no protection by the courts against unjust exclusions, not even though the exclusion be made in manifest bad faith. As the law stands, the Postmaster General's dictum, right or wrong, and whether with good intent or evil intent, is absolute.

4. In practice the Post Office Department excludes periodicals from the mails for publishing articles denounced as obscene, which in fact are not obscene.

5. The law as it now stands affords officials of the Post Office Department a degree of opportunity for corrupt discrimination in excluding periodicals, which it is unsafe to repose in any official and which ought to be carefully guarded against by Congress.

I

About the middle of August last, we were advised that the issue of "Lucifer" of August 3 had been excluded from the mails by postal order. According to our information, the matter specified as objectionable was in a paragraph of each of two indicated articles.

The first of these paragraphs was clearly not obnoxious to the law, unless President Roosevelt's observations on race suicide were obnoxious to it; the second was no more so, unless a book it named by title is on the postal index expurgatorius. We should have no hesitation in republishing both paragraphs for the purpose of showing their innocence, were it not for the fact that the Post Office Department has them now on its index expurgatorius. This fact alone, were we to republish them here, would subject this issue of The Public to the risk of exclusion from the mails by order of

the Post Office Department, and without possibility of protection from the courts.

Upon examining the articles in question we wrote, August 12, 1905, to the Chicago postmaster as follows:

Mr. Moses Harman, the publisher of "Lucifer the Light Bearer," which is entered at the Chicago post office, writes us to the effect that his issue of August 3d was submitted to your office for mailing; that your office advised that the first two articles of the issue were unmailable under section 497 of the Postal Laws and Regulations; and that the question is now before the Department at Washington awaiting its decision, the issue of Lucifer for August 3d being meanwhile practically denied circulation through the mails.

The first article he indicates is signed . . . and the second purports to be an extract from an article in the . . . by . . . * I have read the articles with a good deal of care, and fail to find in them anything that can possibly, either in thought or phrase, fall within what I should suppose would be considered a fair interpretation of the section of the Postal Laws and Regulations referred to above.

If the articles were in harmony with my own views, I should never think of refusing them admission to my columns, although I am extremely careful, entirely apart from any consideration of the postal laws and regulations, to avoid giving offense with reference to the general subject with which these articles are allied. I can see no reason whatever for refusing them admission to any publication on any other ground than that, as in my case, they are out of harmony with its editorial policy. I am therefore constrained to believe that there must be some mistake or misunderstanding. It does not seem to me possible that your office would take the action which the publisher of Lucifer tells me has been taken respecting these articles.

May I therefore respectfully ask you to inform me of the facts so far as your office is concerned?

The reply of the Chicago postmaster, promptly made and bearing the date of August 14, was as follows:

Replying to yours of August 12, concerning the publication "Lucifer," the issue of August 3 contains obscene literature, judged by the precedent set by the Department at Washington in its rulings on this publication. The alleged objectionable matter is found

* Name omitted for reasons stated in the next note.

in the . . . paragraph,* beginning . . . in the . . . column of page . . . also in the . . . paragraph from the bottom of the same column, beginning . . . In this paragraph a pamphlet is advertised which contains obscene matter.

If the matter is not obscene in the meaning of the law, the ruling of the Department at Washington will render the matter mailable, and no damage will result to the publication.

There has been no misunderstanding on the part of this office in its action on this issue of the publication. This action is entirely within the Departmental instructions, and so far in the history of this publication the action of this office has been upheld by the Department.

The paragraphs specified in the postmaster's letter, the specific reference to which we omit for reasons explained in the footnote, were the same paragraphs as those to which our attention had been originally called. The second one was held to be objectionable only because it named a book which is on the postal index expurgatorius.

This letter from the Chicago postmaster throws some light on the indifference of the postal authorities to personal rights. "If the matter is not obscene," calmly writes the Chicago postmaster (doubtless by the hand of a bureaucratic subordinate), "the ruling of the Department at Washington will render the matter mailable, and no damage will result to the publication." No damage will result to the publication! A whole issue of a publication may be stopped while a bureau at Washington leisurely considers whether it contains obscenity, and if the bureau's decision is fa-

* We omit the specific references made in the Postmaster's letter, because their inclusion here might subject this issue of The Public to suppression by order of the postal censor. The same act of Congress by authority of which "Lucifer" was censored for publishing those articles, provides also that "notice of any kind giving information, directly or indirectly, where or how, or of whom or by what means an "obscene . . . publication of an indecent character" "may be obtained," is itself "non-mailable matter." Since the censors have already decided that the articles in question are obscene and indecent, they might decide that the naming of them by title and page in connection with the name of the publication in which they appeared, is a notice making the paper publishing it also guilty under the statute and therefore subject to suppression. Were they to so decide, they could suppress this issue of The Public, and we should be without protection or redress or any power to get a judicial trial.

avorable, "no damage will result to the publication"! This discloses a queer notion of the nature of newspaper property. However, as to our inquiry the Chicago postmaster's letter was as specific as could be required; and we awaited the final action of the Department upon the postmaster's order of exclusion.

Meanwhile the Chicago postmaster had found it necessary, in accordance with the precedents of the Department, to exclude also the issue of "Lucifer" of August 17th.

In this instance the accusation, as reported to us, was plainly imaginary. It rested in part upon the republication of an editorial from the Woman's Journal, of Boston, the national woman suffrage organ, and one of the purest and most reputable periodicals in the United States, and in part upon an extract from an official report of the Agricultural Department of the United States government.

We thereupon wrote this letter, dated August 26th, to the Chicago postmaster:

Thank you for your prompt, courteous and full reply of August 14th to mine of August 12th, in which I had inquired relative to denial of mail service to the edition of the paper Lucifer of August 3d.

In one respect you misunderstood me. It was not my intention to imply that your office is acting recklessly with reference to the policy of the Department, or contrary to Departmental instructions. I was only seeking information as to the policy, rulings and instructions of the Department as applied by you in a particular case.

And now I must trouble you again in the same way. I am informed that the issue of Lucifer, of August 17th, also has been refused mail service, and that the refusal is based on the charge that an article reproduced in it from the Woman's Journal, of Boston, and written by one of the editors of that paper, Alice Stone Blackwell, is unmailable under section 497 of Postal Laws and Regulations. As the Woman's Journal is the principal journalistic representative of the woman suffrage movement in the United States, and is everywhere respected as a pure and able publication, and Miss Blackwell is a woman of national reputation with a stainless character, this action of your office is of peculiar importance and of exceptional public concern.

The matter also concerns me person-

ally, for in entire good faith, I also have reproduced an extract from Miss Blackwell's article. Whether the part I have reproduced includes any of the article to which you are said to object, I cannot positively know until I learn definitely from you the particular part or parts of that article (the whole and every part of which seem to me a thoroughly clean and just criticism of the present postal administration) to which postal objection is made and for the republication of which the mail service is denied to Lucifer of August 17,—if such service has been denied on account of anything contained in Miss Blackwell's article.

Both for my own guidance, therefore, and also for legitimate public use, will you kindly indicate to me specifically, in such way as you think proper, what are the grounds for the exclusion from the mails of the edition of Lucifer of August 17th.

The postmaster's reply, bearing date of August 29th, was as follows:

Replying to yours of August 26, three pounds of the publication "Lucifer," of the issue of August 17, were offered for mailing at this office, and the copies are held, awaiting decision by the Department at Washington as to whether or not they are mailable under Sec. 497, P. L. & R.

The matter to which the attention of the Department has been especially drawn by this office is the article at the head of the . . . column of page . . . and the . . . lines at the . . . of the . . . column of page . . .*

Judging by precedent, this matter is in violation of Sec. 497, and under postal instructions it is the duty of this office to submit the matter to the Department at Washington for a ruling.

Owing to the indefiniteness of this letter from the Postmaster, we made the following further inquiry, in a letter to him bearing date of August 30th:

Thank you for your reply of the 29th to mine of 26th, in re issue of Lucifer of August 17th.

You say that "the attention of the Department has been especially drawn" by your office to "the article at the . . . of the . . . column of page . . . , and the . . . lines at the . . . of the . . . column of page . . ." As you qualify your statement by the word "especially," may I further ask whether you acted also on any other part of the article on page . . . or on any other article in the issue in question?

And if it would be proper for you

* Indicating the articles containing quotation from U. S. Agricultural Report and two lines of the Woman's Journal article.

to give it, I should like the following additional information regarding the objectionability of the article at the head of the . . . column of page . . . :

1. Does the objection apply to the use of the title of Dr. —'s book in the . . . line of the text of that article?

2. Does it apply to the language of the comparison between mankind and horse kind in lines . . . and . . . of the text of the article?

3. Does it apply to the quotation in line . . . of the text of the article, purporting to be from page . . . of a "Special Report on Diseases of the Horse" prepared under the direction of Dr. D. E. Salmon, and issued by the Bureau of Animal Industry in the United States Department of Agriculture?

4. Does it apply to the quotation in lines . . . and . . . of the text of the article in question, purporting to be from the text of the above described report of the Agricultural department?

5. Does it apply to the use of the title of Dr. —'s book in the . . . line of the text of the article in question?

Noting what you say to the effect that the articles in question are in violation of section 497 according to precedent, and that it is your duty under postal instructions to submit them to the Department for a ruling, I wish to assure you of my absolute confidence in your good faith and that of your office. Permit me also to apologize for presuming to interrogate you so minutely as I do in this letter. Believe me, I am far from desiring to annoy you, or your office, or the Department. But it seems to me of the utmost importance that editors and the reading public should know the extent of the limitations that the rulings of the Department are imposing upon editorial discussion, quotation, etc., and it is only to this end that I trouble you.*

Following was the Chicago postmaster's reply of September 1st to the foregoing letter:

Replying to yours of August 30, relative to the publication "Lucifer," I cannot answer your specific questions: with a direct "yes" or "no." I see no necessity for this office to explain its objection to this printed matter in the manner you have prescribed. The article in question may be "obscene," within the meaning of the law. That is for the Department at Washington to decide. To quote your statement, it may be "of the utmost importance that editors and the reading public should know the extent of the limitations that the rulings of the Department are imposing upon editorial discussion,

* Specific references omitted for reasons stated in previous foot note.

quotations, etc." but it is not within the province of this office to interpret the law. That is the prerogative of the Department at Washington. This office can only refer you to the statutes and to the rulings of the Department in specific cases.

In answer to the first question of yours of August 30, all references to the book ". . ." were marked in the copy sent to the Department by this office. These references are not necessarily objectionable. The quotation from the book may be.

Having been refused in the preceding letter the information we sought, and referred therein "to the rulings of the Department in specific cases," we addressed the Postmaster General in the following letter dated September 6th:

Will you kindly examine the inclosed correspondence between myself and the Postmaster at Chicago and, if in your judgment proper to do so, favor me with the information which the Chicago Postmaster does not regard it proper for his office to furnish?

To facilitate your examination of the inclosures, I describe them as follows:

1. My letter of August 26 asking (for legitimate public use) for a specification of the grounds for the Chicago Postmaster's exclusion from the mails of the edition of the Chicago periodical "Lucifer," of August 17, 1905.

2. The Postmaster's response of August 29, indicating the matter to which the attention of your Department was "especially drawn" by the Chicago post office as furnishing grounds for the exclusion.

3. My reply of August 30th, asking specific questions, with a view to ascertaining exactly, and all, the matter objected to in the edition of "Lucifer" in question, the Postmaster having qualified his response to my former letter with the word "especially," as you will observe by reference to the copy of his response inclosed.

4. The Postmaster's reply of September 1, stating that he sees no necessity for explaining his objection to the printed matter in question in the manner I have requested, and referring to your Department.

My specific requests of your Department are:

First, Whether the Chicago Postmaster, in denying mail service to the issue of Lucifer of August 17, noted as objectionable any other part or parts of that issue than the parts described by him in his letters to me of August

* Name of book omitted for reasons heretofore given. The book mentioned in the Postmaster's letter is not the U. S. Agricultural Report, but Dr. —'s book entitled ". . ."

29 and September 1. If so, what part or parts?

Second, Whether the objections he noted applied to the issue of Lucifer in question, as indicated by any or all of those questions in my letter to him of August 30th, which are therein distinguished by the numerals 2, 3 and 4.

As I stated in my letter of August 30 to the Chicago Postmaster, it is no part of my purpose to annoy your Department, or any branch of it, with impertinent inquiries. I may add that I have no intention of soliciting any information that the general public have no right to know. But I shall be greatly obliged if your Department will give me the information solicited above, so far as it may be within the bounds of propriety, and, to save further inquiry from me, will be sufficiently specific with reference to any of my requests that you may think improper, as to assure me that the failure to reply is because they are improper and not because they are accidentally overlooked.

The reply to the foregoing letter was dated September 13, and came from the First Assistant Postmaster General, who wrote:

In reply to your letter of the 6th instant to the Postmaster General, you are informed that this Department cannot undertake to specify in detail the objectionable matter appearing in the issue of the periodical, "Lucifer," of August 17, 1905, which caused the exclusion of that issue from the mails.

This reply was so obviously an attempt to evade responsibility, and so manifestly indicative of a disposition to censor the mails not only arbitrarily but secretly, that we renewed our inquiries. This seemed necessary in order to make sure that the foregoing letter was deliberately in execution of a policy of secret censorship instituted by the Department, and not merely the irresponsible act of a careless first assistant.

Our letter renewing our previous inquiries was also addressed to the Postmaster General. It bore date September 18, and as will be noticed from its reproduction below it sought the information on the special ground that the Department's decision had made a precedent, the limitations of which ought to be divulged upon application by persons likely to be affected by it in conducting their business:

I am in receipt of reply of the 13th by the First Assistant Postmaster General to my letter of inquiry of the

6th, in which the First Assistant Postmaster General advises me that your "Department cannot undertake to specify in detail the objectionable matter appearing in the issue of the periodical 'Lucifer' of August 17, 1905, which caused the exclusion of that issue from the mails."

Since receiving that letter I am informed that your Department has sustained the Postmaster at Chicago in his exclusion of the issue of "Lucifer" of August 17, and that this has been done because in that issue it published an editorial article entitled ". . ." and an article copied from the Woman's Journal, entitled ". . ." Inasmuch as the matter has been finally decided by your Department, and is no longer under advisement, I wish to ascertain the extent of your adjudication, for the purpose of understanding its effect as a precedent.

As to the article from the Woman's Journal, your adjudication is sufficiently specific in one respect, namely, the . . . lines at the top of the . . . column of page . . . of "Lucifer" of August 17, and as to that I have no questions to ask.

As to the other part of the same article, the matter about . . . way down the . . . column of page . . . of "Lucifer," which you have adjudicated to be objectionable, will you kindly inform me whether or not your adjudication rests only or at all upon the naming there of the title of a book?

I should also like to know, whether your adjudication as to the Woman's Journal article in "Lucifer" rests upon anything else than the naming of that book, and upon the . . . lines at the . . . of the . . . column of page . . .

Finally, as to the article in "Lucifer" entitled ". . ." it seems to me especially important, since the Postmaster at Chicago advises me that he acts in these questions upon the precedents your Department establishes, that I should know the full bearing of the precedent established with reference to this particular article. The article, as you will recall, mentions the title of a book, and quotes from an official report of the United States Department of Agriculture. Will you kindly inform me whether your adjudication as to this article rests upon the naming of the book, or the quotation from the Agricultural Department's report, or both?

Please understand me, I am not endeavoring to probe the mental processes whereby the conclusions of your Department were arrived at. All I am asking for is the extent of the conclusions themselves, in so far as they go to make a precedent.

Regretting what seems to me to be

* Titles of editorials are here omitted for precautionary reasons. See preceding footnotes.

the necessity for further troubling you in this matter, I am, etc.

The reply of the Department to the foregoing letter confirmed the indications of the First Assistant's letter of the 15th. It showed that arbitrary and secret censorship is a deliberate policy of the Department; either that, or else that F. H. Hitchcock, First Assistant Postmaster General, deliberately misrepresented the Department. For the reply, signed by F. H. Hitchcock as First Assistant Postmaster General, and dated September 27th, was as follows:

Your letter of the 18th instant, addressed to the Postmaster General, has been referred to this office for reply. With reference to your questions relative to certain objectionable articles which appeared in the issue of the publication "Lucifer," of August 17th, you are informed that the position of the Department in the matter was stated in a letter to you bearing date of the 13th instant.

We invite attention to the bureaucratic superciliousness of this reply to proper questions respectfully asked. The Department refuses to answer further than by reference to its prior letter. In its prior letter it declined to "undertake to specify in detail the objectionable matter," etc. Now what had we asked? Observe the substance of our questions and the Department's reply:

Question: Did the Department's adjudication as to a certain part of a certain article "rest only or at all upon the naming there of the title of a book?"

Answer: The Department "cannot undertake to specify in detail the objectionable matter."

Question: Did the Department's adjudication as to the Woman's Journal article rest upon anything else than the name of a book and certain indicated lines?

Answer: The Department "cannot undertake to specify in detail the objectionable matter."

Question: One of the indicated articles "mentions the title of a book, and quotes from an official report of the United States Department of Agriculture. Will you kindly inform me whether your adjudication as to this article rests upon the naming of the book, or the quotation from the Agricultural Department's report, or both?"

Answer: The Department "cannot undertake to specify in detail the objectionable matter."

Soon after the foregoing correspondence, we learned of the censorship by the Post Office Department of a subsequent issue of "Lucifer," the issue of October 12th. According to a still later issue of Lucifer, the circumstances of this censorship were these: One of the articles in that issue of Lucifer, to which the Post Office Department was understood to have objected, was merely a catalogue of books. Among the authors were John Stuart Mill, August Bebel and other thinkers of reputation; and none of them is apparently obscene unless every serious discussion of the philosophy and physiology of sex is to be considered as in that abhorrent category. The other article contains a quotation from the London Fortnightly Review, which includes one from Bernard Shaw's "Man and Superman," proposing pensions as a preventive of what President Roosevelt calls race suicide.

Upon learning of the suppression of this issue of Lucifer we addressed the following letter of inquiry to the Postmaster General, under date of October 20th:

I am informed that the Chicago postmaster has excluded from the mails the issue of the Chicago paper named "Lucifer," of October 12, 1905, and that the exclusion is based upon an article on page . . . * first and . . . columns, containing a descriptive catalogue of books, and upon an article on page . . . second column, containing a quotation from Bernard Shaw's "Man and Superman." I am also informed that your Department has sustained this action of the Chicago postmaster.

As your decision constitutes a precedent by which the Chicago postmaster, as he has informed me relative to your decisions in similar cases heretofore, will be governed in future cases, will you oblige me with the following information:

1. Has your Department decided that "Lucifer," of October 12, is unmailable, and if so, for what cause?
2. Is it because on page . . . that paper names and tells where to obtain any unmailable book or books?
3. Is it because of its quotation on page . . . from Bernard Shaw's "Man and Superman?"
4. If The Public in commenting upon this decision of your Department, were

* See preceding foot notes.

to reproduce the said catalogue of books, or the said quotation from Bernard Shaw's "Man and Superman," would the postmaster at Chicago be required to consider this decision of your Department in the "Lucifer" case as a precedent and accordingly to exclude that issue of The Public from the mails?

I make this request as responsible editor of The Public, for the purpose of ascertaining to what extent, under precedents made by your Department, I shall be at liberty, in criticising your decision in the "Lucifer" case, to state the facts, without subjecting The Public to exclusion from the mails by your Department.

To this inquiry we received the following response from the office of the First Assistant Postmaster General:

I beg to acknowledge receipt of your letter of the 20th instant, to the Postmaster General, in reference to the publication "Lucifer."

In reply to your inquiry you are informed that the Postmaster at Chicago was instructed to decline to accept for mailing copies of "Lucifer," of the issue of October 12, 1905, for the reason that such number, which was submitted to the Department, contained matter of an obscene character.

As you were advised under date of the 13th ultimo in reference to an earlier issue of "Lucifer," it is not practicable for the Department to attempt to point out all the offensive passages upon which the exclusion of the issue from the mails was based, nor can the Department undertake to state what would or would not be unmailable, in advance of the matter being actually presented for transmission in the mails.

A reduction of this correspondence also to questions and answers produces the following rather remarkable result:

Question: Does the Department exclude the issue of the paper in question because it "names and tells where to obtain any unmailable book or books?"

Answer: "It is not practicable for the Department to attempt to point out all the offensive passages upon which the exclusion of the issue from the mails is based."

Question: Is it because of the quotation from Bernard Shaw's "Man and Superman?"

Answer: "It is not practicable for the Department to attempt to point out all the offensive passages upon which the exclusion of the issue from the mails is based."

Question: If The Public were "to reproduce the said catalogue

of books, or the said quotation from Bernard Shaw's 'Man and Superman,' would the postmaster at Chicago be required to consider this decision as a precedent and accordingly to exclude that issue of The Public from the mails?"

Answer: The Department cannot undertake "to state what would or would not be unmailable in advance of the matter being actually presented for transmission in the mails."

Now, why was it impracticable for the Department to state whether or not the exclusion of Lucifer was because it printed the names and places for procuring certain books? The Department was not asked "to point out all of the offensive passages."

And why was it impracticable for the Department to state whether or not the paper in question was excluded because of its quotation from "Man and Superman"? To do this it was not necessary "to point out all offensive passages."

Finally, why couldn't the Department undertake to inform us whether the postmaster at Chicago would be required to consider the decision in the Lucifer case as a precedent? What is the meaning of refusals by the Department to state in advance of mailing whether matter excluded from the mail when published by one periodical would be unmailable if published by another? This last question almost answers itself.

II

We have now proved our assertions. But that there may be no reasonable question of our having done so, let us summarize the assertions and the proof in support of them.

First. We have proved by the foregoing correspondence that any periodical is subject to exclusion from the mails as a purveyor of obscenity, upon the mere arbitrary order of administrative post office officials.

Second. We have proved, also by the foregoing correspondence, that exclusion orders are made by the Post Office Department ostensibly in accordance with its own rulings as to what constitutes obscenity, and that these rulings, though treated as precedents by

postmasters, are kept profoundly secret by the Department.

Third. We have proved by reference to a previous article on this general subject (p. 424), which is too lengthy to be reproduced here, that the courts hold decisions of the Postmaster General in these matters to be absolutely beyond the power of the judiciary to override or restrain, even though he decide without evidence and in manifest bad faith.

Fourth. We have proved by the above correspondence, supplemented now by the best testimony possible, in view of the necessity the Department imposes upon us of proving the negative of an issue on which it holds the affirmative and possesses all the affirmative evidence if there be any, that in practice the Department does exclude from the mails for obscenity periodicals which in fact are not obscene. The correspondence proves the first part of this contention, namely, that the Department excludes periodicals alleged to contain obscene articles. As to the second and essential part of the contention, namely, that the articles are in fact not obscene, the Department refuses to indicate the decisive facts, which are within its own control and in the nature of things cannot be known to outsiders. The several articles indicated above by the Chicago postmaster as cause for exclusion are clearly not obscene. The fact that the Department refuses to particularize should raise a reasonable presumption that there is nothing which it can particularize. And in support of this presumption we now positively testify, after reading the excluded papers through, that they in fact contain no word, phrase or thought which can with any show of reason be characterized as obscene.

Five. It is not necessary to prove that these circumstances afford dangerous opportunities for corruption in the Post Office Department. When the law permits postal officials to exclude from the mails any periodical, arbitrarily in their own discretion, with no appeal to the courts, upon the bare pretense that they contain obscenity but without any requirement that the alleged obscenity be particularized with sufficient definiteness to permit of a

judgment upon the good faith of the exclusion, and when the Department passes upon the question not only arbitrarily but in secret, the opportunities for secret corruption are so enormous that only the corruptible official in the place for corrupting possibilities is necessary to produce a regime of corruption.

We submit, then, that we have established all that in this article we set out to prove. Any periodical may be peremptorily excluded from the mails as a purveyor of obscenity though it contain nothing obscene, and this upon the mere order of administrative postal officials; exclusion orders are made in alleged accordance with secret precedents, the limitations of which are withheld from publishers seeking to adapt their editorial rights to postal rulings; the courts declare themselves powerless to interfere, even though exclusions be made without evidence and in manifest bad faith; the Post Office Department does in fact in this arbitrary manner exclude from the mails as obscene, periodicals which in fact are not obscene. Therefore, as the law now stands, it affords a degree of opportunity for corrupt discrimination and oppression which it is unsafe to repose in any official and which ought to be guarded against by Congress.

III

The remedy for this fungus growth upon the postal service, a service originally intended only for a national convenience but now turned into a national police system which operates through irresponsible "administrative process" and from a "star chamber" tribunal, lies with Congress.

Shall the right to mail service in the United States, now become a necessity of the common life, depend upon the caprice, the bigotry or the corruptibility of one man at the head of a Washington department or his subordinate at the head of a bureau?

That question is distinctly raised.

The courts have answered, Yes. What has Congress to say?

The Monkey—"And that wretch of a clown is laughing as if it were funny!"

His Brother—"Well, that's what they keep him here for; to laugh at things as if they were funny."—Puck.

NEWS NARRATIVE

How to use the reference figures of this Department for obtaining continuous news narratives: Observe the reference figures in any article; turn back to the page they indicate and find there the next preceding article on the same subject; observe the reference figures in that article, and turn back as before; continue so until you come to the earliest article on the subject; then retrace your course through the indicated pages, reading each article in chronological order, and you will have a continuous news narrative of the subject from its historical beginning to date.

Week ending Thursday, March 8.

Russian reorganization.

Elections for the National Assembly to convene in St. Petersburg in May (p. 805) were ordered by Imperial ukase on the 5th. They are to begin on the 8th of April in 28 provinces of central Russia. On the 27th of April they are to take place in 17 other provinces of central Russia and the Don regions, and on the 3d of May in two other provinces.

The ukase of the 5th was followed by publication on the 6th of the full text of the Imperial manifesto relative to the functions of the National Assembly. As this manifesto is cabled—

The composition of the Council of the Empire, or upper house of the National Assembly, with one-half appointed by the Emperor and twenty-six elected from the nobility and clergy, not counting scattering supporters from other classes, seems to insure a conservative if not a pliable majority in the Council to block the National Assembly, should the majority of the latter be in opposition to the Crown. The government carefully retains the power to promulgate "temporary" laws during recesses of the parliament, and as the parliament is subject to dissolution by Imperial ukase the government is thus in a position in time of stress to rid itself of an obnoxious legislature and proclaim such laws as it deems necessary to meet the emergency. A feature of the law which seems effectually to bar "reds" from membership in the National Assembly is a provision exacting from persons elected an oath of fidelity to "emperor, autocrat and holy Russia." The most significant article, however, is on retaining certain provisions of an existing law which is mentioned only by number. This innocent-looking provision is far-reaching, placing important powers beyond the jurisdiction of the parliament. It consigns to existing commissions of the Council of the Empire, composed solely of members appointed by the Crown, for consideration the following:

Reports of the minister of finance upon the state of the treasury; charges of malfeasance against members of the Council

of the Empire, ministers, governors general and commanders in chief of land and sea forces; the establishment of stock companies with special privileges; questions relating to entailed estates, titles of nobility, etc.

The Bouvier ministry, which came into power in France about a year ago (vol. vii, p. 98), resigned on the 7th. The occasion was its defeat on a vote of approval which it had demanded of the Chamber of Deputies on the same day. Being severely criticized in debate for sanguinary violence in enforcing the anti-Catholic laws (p. 764), the Premier retorted that the Ministry was in duty bound to enforce the law with prudence, tact and wisdom, in harmony with public tranquility, and yet without weakness, and demanded the adoption of a resolution approving those declarations. The resolution was defeated by a combination of Opposition influences—Clericals, Nationals and Socialists—and by a vote of 267 to 234. After deciding to suspend enforcement of the anti-Catholic laws pending the organization of a new ministry the Ministry immediately resigned.

Congress and railroad rates.

The debate in the United States Senate over the Hepburn bill for the regulation of railroad charges, begun on the 28th by Senator Foraker (Republican) in opposition (p. 803), has been continued, the principal debater being Senator Dolliver (Republican), who, in speaking for the bill, predicted that if Congress should not agree upon a bill regulating railroads the country would be called upon to face the problem of government ownership. As Raymond, the Washington correspondent of the Chicago Tribune, observes the drift of the debate.—

the railroads are fighting now for the protection of their watered stock and are not afraid of a law permitting the Interstate Commerce Commission to fix rates provided it bases its action upon capital stock and not upon the actual cost of transportation. . . . I have been assured on excellent authority that the whole purpose of the railroads is to get into the rate bill as it is finally passed a specific section not only authorizing but actually directing the Circuit Courts to see that the rate is "remunerative," on a basis either of the capital stock of a road as it now exists or as it may be increased in the future. There is a vast amount

of difference between a rate which is confiscatory on the actual value of a railroad and one which will pay dividends on watered stock. If the railroads were forced to depend upon their constitutional rights the only question to be presented to the courts would be whether the specified rate confiscated the property of the railroad.

La Follette's defeat in the Senate.

Senator La Follette (p. 803) was defeated in the Senate on the 2d in his effort to prohibit the union of railroad with coal and asphalt landed interests in that part of the Indian Territory belonging to the Five Civilized Tribes which is about to be subjected to private ownership. The spirit of his work is indicated by his speech on this subject upon the Senate floor in which he said:

I believe that it is of greater good to go down to defeat again and again rather than write improper laws upon the statute books.

Defeat of the Philippine tariff bill.

The bill for reducing tariffs between the United States and the Philippines, which passed the House on the 16th of February (p. 693), was killed in Senate committee on the 2d. The committee voted against reporting favorably, against reporting without recommendation, and against reporting adversely. This pigeon holes the bill.

The divorce-law congress.

An official report of the Congress on Unfair Divorce Laws (p. 803), rendered by the Illinois delegation to the Governor on the 3d, explains that—

a committee on resolutions will meet in Philadelphia within the month and draft statutes embodying the principles agreed upon at the eight sessions of the congress. Gov. Pennypacker of Pennsylvania, president of the congress, will then call another session, at which the drafts will be approved and recommended for adoption. The causes of divorce which the congress has decided should be embodied in a uniform code are: Adultery, desertion, felony, cruelty, physical incapacity, and habitual drunkenness. Though more than a dozen other offenses are recognized as grounds for divorce in different States, the congress did not approve them or consider it possible to secure their general adoption. As to national legislation, the following was the view expressed: "It is the sense of the congress that no Federal divorce law is feasible, and that all efforts to

secure the passage of a constitutional amendment—a necessary prerequisite—would be futile.”

Democratic politics in Nebraska.

Under the call of the State committee, a mass meeting of Nebraska Democrats was held at Lincoln on the 6th to confer upon the policy of the party. At the dollar dinner in the evening the principal speakers from other States were ex-Gov. Thomas of Colorado and Gen. Weaver of Iowa.

John W. Bengough in the United States.

Upon the occasion of his visit to Chicago on the 2d, John W. Bengough, the Canadian cartoonist, lecturer, poet and journalist (p. 611) who is well known to readers of The Public through his weekly cartoons, was tendered a complimentary banquet at the Auditorium by over a hundred of his Chicago admirers. Hamlin Garland, the novelist, was toastmaster. The first speech of welcome was by the celebrated American cartoonist, John T. McCutcheon, who noted as a fundamental agreement between himself and Mr. Bengough regarding successful cartooning that the underlying principle of the cartoon must be its truth. William D. Nesbit, the versatile poet of Chicago, welcomed the guest as a poet; Trumbull White, editor of The Red Book, welcomed him as a journalist, and Herbert D. Bigelow, of Cincinnati, welcomed him as a single taxer. Mr. Bengough responded uniquely and entertainingly in the mixed character of a serious after dinner speaker, a versatile impersonator, a poet, a recitator, a single tax expositor and a witty cartoonist making his pictures as he talked.

NEWS NOTES

—Lieut. Gen. Schofield, U. S. A., retired, died at St. Augustine, Fla., on the 4th at the age of 75.

—A bill for the creation of a railroad rate commission was passed by the lower house of the Ohio legislature on the 6th.

—Judge William Moore, the municipal ownership candidate for mayor of Seattle, was elected on the 7th by 15 plurality.

—At the municipal election at Cedar Rapids, Ia., on the 5th, Mayor Huston

(p. 806) was defeated for reelection by 1,900 adverse plurality.

—Joseph Medill Patterson, Commissioner of Public Works of Chicago (pp. 36, 38, 49, 537) resigned that office on the 2d, declaring himself a socialist.

—John R. Walsh, president of the defunct Chicago National Bank, (pp. 610, 615.), was arrested on the 2d charged with making false entries in the books of the bank.

—The debate began in the lower house of the Austrian parliament on the 7th in support of a general equal and direct suffrage bill for Austria, proposed by the premier.

—In the Supreme Court of Texas on the 26th it was decided that contracts between railroads and express companies are in violation of the anti-trust law, because they are a combination tending to restrict commerce, fix rates, etc.

—On the 3d Chairman Taggart, of the Democratic National committee, announced that by a vote of 33 to 6 Tom L. Johnson, of Cleveland, had been elected by the committee to fill the Ohio vacancy caused by the resignation of John R. McLean.

—Judge Blanchard, of the Supreme Court of New York, decided on the 3d that the right of labor unions to maintain peaceable picketing during a strike is a corollary of the statutory right to combine, since this necessarily involves the right to persuade non-members to join the combination.

—At Caldwell, Idaho, on the 6th, the grand jury indicted the labor leaders extradited from Colorado (p. 785)—Charles H. Moyer, William D. Haywood and George A. Pettibone—for the murder of ex-Gov. Steiensenberg by conspiracy with the confessed assaillant, Harry Orchard, who was indicted with them.

—The monthly statement of the United States treasury department (see p. 696) for January, 1906, shows the following for the seven months of the fiscal year ending June 30, 1906:

Gold reserve fund.....	\$150,000,000.00
Available cash.....	143,885,082.51
Total.....	\$293,885,082.51
On hand at close of last fiscal year, June 30, 1905.....	292,490,322.87
Increase.....	\$1,394,759.64

—A conference of various schools of social reformers was held last week at the home of J. G. Phelps Stokes, at Norton Point, Conn. Among the invited attendants were George Fred Williams, of Boston; William Kent, of Chicago; Victor Berger, of Milwaukee; Morris Hilquit, Leonard Abbott, Gaylord Wilshire, John Sprague, John Ford, Arthur Brisbane, Franklin H. Giddings, John DeWitt Warner and Ernest Crosby, of New York, and George Ricord, of Jersey City.

—The monthly treasury report of receipts and expenditures of the Federal government (see p. 696) for January, 1906, shows the following for the seven months of the fiscal year ending June 30, 1906:

Receipts:	
Tariff.....	\$176,758,793.03
Internal revenue.....	148,342,764.90
Miscellaneous.....	22,547,487.39
	<u>\$347,648,845.32</u>
Expenses:	
Civil and Misc.....	\$76,748,855.10
War.....	58,668,877.53
Navy.....	68,756,081.77
Indians.....	7,741,926.25
Pensions.....	\$3,329,124.22
Public works.....	38,667,978.69
Interest.....	17,109,127.06
	<u>351,021,570.72</u>
Deficit.....	\$2,372,725.40

—James S. Hogg, former governor of Texas, died at Houston on the 3d. While governor he made implacable war on lawless trusts, monopolies, railroads, banks and insurance companies. In his campaign for reelection he was slandered, and ridiculed in his own party; the press of the State was solid against him; every corporate institution in the State was back of the movement; every financial power in the United States joined in; Texas was overrun by agents of railroads, banks, trusts and mortgage companies; his name was used in ribald and impolite ways; his administration was called the "Hogg" blight; Texas never saw such a fierce campaign. But Gov. Hogg was reelected by 65,000 majority. When he left the governor's chair ten years ago he is said to have had just \$55.

PRESS OPINIONS

HOME RULE.
Omaha World-Herald (Dem.), Feb. 21.—It cannot be too often repeated that the seat of our liberties is not in the government we have at Washington, but in the government we have at home.

THE POSTAL CENSORSHIP.
The Peoria (Ill.) Star (Ind.).—It is evident to everyone that the post office authorities are exercising too much power in the issuing of fraud orders, depriving firms and persons of the use of the mails without giving any reason therefor, or any relief.

THE GEORGIA EQUAL RIGHTS CONVENTION.
Springfield Republican (Ind.), Mar. 1.—It is a moving appeal which is made in this address to the white population of Georgia, and we cannot suppose it will be without effect among the more enlightened of the "superior race." No attempt is made to deny the shortcomings of the Negro, but the question is fairly asked whether the colored race is likely to be improved or its presence made more tolerable by the educational, economic and political discriminations which are being practiced by Georgia whites against that race.

The Richmond (Va.) Planet (Negro), Mar. 3.—The leading colored men of Georgia, in their Equal Rights Convention held February 13 and 14, 1906, have certainly given President Roosevelt, his cabinet, the Supreme Court and the people of the United States something to think about. The com-

position of that body was such as to command attention and emphasize all that they were bold enough to say. . . . The address is unquestionably one of the most scathing denunciations of existing conditions that it has ever been our good fortune to read. The creditable part of it is in the citation of facts rather than the display of forensic oratory.

DEFEAT OF THE METZGER BILL IN OHIO.

Cleveland Recorder (Dem.), Mar. 2.—It has been so often asserted that it has become a truism that when plutocracy or special privilege really wants something from the Ohio legislature or desires to protect some hoary outrage on the people enough crooked Democrats can always be had to join the Republicans to carry the point. The vote on the Metzger bill on Wednesday evening is no exception to the rule which has prevailed so long in such matters. Eight black sheep Democrats were on hand to vote for the street railroad monopoly against this best bill and most important bill of the session, and eight other Democrats dodged the question entirely.

Johnstown (Pa.) Democrat (Dem.), Mar. 2.—The Republican House of Ohio has defeated the Metzger bill advocated by Mayor Tom L. Johnson conferring on the people of cities the right to vote franchises for street railways without the consent of property owners on the streets covered by proposed grants. Thus it is seen that the President's party remains loyal to the interests of the traction monopoly.

IN CONGRESS

This report is an abstract of the Congressional Record, the official report of Congressional proceedings. It includes all matters of general interest, and closes with the last issue of the Record at hand upon going to press. Page references are to the pages of Vol. 40 of that publication.

Washington, Feb. 26 - Mar. 3.

Senate.

Senator Tillman, from the committee on interstate commerce, reported back favorably the bill on railroad rates as it had passed the House (p. 3025), after which the bill to provide for the final disposition of the affairs of the Five Civilized Tribes of Indians in the Indian Territory was considered (p. 3025). This was followed by acceptance of the House amendments to Senate resolution for investigating railroad discriminations and monopolies (p. 3037) and further consideration of the Statehood bill (p. 3037). On the 27th both the Statehood bill (p. 3130) and the Five Tribes bill (p. 3145) were considered; and on the 28th Senator Foraker spoke in opposition to the railroad rate bill (p. 3169); and the Aldrich resolution for extending the tribal relations of the Five Civilized Tribes was amended and passed (pp. 3187-3191). The bill for the final disposition of the affairs of the Five Civilized Tribes was considered on the 1st (p. 3263). It was under further consideration on the 2nd when the Senate adjourned to the 5th.

House.

The Lake Erie & Ohio River Ship Canal company bill was considered on the 26th (p. 3070) and passed on the 27th (pp. 3098-3099). Following its passage, the army appropriations bill was considered (p. 3100). This bill was further considered on the 28th (p. 3228), and on the 1st it was passed (pp. 3284-3302). Before the passage of the army appropriations bill the Senate resolution extending tribal relations of the Five Civilized Tribes of the Indian Territory was adopted (pp. 3279-2280). Only private measures were considered on the 2nd, and adjournment was taken to the 5th.

Record Notes.—Senator La Follette's amendment to the Five Civilized Tribes bill to prevent acquisition of coal or asphalt lands by railroads (p. 3151). Text of

Senator McCumber's resolution as to railroad rates (p. 3031). Senator Clay's proposed amendments to railroad rate bill (p. 312). Speech of Senator Hopkins on Statehood bill (p. 3131). Speech of Senator Doliver in the Senate on railroad rate regulation (p. 3313); by Senator La Follette on the Five Civilized Tribes question (p. 3327); and by Senator Foraker on the railroad rate bill (p. 3169).

RELATED THINGS

CONTRIBUTIONS AND REPRINT

PROPHECY.

For The Public.

When, formed by groping mind and tedious hand,

The airy palaces of man shall stand,
Substantialized, accomplished; when shall be

The builded vision of humanity,
The city of the centuries—then know
Some prophet heart divined it long ago;
Some poet glimpsed it where the spirit gleamed:

It is the city that the dead have dreamed.
LEONORA PEASE.

ONE TOUCH OF HUMAN NATURE.

The following press dispatch is a simple, beautiful tribute to a man and woman who have gained vast wealth but have not lost their own souls:

Cleveland, O., Feb. 16.—The body of James, the 12-year-old son of James and Marian Tyler, negro servants employed by Mayor Tom L. Johnson, lies surrounded by palms and flowers in the music room of the Mayor's magnificent Euclid avenue house. The child died yesterday and funeral services were held in the Johnson mansion this afternoon. The Tylers lived in a house in the rear of the Mayor's home. When the child became seriously ill Mrs. Johnson brought him to her house, where she gave him her personal attention. All of the ministrations which a woman can give a patient, all the cravings which a child can have or money can satisfy, were his. The whole family attended the funeral services.

—San Francisco Star.

THE RELATION OF GAMBLING TO THEFT.

For The Public.

In a former article in *The Public* (vol. vii., p. 292) the writer classified gambling broadly as thieving. It is objected that the gambler should not be called a thief, because he does not take his plunder without the consent of his victim, who has an equal chance to get away with the plunder. Technically and formally, the element of a qualified consent does distinguish gambling from ordinary stealing. The classification which places the two together is a broad classification which takes into account the inherent essence of the thing rather than its form.

Gambling bears the same relation to theft that dueling bears to murder.

The element of consent is the same, to "do" or be "done." Some of the most wicked murders of history have been, in form, duels; and some of the worst thefts and robberies have been, in form, gambling. There are grades of dishonesty in gambling and theft, just as there are grades of wickedness in dueling and murder; but the essential and common element in murder and dueling is the wanton taking of human life, and the essential and common element in theft and gambling is the willful conversion of another's property.

The only ethical basis of property is productive labor, free exchange or voluntary gift. The gambler's title does not rest on any of these; it is a dishonest and dishonorable title. The fact that the gambler may play his game "on the square," does not make his title honest, any more than a strict observance of "the code" will justify the duelist in taking human life.

JESSE F. ORTON.

Grand Rapids, Mich., Jan. 10, 1906.

THE NEW FRIENDSHIP.

An editorial in the *Manchester Guardian* in reply to a correspondent who asked why there is no real friendship nowadays.

Between men and men certainly there is less than there used to be of the friendship that halves all sorrows and doubles all joys. Perhaps the age of the great friendships is over; the conditions of modern life are against it. For the formation of the perfect friendship there must have been common suffering. It will only thrive in an atmosphere of endurance and stress; no mere devotion to a cause will produce it; the cause must be, at the least, unpopular, if not dangerous, to favor its growth.

Another cause, and one mentioned by Bacon, is the growth of towns—"because in a great town friends are scattered, so that there is not that fellowship, for the most part, which is in less neighborhoods." Perhaps a truer way of stating the point would be to say that, though friends may get solitude in towns, they cannot get that isolation out of which the great friendships spring.

Yet another reason is the difficulty of shaking ourselves clear of the elaborate mechanism of modern life. The time-saving devices in which we unlucky moderns are entangled are for most people the great wasters of time. We are too busy to get anything done; the mere machinery of life keeps us attending to so many things

that we have no time for "the hours of chat and walks and drives together" of which our correspondent writes, or for most of the other things that would do us good.

But is not the growth of the new friendship the greatest cause of the decay of the old? The old friendship was asexual, because one sex had the monopoly of the interests that make friendship. The new friendship between the sexes has very largely taken its place. It used to be a rare thing for a man to make a friend of his wife or a wife of her husband; it is now a common thing. The equalization of the sexes has done that; for, as Aristotle understood and Bacon, by the by, forgot, there can be no true friendship except between equals.

THE SACREDNESS OF PUBLIC PROPERTY.

In his Mark Fagin article, Mr. Lincoln Steffens sent his lance to the core of our social sore. He said: "All men know that private property is sacred. For centuries that sense has been borne in upon us till even thieves know it is wrong to steal private property. But highly civilized men lack all sense of the sacredness of public property; from timber lands to city streets, that is private graft."

Those councilmen who were prosecuted by Gov. Folk—what had they done? They had stolen. But what had they stolen? They had not stolen private property. They had assisted certain individuals to steal public property.

A promoter went to St. Louis and induced the council to give him a street railway franchise. The inducement consisted of a bribe of \$250,000, distributed among the members of the council. He did not lay a rail. He did not string a wire. He did not operate a car. He went straightway to Wall street and sold the franchise for \$1,250,000.

Now what did Wall street buy? It bought certain legal privileges in the streets of St. Louis. These privileges were worth a million and a quarter—probably much more. They belonged to the city of St. Louis. They were public property. The promoter and the councilmen found this public property in the streets of the city, took it, and sold it, and put the money in their own pockets.

If a bank robbery had been committed in the city and a million and a quarter of the bank's funds taken, so that the bank had been ruined and

many people had lost their savings—that would have been the talk of the nation, and those thieves would have been hunted down and sent to the penitentiary if possible. But when a million and a quarter is stolen from no one in particular, but from everyone in general, few take enough interest to go to the city hall to see the thing done, and those who get the plunder usually remain as before, the most respected citizens of the town.

Our richest citizens not infrequently are our most successful beggars if not our most artistic thieves.

HERBERT S. BIGELOW,
Pastor Vine Street Congregational
church, Cincinnati, O.

PUERTO RICAN IDEALS.

A new monthly magazine called "The Star of Borinquen" is issued in the interest of Puerto Ricans, and bears the native flag of independent Puerto Rico on its title page, though the place of publication is Puerto Plata, Santo Domingo. The declaration of principles of this outspoken publication may interest those who suppose that in Puerto Rico at least the new American colonial system is flourishing.

It is a matter of common assertion and generally recognized that Puerto Rico can only attain the position which is due to her civilization and to her manifold resources by the active and harmonious efforts of her inhabitants, maintaining in the eyes of the world her reputation as a nation to which free institutions are dear.

In these pages the idea of such co-operation and union takes tangible form. It will be realized whether we succeed here or no because this idea, even though it were to remain latent, will be inherent in the soul of our nation, an un fading aspiration which can never be destroyed, having its root in race feeling.

This feeling is so powerful that although in the seven years of American administration it has been steadily discouraged by subtle influences and ingeniously devised plans, it is still as strong as ever in the hearts of the people. We are so absolutely possessed by it that it was not extinguished even during the sad epoch of our national life when unbridled passions struggled in the arena of party strife.

Fortunately we have discovered that we were on the wrong path and that envy and hatred of each other did not help solve the problem that confronts us and that it is idle to direct weapons against our brethren which, in wounding them, wound ourselves.

But it is nevertheless not surprising

after all to note that, the passionate strife, the unparalleled madness which possessed all minds, the chaotic condition into which political passion has carried us, the train of endless influences which swept over the country having entirely passed away, we now enter resolutely and urgently upon a course diametrically opposed to the former one, and that now brother recognizes brother and drops the fratricidal weapon. This sudden phenomenon, this harmony and union, did not result from calculation, from design, from any premeditated agreement by the leaders that formerly urged the masses blindly onward to strife for which there was no cause. If such were the case it could not be permanent.

Something deeper has called forth this generous zeal, this saving idea, and this "something" was the race feeling which was latent and has now blossomed forth, calling into life all the energies of which it is capable, to resist the encroaching influences of Americanization which, like the irresistible overflow of a river in flood, was invading the land without meeting the resistance of dam or embankment. Far be it from us to claim for ourselves a leadership which would be unfitting from every point of view, but we are inflexibly resolved to show no favor to the false claims of any advantage to accrue from the absorption of the soul of Puerto Rico by the gigantic nation that is now governing us.

Such an absorption cannot be brought about. It has not been satisfactorily attained in those States of the Union which were settled by the Spanish or French races, in spite of the fact that continuity of territory has served as a tremendously powerful means of harmonizing racial relations. It is still more certain to fall in an island which has no more affinity to the North American continent than the circumstance that it also is inhabited by human beings! Though some persons overpowered and blinded by the Yankee power are intent to hope that Puerto Rico may form a part of the Union the only union or confederation to which we could consent would be the independent confederation of the Antilles, however remote its realization may be. Whether it were to be under an American protectorate matters little. However brought about, its promoters will render a tremendous service to civilization. It would mean undying glory for the United States to

bring about the fulfillment of such a generous and humanitarian idea. How easily it could be realized if the United States would reef the unfurled sails of imperialism and return to the pure democracy of a Washington.

Since the idea presented here is, however, only a problem to be solved in the future, we shall concentrate all our efforts unceasingly to remain faithful to the native country, earnestly aspiring and striving to make it free and prosperous. We believe that such an attitude is the proper one and that it is the one most likely to conduct us to the desired end, for, as a famous French thinker has said: "The essential merit of an object, of being, a phenomenon, consists in remaining always self-contained and true to itself."

THE DEMOCRACY OF SALVATION.

An extract from a sermon delivered by Rev. W. J. Leach, pastor of the Methodist Episcopal church at Dunlap, Illinois, Feb. 18, 1906, on the text Luke xix:1-10.

There is a deal of food for thought in the skeleton of a story here in the Gospel of Luke.

Jesus is entering Jericho, and a crowd has met him. That company is made up of various types, and from it each man, according to his prejudice, will pick out the people who will most readily fit into a movement for the new order. There is the Pharisee who declares that the new kingdom can come only through the trained representatives of the church. To his mind none but these careful students of the law can be depended on for anything valuable in the way of moral or social advance. Over against this man and his notion stands another, skeptical of the church and her trained leaders because he has watched the decline of public morals under this very leadership. It may be possible that this one thinks of himself as a radical, at least he is certain that the only hope of the future is the working class, the poor. He has argument, too, for is not this very Jesus who is now the leader of the new movement, a carpenter? And are not the men whom he has called to be with him, poor fellows from the laboring class? But here speculation must cease. Jesus has been drawing nearer to the crowd, and now he stands among them. His attention is attracted to one who has let his eagerness to see overcome his conventionality. To the dismay of all, this leader whose coming had called out a great crowd of eager people, speaks first to the rich and hated tax farmer, and worse than that, he bids him come down from his little improvised observatory in order that they two may go

together to the rich man's house. As they walk down the narrow street arm in arm they are followed not by the crowd that had waited so eagerly for the coming of the young Rabbi, but by their taunts and looks of disapproval, for have they not all been bitterly disappointed? Is this indeed the deliverer of the people, and does he turn from the teacher of the law and the representative of the organized religion of his day? Is this he who is to lead Israel out of bondage and does he turn from the patriot and the reformer to company with one who has sold his birth-right, an apostate, a traitor?

O men of Jericho, stand and listen! This is no conventional reformer who has just gone with Zacchaeus the publican. His business is not to gain votes but to gain men. He has no small thought, no immediate end to be served. He hates not the church, but he loves her and would work through her if only she will become the servant of Truth. He does not despise the patriot, he loves him also and would have him reach out with that patriotism to the farthest man and break the chains from the last slave. He has not chosen Zacchaeus because he is rich, nor because he is easy, but because he is sincere. Here is the great leader—true to the church himself, he hates the hollowness of her service and cannot call any man because of his official position. A true patriot, he stands against selfishness which would call itself patriotism and cannot call any man to his service who looks for nothing beyond the delivering of his own tribe from a foreigner. So careful is he that the kingdom he shall establish shall be an enduring kingdom that he will build it nowhere save in the hearts of men. It must be identified with no party, sect or cult. No right or ceremony can make any man a part of it. He has come to offer men deliverance from all slavery by making slavery impossible. Any man is fit for the kingdom who is willing that his life shall be guided by the truth. In this Zacchaeus he has found his man—an outcast from the temple worship, to be sure; hated of his more respectable countrymen; in very truth, a low man, sunk by greed and selfishness, yet open to the truth, and this is the one thing the teacher must find. What matters it how respectable a man or how capable, if his ears be not open? This man is the one vulnerable point in this city, and the true teacher cannot turn away from such an opportunity to conform to conventional notions. It is his business to plant the truth, and here is the open seed bed. As this teacher walks away with a corrupt

tax gatherer he has but given unmistakable proof of his right to claim the place of supreme teacher.

As they walk and talk, the truth breaks in upon the mind of the corrupt official. He sees where he has hindered the coming of the kingdom. Two ways now stand open to him—he may ally himself with this new teacher and his truth, or he may go on in the old and profitable way. There are arguments plenty that he may bring up against the new order; there are also many who will stand with him in his opposition. But he has seen a truth. To break with the past means to lose the only friend he has left, the Roman governor, with no hope of reentering the place he once forsook among his own countrymen. To turn against the system means to give up not only the hope of further unearned revenue but the parting with much that he now enjoys. It is the parting of the ways, it is the test of the man in him. Weaker men had faced the same crisis and had miserably failed. Others who think more highly of themselves are yet to face it and go down; but the spirit in the great teacher has led him aright, this publican beside him is fit for the kingdom. Zacchaeus has turned away from the old and has embraced the new. Privilege, even though it be sanctioned by government and entrenched in ancient custom and have the blessing of the church, is wrong, and the man who sees the evil of it will stand against it even to his own hurt. Now what matters it whether this man belong to this communion or that, whether he be orthodox or no, whether the party in power recognize him by elevating him to an office of trust, whether the hand of the church has ever been laid upon him in baptism? He also is a son of Abraham. He has proven his title to sonship in this body of the faithful. A wanderer he has been, but now he has come to his own. "This day is salvation come to this house." A man's salvation is a matter of his acceptance.

OF ONE BLOOD.

God that made the world . . . hath made of one blood all nations of men for to dwell on all the face of the earth; and hath determined the times before appointed, and the bounds of their habitation.—Acts 17:24-26.

Have we not all one Father? Hath not one God created us?—Mal. 2:10.

For the Lord your God is God of gods, . . . which regardeth not

persons, nor taketh reward; he doth execute the judgment of the fatherless and widow, and loveth the stranger, in giving him food and raiment. Love ye therefore the stranger.—Deut. 10:17-19.

As ye are, so shall the stranger be before the Lord. One law and one manner shall be for you, and for the stranger that sojourneth with you.—Num. 15:15, 16.

THE GEORGIA EQUAL RIGHTS CONVENTION.

Two hundred colored delegates from all parts of Georgia met at Macon, February 13-14, 1906, at the call of the veteran editor of the Georgia Baptist, W. J. White. There were present Bishop H. M. Turner, of A. M. E. church; Bishop R. G. Williams, of the C. M. E. church; the Hon. Judson Lyons, ex-register of the treasury; Prof. John Hope, of Atlanta Baptist college; Prof. W. E. B. DuBois and Prof. George A. Towns, of Atlanta university; J. Max Barber, of the Voice of the Negro, and many others.

The meeting was harmonious and enthusiastic, and a permanent organization was formed. At the last mass meeting with 500 persons present, the following address was adopted:

ADDRESS OF THE FIRST ANNUAL MEETING OF THE GEORGIA EQUAL RIGHTS ASSOCIATION.

We colored men of Georgia, representing every district in the State and speaking for more than 1,000,000 human souls, send this statement and plea to the world.

Two races came to Georgia in the early eighteenth century and lived as master and slave. In that long, hard apprenticeship we learned to work, to speak the tongue of the land, and better to know God. We learned this, but we learned it at the cost of self-respect, self-reliance, knowledge and the honor of our women.

This training left us above all ignorant. We are still ignorant, partly by our own fault in not striving more doggedly after knowledge, but chiefly because of the wretched educational opportunities given us in this State. The white and black school populations are nearly equal, and yet out of every dollar of the State school money 80 cents go to the white child and 20 cents to the Negro child; each white child receives \$5.92 a year, while the Negro child receives \$2.27; white teachers receive over a million dollars a year and Negro teachers less than three hundred thousand. Less than half our children have school facilities furnished them, and not a cent is given by the State to the higher training of Negro teachers and professional men.

Of more than a million dollars given by the United States government for agricultural training, we who are pre-eminently the farmers of the State have received only \$264,000, and the fund is at present being divided at the rate of \$34,000 to the whites and \$8,000 to the Negroes.

We are a poor people. Poor in wealth and habit. We are not as efficient laborers as we might be. Yet the accumulated wealth of this great State has been built upon our bowed backs, and its present prosperity depends largely upon us. No portion of the community is giving more of its labor and money to support the public burdens than we; and yet we are not receiving just wages for our toil; we are too often cheated out of our scanty earnings; while the laws that govern our economic life and the rules of their administration are cunning with injustice toward us. Especially true is this in the freedom of labor contracts; so much so that farm labor is almost reduced to slavery in many parts of the State. The ignorant laborer is held in a network of debt and petty crime, compelled to work like a slave, unable to leave his master or to demand decent wages. Vagrancy laws are notoriously oppressive and unfair; laborers are held to unjust contracts, and no wonder that farm laborers are going to the North and West, especially to cities where schools and police protection can be found.

Even in cities and in the more enlightened parts of the State the effort is continually making to force down the wages of black laborers, bar them out of all but a few trades, and to give to no black man, however competent or deserving, any work or wages that the meanest white man may demand.

This treatment has not made us as quick, intelligent and eager as we might be if we received the same encouragement and wages as are being offered foreign immigrants, and if we did not bend under deadening caste restrictions. In this respect Georgia is getting to be one of the worst States in the Union. Unless this commonwealth can learn that laborers do not exist for the sole benefit of the employer, we must certainly advise our people to seek work in other States.

Notwithstanding this treatment we have saved something from our poverty and to-day pay taxes on more than \$18,000,000 worth of property. Is it fair that the possessors of this property should have no voice in its government and taxation? Taxation without representation is tyranny.

We do not deny that some of us are not yet fit for the ballot; but we do affirm that the majority of us are fit—fit by our growing intelligence, our ownership of property and our conservative, law-abiding tendencies; and in any case certainly disfranchisement and oppression will not increase our fitness, nor will they settle the race problem. The right to vote is in itself an education and if Georgia had taken as much time and trouble to fit us for political responsibility as she has in denying us our rights, she would have a safer and saner electorate than that which is to-day swaying her by appeals to her worst passions. Voteless workingmen are slaves; without the defense of the ballot we stand naked to the power of our enemies, the helpless victims of jealousy and hate, subjected to, and humiliated by, an unreasoning caste spirit, which grows by what it feeds upon. If we are good enough to be represented by five Georgia congressmen in the councils of the nation, we are surely good enough to choose those representatives; if we are not good enough to be represented, at least, as human beings, we are too good to be misrepresented by our enemies. We ask of this nation, therefore, the enforcement of the fourteenth and fifteenth amendments.

We do not desire association with anyone who does not wish our company, but we do expect, in a Christian civilized land, to live under a system of law and order, to be secure in life and limb and property, to travel in comfort and decency, and to receive a just equivalent for our money; and yet we are the victims of the most unreasoning sorts of caste legislation: we pay first-class railway fares for second-class accommodations; we are denied access to first-class cars and to sleeping cars; we are segregated, mistreated and harassed on street cars; and in all cases not only is a separation contrary to common sense enforced, but the law is interpreted and administered so as to let white men go where they please and do as they please, and so as to restrict colored people to the most uncomfortable places.

We ask for an abolition of Jim-Crow cars on railroads and the substitution of first and second class cars, which would separate men according to condition and not according to color.

The menace of the drunken unreasoning mob hangs ever above us. Since 1886, 260 Georgia Negroes have been

lynched and burned without the semblance of a legal trial, not to mention hundreds of unaccused persons who have been murdered.

We ask the right to enter the militia of Georgia. We have fought for this country in four wars and if we are good enough to fight we are good enough to be trained for fighting.

We ask, further, representation on the juries of the State. Trial by one's peers is one of the fundamental rights of common law, and this is systematically denied in Georgia.

Far be it from us to claim any great and especial righteousness of our own. We are a sinful people who have not lived up to the fullness of our narrow opportunity. The sense of our shortcomings is heavy upon us, and there are those among us whose wicked ways shame us bitterly. We are not, however, as bad as the willfully distorted and criminally unfair press reports picture us; on the contrary we can take honest comfort in the fact that we are growing daily in honesty, sobriety, industry and chastity; and God alone knows how much faster we might grow were it not for the open traffic in Negro crime which flourishes in this State, and were it not for the defenseless condition of our daughters. As long as public and private wealth in Georgia fattens on the sale of black criminals, so long will crime be encouraged and the outcry against it will ring with hypocrisy.

Colored men are punished in this State without intelligent discrimination; old and young, thug and mischief-maker, and often men and women, are herded together after unfair trials before juries who would rather convict ten innocent Negroes than let one guilty one escape. The sentences inflicted are cruel and excessive; 25 per cent. of the convicts are condemned for life and 60 per cent. for ten years or more. White men often escape conviction or are promptly pardoned. These slaves of the State are then sold body and soul to private capitalists for the sake of gain, without the shadow of an attempt at reformation, and are thrown into relentless competition with free Negro laborers.

The fortune of many a prominent white Georgia family is red with the blood and sweat of black men justly and unjustly held to labor in Georgia prison camps; the State to-day is receiving \$225,000 a year of this blood money and boasting of her ability to make crime pay.

As long as any white man is openly taught disrespect for black manhood so long will his degradation be the damnation of some black man's daughter. Let us black men then look to the care and protection of our wives and daughters. Let us, as far as possible, keep them at home and support them there, and defend their honor with our lives.

To stand up thus in our own defense, we must earn a decent living. We must work hard. We must buy land and homes. We must encourage Negro business men. And at the same time we must agitate, complain, protest and keep protesting against the invasion of our manhood rights; we must besiege the legislature, carry our cases to the courts, and above all organize these million brothers of ours into one great fist which shall never cease to pound at the gates of opportunity until they fly open.

Brethren of the white race, living together as we do, let us be friends and not enemies. Let us not stir up the darker, fiercer passions. Let us strive together, not as master and slave, but as man and man, equal in the sight of God and in the eye of the law, eager to make this historic State a land of peace, a place of plenty and an abode of Jesus Christ.

Approved February 14, 1906, by 200 delegates representing the 11 congressional districts of the State of Georgia.

One day a little boy came to school with very dirty hands and the teacher said to him:

"Jamie, I wish you would not come to school with your hands soiled that way. What would you say if I came to school with soiled hands?"

"I wouldn't say anything," was the prompt reply, "I'd be too polite."—N. Y. World.

BOOKS

THE STATE.

Elements of Historical and Practical Politics. By Woodrow Wilson, Ph. D., LL. D., Professor of Jurisprudence and Politics in Princeton University. Revised edition. Boston: D. C. Heath & Co. Price \$2.00.

A revised edition of Woodrow Wilson's text book on "The State" affords an opportunity for calling attention to the principal merits and defects of this work by the distinguished president of Princeton University. It possesses both in a marked degree. While it has very little value as a critical or philosophical work on government, it is extremely serviceable as a concise history of the actual evolution of governments.

What we regard as the critical or philosophical defects of the book are not attributable to anything that we conceive to be a mistake as to the nature of government. They are attributable to an indifferent and inconsistent development of the true idea.

Dr. Wilson accepts and ably confirms the natural-law theory of government. Regarding human society as in no sense artificial, but as being "as truly natural and organic as the individual man himself," he describes government as the agency "through which it will become operative, through which it adapts itself to its environment and works out for itself a more effective life." This primary concept would seem to imply beyond peradventure, that the functions of government are within the operation of laws of nature, and that if governments are truly to serve the social organism by enabling it to adapt itself to its environment, those laws must be discovered and governments be brought into tune with them. But Dr. Wilson gives no indication of thinking so. Though he regards government as an expression of natural law, he is as empirical as a Chinese physician when he comes to define its functions. This discord of rational primary principles and empirical policies, runs through the philosophical parts of the book and accounts for nearly all the defects for which it may be criticized.

Among the collateral subjects for adverse criticism are the author's objections to the initiative and referendum, which are either incautiously conceived or poorly made, and his criticism of socialism, for which he does not appear to be quite qualified. It should be said, however, that while Dr. Wilson evidently does not grasp the philosophy of socialism, and therefore makes a tame criticism when he might have made a conclusive one, his brief demurrer to the socialistic indictment of competition is directly to the point; that is, that "it is not competition that kills," but "the pretence and form" of competition "where the substance and reality of it cannot exist."

Its historical side, by far the larger part, should make this book a welcome addition to the working library of every thoughtful participant in or student of public affairs.

Dr. Wilson adopts the patriarchal theory of the origin of government, which, of course, has no more substantial foundation than any other plausible guess at prehistoric conditions; but when he comes into the historic period of Greece and Rome, the value of his work is as manifest as its execution is agreeable to the reader. As a piece of condensed historical writing it rivals the marvelously interesting school books of William Swinton, though it is intended for deeper study and appeals



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Simply as a political handbook, therefore, Dr. Wilson's work is most helpful. To appreciate the current dispatches in the newspapers, one must understand the features of the governments of the leading nations of the world, and from this book that information may be readily obtained, along with a scholarly but compact history of the evolution of each government to its present form and features.

WHO'S WHO IN AMERICA.

Who's Who in America. A Biographical Dictionary of Notable Living Men and Women of the United States. 1906-1907. Edited by John W. Leonard. Published by A. N. Marquis & Company, Chicago, and Kegan Paul, Trench, Trubner & Co., Ltd, London. Price, \$3.50.

The fourth biennial volume of this most useful and excellently compiled and edited book has just come out. As appears from the preface, 1,013 names included in previous volumes

have been excluded from the present, and of that number the cause of exclusion in 752 instances has been death. Yet there are sketches in this volume of 16,216 American men and women.

In addition to the sketches a valuable novelty has been introduced in page references to previous volumes for information regarding persons whose names have since been excluded.

The merits of this publication are not overstated by the editor when he says that "The library which has a file of the successive volumes of Who's Who in America from its first volume until the latest, will be a veritable treasure house to future historians delving for Twentieth Century facts." But its usefulness is by no means for the future historian alone. Whoever has to do with current affairs and consequently with the names of active persons, will find the publication invaluable. In editorial work we have frequently had occasion to refer to its pages, and have seldom or never failed to get from them the personal information we sought if the person in question could with reasonable fairness be regarded as entitled to a place in such a volume. Mr. Leonard has not only done his work with great skill but he has made it amazingly inclusive for so small a volume.

BOOKS RECEIVED.

—Immigration and Its Effects Upon the United States. By Prescott F. Hall, A. B..

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L. B. Published by Henry Holt & Co., New York. To be reviewed.

—American Railroad Rates. By Walter Chadwick Noyes, a judge of the Court of Common Pleas in Connecticut; president of New London Northern Railroad Com-

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March 11. Here's Hoping; the Optimism of Experience. By Mr. Wm Kent, of the Municipal Voters' League.

March 18. Consistency in Education. Mrs. Ella F. Young, Principal of Chicago Normal School.

pany; author of "The Law of Inter-
corporate Relations." Published by Little,
Brown & Company, Boston. To be re-
viewed.

—A Premature Socialist. Ouida's Wit-
tiest Story Built into a Comedy. By Mary
Ives Todd. Illustrated by George Hen-
derson. Published by Broadway Publish-
ing Co., New York. To be reviewed.

—Sonnets and Lyrics. By Katrina
Trask, author of Under King Constantine,
John Leighton, Jr., Lessons in Love, etc.
Published by Richard G. Badger (The Gor-
ham Press), Boston. To be reviewed.

—The Universal Kinship. By J. Howard
Moore. Instructor in Zoology, Crane Man-
ual Training High School, Chicago. Pub-
lished by Charles H. Kerr & Company, Chi-
cago. To be reviewed.

—Principles of Scientific Socialism. By
Rev. Charles H. Vall, author of Modern
Socialism, National Ownership of Rail-
ways, etc. Published by Charles H. Kerr
& Co., Chicago. To be reviewed.

—The Bitter Cry of the Children. By John
Spargo, with an introduction by Robert
Hunter, author of Poverty. Published by
the Macmillans, London and New York.
For sale by The Public Publishing com-
pany, Chicago. Price \$1.50 net. To be re-
viewed.

PAMPHLETS

The St. Anthony Truta Guild, pub-
lisher of a "Catholic Penny Booklet
Series" (413 West Twelfth street, Chi-
cago), does not contribute especially
to good morals in its promotion of the
circulation of the "Fallacies of Henry
George," by the Rev. E. A. Higgins,
S. J., who traces the true source of
property to "man's right to life and
therefore to the necessaries of life."
If this were the moral justification of
property, it would be difficult to fasten
immorality upon theft. The general
principle of ownership would be at the
mercy of special pleas of necessity. A
principle of property rights so loose
in its morals is not likely to hold its
own against Henry George's principle
that production is the basis of title.
Yet the Rev. E. A. Higgins, S. J., pro-
fessedly a moralist, calls that principle
a fallacy!

In "Lest We Forget," Mr. Alfred
Marks has reminded those of us who are
of the British Empire (and the les-
son is as important and humiliating
to those of us who are of the American
republic), of the sanguinary character
of the organized churches during the
war in South Africa. He makes the
reminder in a two-penny pamphlet
(1 and 2 Took's Court, E. C., London)
in which he reproduces with time,
name, place and circumstance, plus
his own comment, the warlike preach-
ments of that disgraceful episode in
British history.

The Public Publishing company
(Chicago) has begun the publication
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Land Monopoly. The pamphlet is convenient in form for carrying in the pocket, is covered with paper of a delicate red, and includes a half-tone reproduction of a unique portrait of Tolstoy, understood never to have been published in this country heretofore, which is described by Miss Jane Addams, of Hull House, as exceptionally faithful.

Gerrit Smith was known to his generation, and his fame has survived, as one of the great adversaries of American slavery. That he was a forerunner of Henry George in teaching the doctrine of equality of rights to the earth is hardly known at all. Yet he was probably one of the greatest of Americans to pave the way for George. The resolutions he offered on the subject in Congress, and the speech with which he supported them on the floor, have been neatly reproduced along with an eloquent introduction by William Lloyd Garrison, as No. 2 of the "Prophet Series" of The Public Publishing company, Chicago. The shape of this pamphlet, like all of the series, is long and narrow. Two portraits are included and the pamphlet is covered with paper of a rich green.

Under the title of "Administration Process of the Postal Department," the Free Speech League (120 Lexington avenue, New York) has published an open letter to the President from Thaddeus B. Wakeman. It is a timely and strong protest against the censorship of the mails, which has grown into a menacing evil.

Dr. George Homan's paper on "Man in His Economic Relation to the Earth," prepared for the St. Louis Medical society, has been reprinted from the Journal of the Missouri State Medical association. It is a scholarly diagnosis of economic disease by a thoughtful physician, who sees the importance to medical as well as social science of the fact that man is a land animal.

PERIODICALS

Attempts to reduce sociological phenomena to statistics are not very different from attempts to classify religious variations in the same manner. In each case the most misleading facts—such as church membership in the one case and to some extent hired men's wages in the other—yield to the process; and the really important facts are beyond its reach. However, persons interested in statistical speculations will find nourishment in the quarterly publications of the American Statistical Association (491 Boylston street, Boston). The December issue deals with the two methods of presenting wages statistics, classified tables and index numbers; and also with poverty's death rate and with measuring the concentration of wealth.

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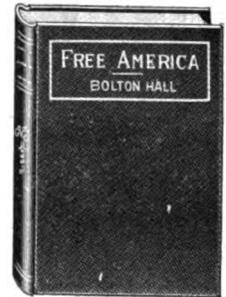
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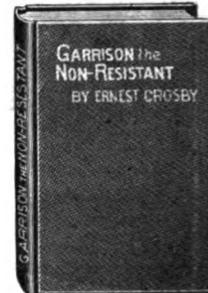
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