

The Public

A National Journal of Fundamental Democracy &
A Weekly Narrative of History in the Making

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EDITORIAL

The McNamara Case.

Those guilty pleas in the Labor case at Los Angeles are not without mystery, but mystery is the least important of all their amazing elements.

For ourselves we are willing most humbly to admit our error, as one among scores upon scores of thousands who did not believe the McNamaras guilty. We have nothing to retract regarding the lawlessness of their deportation. The importance to all citizens of *due* administration of the criminal law is not dependent upon the guilt or innocence of persons charged with crime. But in addition to insisting upon due legal process for them, regardless of their guilt, we believed firmly also in their innocence.

Conclusive evidence of this, as it seemed to us, was furnished by experts in the study and use of dynamite—experts who had no interest whatever in the defendants or their case. We were thus assured that dynamite explosions do not ignite inflammable materials, and that there is no probability whatever that they would ignite gas. Inasmuch, then, as the Los Angeles Times building was in a blaze at once when the explosion occurred, the dynamite theory seemed to run counter to scientific knowledge.

And now, though we do not dispute the guilt of

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the McNamaras in the face of their plea of guilty, we are neither quite ready to disregard the technical assurances we have had, nor are we reconciled to the notion that a plea of guilty, upon a bargain the most extraordinary in appearance and curious in circumstances ever made in a capital case, can alter a natural law of physics. It is not easy, either, to throw off the influence of the fact that human lives were at stake in the negotiations, and that enormous pecuniary interests were involved in the then pending election wherein the criminal prosecution in question was an enormous factor. Powerful influences these. Yet the doubts so generated seem to run into blind alleys. It is unthinkable that any possible inference toward which they point can be true. Unless something leaks out which is now concealed, it must be conceded that the McNamaras were criminal dynamiters, and that they—aided by other criminals—carried on systematic and deadly warfare with dynamite in what they for the present may be credited with regarding as an irrepressible conflict between "Labor" and "Capital."

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If that is true, the opportunity for "Capital" to stamp out non-criminal but more effective Labor opposition has been enormously multiplied; for after this shocking experience the difficulties of awakening sympathy and raising defense funds for victims of "capitalistic" frame-ups will be almost insurmountable. Even if Samuel Gompers, for example, veteran leader of peaceable methods in the industrial conflict though he be, were indicted for a class-war murder—no matter how innocent he were—might not the McNamara episode result in a conviction in advance and in "railroading" him to the gallows without money enough for a fair defense?

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We are hoping, however, hoping earnestly and not wholly without confidence, that Lincoln Steffens's original view of the episode may prove to be the sound one. Mr. Steffens is certainly right in his assertion that the world is in the midst of an industrial war. Nor is there room for doubting that some Labor agitators—hot-headed fellows, fools, and "capitalistic" spies hired to instigate violence—are constantly spurring organized workmen on to the commission of violent crimes in this industrial war. It is also true, as Mr. Steffens points out, that society is so organized as to subject Labor to criminal penalties for conduct less reprehensible than that for which Capital escapes, thereby putting Labor at an exasperating disadvantage. The criminal court is no fair forum,

therefore, for dealing with this war. It can deal with individuals, but not with the conflict itself. This must be dealt with at the bar of public opinion. Should it turn out, then, that the Los Angeles episode brings to the bar of national public opinion the case of "Capital" versus "Labor," as Mr. Steffens hoped, to the end that justice may prevail with both sides and bare power on neither, the McNamara case will be a landmark in social progress.

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But Mr. Steffens himself is disappointed with the echoes he gets of his attempt to "Christianize Christians" in connection with this case. In a second article, published in the Chicago Daily News of December 4, he says:

This city [Los Angeles] isn't rising to the emergency—neither Capital nor Labor—and the dispatches from the East go to show that the whole country is falling down. Peace was meant. War is declared. Everybody seems to be crying for blood. It is "thumbs down" everywhere. Having "got" the McNamaras, the demand is for more victims; for more men to kill. And this is all in the name of Justice. It isn't Justice. It is Vengeance. The spirit of wrath which is disgracing this city and this country today is the spirit that moved the McNamara boys to plant the dynamite to blow up the Times building and kill twenty-one men. If this goes on, those two pale prisoners in their cells in the county jail will feel justified. We shall see—and, I will state, and say it, too, so that the world will hear; I can almost say now—that society is showing that it is not fit to throw a stone at those dynamiters. They are wrong, I think; they are mistaken; but only as you are, Mr. Righteous Wrathman. They also talk of justice, justice for their class, and they belong to a Labor group which not only says but believes that the only way for Labor to get justice is to fight for it by strikes, with dynamite, by force, by war. They are not right, are they? I wouldn't have asked such a question yesterday, but since everybody else is throwing bombs, why shouldn't I throw one, too? Why shouldn't I ask and why shouldn't I ask everybody else to ask himself: Isn't this group right? Isn't force the only way? Isn't the demand of society for revenge upon the dynamiters very like the demand of these men for revenge upon society?

It is too soon, though, for any but partisans to reach definite conclusions. Another week, perhaps three or four, possibly several months if not several years, must elapse before so amazing an event as the Los Angeles bargain can be measured and weighed with good judgment and good conscience.

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On Motives.

If it is true that men judge the motives of others by their own, there is a "professional secretary" of the name of John M. Glenn who gives himself

"dead away" in his interpretation of Lincoln Stephens.

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Recall of Judges.

In spite of all that has been said against the Recall for judges—in newspapers and out of them, by the President and in bar circles—the failure of the first and only attempt to use such a Recall where the law allows it goes unnoticed by the newspapers. As with many other delinquencies of like kind, we do not attribute this default so much to the bad faith of newspaper owners as to the incompetency of newspaper men trained in an era of newspaper reporting which is happily passing away.

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This futile effort to abuse the power of Recall took place in Oregon. For information about it we are indebted to Judson King, in a recent issue of *La Follette's*. It seems that a judge had so charged a jury as to bring about an acquittal of a defendant on trial for murder in a case in which local opinion ran strong against him. The judge's name is John S. Coke, the acquitted defendant's Roy McClellan, the murdered man's Benjamin F. Mahan, and the place of the alleged crime Roseburg, Oregon. Indignant at the acquittal, friends of the murdered man began proceedings to recall Judge Coke, on the ground, as stated in their petition, that Judge Coke had at the trial—

demonstrated his gross incompetency and unfairness by giving to the jury in said case, at the instance and request of the defendant's attorneys, unfair and erroneous instructions as to law, intended to bias the jury in favor of the defendant and secure an acquittal and did so bias the jury and cause an acquittal; while at the same time he (said John S. Coke) failed and refused to give to the jury fair and legal instructions which were asked by the prosecution. All of which contributed to and brought about the defeat of the ends of justice.

To make this petition effective under the Recall law the signatures of 25 per cent of the voters in Judge Coke's judicial district were necessary, and public opinion had been so "mobeocratized" that this was regarded as an easy matter.

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But while a few people signed readily enough, the great mass, even in the immediate vicinity of the crime and though personally indignant, refused to sign. They refused upon the ground that as to corruption they believed the Judge had acted in good faith, and as to competency that the fact that it was his first murder trial should be considered. "Their attitude," writes Mr. King, "seemed to be well expressed by Mr. Brown, the prosecuting at-

torney, who said to me: 'I was much disappointed in the Judge's conduct. I think he was unwise, but I charge him with no bad motives, and if we are to recall judges because of the lack of judicial temperament they show or the errors in law they make, we shall soon have no judges upon the bench. I lost the case, but I refused to sign the petition, which I would have done had I considered it a fault of the heart and not of the head.'" Beyond the immediate vicinity of the crime, the work of getting signatures became absolutely insurmountable, and the proposed recall has been abandoned. This instance is further proof that objections to the Recall, like those to the Initiative and Referendum, originate in distrust of popular government. It goes to prove, moreover, that this distrust is without substantial foundation.

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Surface Bubbles.

What muck is this that Martin Littleton hath wallowed in, which makes him hate so much the muckrake man? Or hath he clients?

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Roosevelt's Latest Sidestep.

"Liar!" was Theodore Roosevelt's favorite method formerly of sidestepping facts that embarrassed him; and his admirers, though they abhor epithets from others, made allowance for him. With similar toleration they smile approvingly now when Mr. Roosevelt calls Wharton Barker an "out-patient of Bedlam," and his sworn testimony a "pipe dream." So Mr. Roosevelt is likely to escape another dilemma with an impudent phrase, which is saved from the commonplace only by his late official station. Yet Mr. Barker has done no more than quote Mr. Harriman in support of accusations of Mr. Roosevelt the truth of which few but blind worshippers can any longer doubt. According to Mr. Barker, Mr. Harriman told him in 1904 of Wall Street arrangements to finance Mr. Roosevelt's campaign that year, the Roosevelt administration to pay for it in favors, and Mr. Roosevelt to have the privilege of "hollering." Isn't that about what happened? Mr. Roosevelt's "snarleyow" response to Mr. Barker's testimony is quite Rooseveltian, but aren't his friends tired of taking the cuss-words of their fetish at his own estimate of their value as proof of what they imply?

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Mr. Hearst's Candidate.

Isn't it somewhat unfortunate for the Speaker Clark candidacy for President that William Randolph Hearst has taken it up? This can have but

one meaning to observers for ten years or so of American politics. It does not mean that Mr. Hearst is putting Mr. Clark forward for the Democratic nomination. What it means is that Mr. Clark has been picked, doubtless without his own knowledge, to be a candidate from whose shadow Mr. Hearst may emerge as a "dark horse" at the psychological moment.

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A Correction.

An error in the newspaper from which we quoted at page 1187 with reference to a certain eyewater, "Murine," made us say that this concoction, which costs 5 cents a gallon for its simple and familiar materials, is sold as a proprietary medicine for \$1.28 per gallon. We are assured that the moral of our editorial "might have had still more point" if we had known, what the fact is, that this stuff is sold for \$128 per gallon. The percentage—but hold, this profit is out of the realm of percentages.

* *

Highways.

Judge Knapp of the United States Court of Commerce is quoted as amending Henry George's observation that the man who owns the land owns the people, by saying that "the person who owns the highways owns both the land and the people." Pray what does Judge Knapp think highways are, since he thinks they are not land?

* *

A Timely Contrast.

Susan Look Avery is responsible for reviving R. R. Bowker's epigram at a time when it is better calculated, than at its first utterance, to probe the piety of those good people of whom Lincoln Steffens says that they "believe in Jesus but not in his teachings." As Mrs. Avery quoted the Bowker epigram at the Singletax Conference dinner in Chicago, this is the way it runs: "It is bad for the ignorant and the vicious to do ill, but it is worse for the educated and the honest to do nothing."

* *

Death of Our "Uncle Sam."

In the death of Charles Humphrey Roberts, The Public loses one of its old and valued contributors. "Uncle Sam's Letters to John Bull," of which Mr. Roberts was the always unrevealed author, will be recalled with agreeable memories by our readers of the earlier days. So will his "grindin' on his poetry machine." And, long ago as it is since most of those letters came out, they may yet be read with interest and profit for their

wholesome Quaker democracy and their quaint, old-fashioned New England style. Mr. Roberts was a native of Ohio, a flouring-miller, an engineer, a school teacher, an inventor, a graduate of the law school of the University of Michigan, and a patent lawyer. He contributed incidentally to periodicals for the love of it, and he was the author of a novel of Quaker life named "Down the O-hi-o." Although a resident of Evanston, one of the suburbs of Chicago, his health necessitated a long sojourn in Arkansas and southern Illinois, whence he had come to Bloomington (Illinois) where he died on Thanksgiving day. His last letter from "Uncle Sam" to "John Bull" appeared in The Public hardly more than a year ago.* It pictured most humanly a State fair in Arkansas, and at its close "Uncle Sam" recalled the delirium of conquest about which he had written much in earlier letters. "I don't seem to have any use for warships nowadays," he wrote; "I don't think I am feelin' my best." They prove to have been his goodby words to The Public.

* * *

OLD AGE PENSIONS.

For a conservative race our British cousins are certainly addicted to paradox. Imbued as they have been for generations past with the spirit of *laissez faire*, it would seem as if the very last thing which would have appealed to them would have been Lloyd George's scheme for old age pensions; and yet, if the newspaper reports are true, this is the one measure put forth by the present radical Ministry which has commanded enthusiastic support from the upper and middle classes. How much of this is due to the general trend toward paternalism and how much to a shrewd recognition by the upper classes of the fact that it means self-insurance by the working classes, is hard to determine; although the latter supposition would seem to be supported by the fact that such opposition as has developed appears to have been among those whom the scheme has been designed to benefit.

With such opposition in sight it is seriously to be doubted whether any plan of the kind can be made to work smoothly; and even if it were not proposed to derive the pension fund in part from wages it is quite clear that there is an instinctive distrust among wage earners—which is by no means ill-founded—that the contribution by the employers would in effect come out of wages indirectly. There really does not seem to be any logical reason why, if the principle of a pension

*See Public of October 21, 1910, page 1002.

for protection against the emergencies of old age is accepted at all, either employers or wage earners should be required to contribute except through their relation to the state as members of the body politic. From certain extreme socialistic points of view, a government is warranted, of course, in regulating the individual actions of its citizens in any direction that it may consider for their best interests; but the idea of pensions for old age, or for that matter for disability before old age, does not by any means rest necessarily on any such foundation.

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The *laissez faire* idea has always been that every one should lie upon his or her own bed, according as the individual effort had made it; that the dread of privation in itself is the most wholesome incentive to thrift; and that the semi-socialistic departure from this conception, which recognizes that under modern conditions with their intensified struggle for bare existence it is almost impossible for the very poor to carry out such an ideal, does not involve any essential contradiction of the ideal in itself.

Whether that ideal is a true one, however, is quite another matter. There is another phase that the most cold-blooded economists have always admitted. Nearly all workers do quite unavoidably contribute more to the world's wealth than they enjoy of it, and if the extent of this could only be determined there would come a time when they would be entitled to a refund. Even if more just conditions could be established than we have ever yet been able to attain, there would still remain probably a surplus of this character, such for instance as is represented in the sacrifice of parents in bringing up children to aid in the world's work, who, whether through undutifulness or otherwise, do not make adequate return to the parents for such sacrifice. It may be said, it is true, that the contribution which the state is supposed to give under a plan such as that of Lloyd George, would reasonably cover the community's share of the benefit derived from such sacrifice; but when this is coupled with a compulsory insurance by the beneficiary it imposes an additional burden that may well prove to be intolerable. It is easy to say that the penny or two a week which it is proposed to exact, the equivalent perhaps of a nickel or a dime for corresponding classes in our own country, means only the sacrifice of a glass of beer now and then or some similar possibly useless luxury; but this is much as if those of us who enjoy somewhat easier circumstances were to sternly deny ourselves the occasional theater visit, the subscription to a mag-

azine, the comfort-giving cigar, for the sake of guarantee against penury late in life that after all we may never live to enjoy. It is a case of giving up for an uncertainty those little things for which after all life is most worth living.

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There is another factor. Is it for the best interest of the community to stimulate what we call habits of thrift?

Paradoxical as it may seem at first glance, it is impossible for us all to save. The abstention by any one person from consuming all of what that person produces, since we all produce chiefly to exchange for the products of others, means simply that some one else must have the opportunity of enjoying less, because the some one else will have a diminished market for what he or she produces. We cannot create products and lay them by for future use. Nature forbids that. Most things created by man begin to deteriorate or decay from the moment of their creation; some with greater rapidity than others, but all in some degree. And so it is that when one person saves, that person merely acquires a mortgage on the future labor of others for which sooner or later a refund will be demanded without an equivalent being then rendered in return; while in the meantime the sum total of good things for the enjoyment of all is correspondingly diminished.

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Not altogether a fallacy, is the conception which welcomes the destruction of wealth by war or even great fires or similar disasters because it stimulates the demand for labor; although such truth as lies in this is chiefly due to the constant restriction of current production, due in turn to the deliberate holding out of use of opportunities to produce under existing conditions. But it is nevertheless true that the ideal conditions would be those under which everyone able to labor is producing to the utmost of his or her capacity, and to do this it is essential that everyone must consume to the maximum of each individual need.

There comes a time, however, when each of us who lives long enough can no longer effectively produce. If we have not fulfilled our complete social function by consuming to the extent we have produced, if in other words we have not denied to others the full market of their product so as to gain for ourselves a legal title to the fruits of the future labor of others, we must then depend for our support on the generations which have followed us, and to which, if we have

at all lived useful lives, we have bequeathed a legacy that gives us some title to such support.

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Shall we recognize this to be the real question of old age or disability pensions? If we have labored and sustained our children thus far, we are entitled to support from them when we can labor no longer even though they may not recognize it or we may not wish to exact it. If we have labored for the community we are in like measure entitled to it, not as an insurance to which we have ourselves contributed but as a matter of justice. The drones might benefit with the workers, it is true, but after all the drones are most apt to fall back on charity in any event. With universal pensions, on the other hand, there would be no stigma of charity and the community as a whole would gain by the better work which is done when the future is secure.

E. J. SHRIVER.

EDITORIAL CORRESPONDENCE

THE CALIFORNIA AMENDMENTS.

Los Angeles, Calif., Nov. 25.

Respecting the recent adoption of Constitutional amendments, the official vote on the three main amendments was as follows:

No. on Ballot.	Subject.	For.	Against.	Majority for.	Total vote.
4.	Equal Suffrage.....	125,037	121,450	3,587	246,487
7.	Initiative and Referendum	168,744	52,093	116,651	220,837
8.	Recall	178,115	53,755	124,360	231,870

At the session of the legislature at which the resolutions proposing amendments were adopted a considerable number were introduced in each House, and were numbered in the order of their introduction: Senate Constitutional Amendment, No. 1, 2, 3, etc.; Assembly Constitutional Amendment, No. 1, 2, 3, etc. Only 23 of the proposed amendments passed both Houses. The Suffrage Amendment was "Senate Amendment No. 8"; the Initiative and Referendum, "Senate Amendment No. 22"; and the Recall, "Senate Amendment No. 23."

Supposing that the amendments would appear on the ballot under the numbers as adopted by the legislature, advocates of woman suffrage all over the State proceeded to boom "Amendment No. 8." They were therefore taken aback when, a few weeks before election day, they were informed that although the Secretary of State would place the Amendments on the ballot in the order of their introduction, the Senate amendments first and the Assembly amendments next, they would be numbered from 1 to 23, the Suffrage amendment thus becoming No. 4 on the ballot, the Initiative No. 7 and the Recall No. 8. The attention of voters was called to the change, and those for woman suffrage were asked to vote for No. 4; but many of the country papers supporting woman suffrage continued to

print up to the day of election: "Be sure to vote for Senate Amendment No. 8." On the ballot, in small type, No. 4 was described as Senate Amendment No. 8, but that was easily overlooked. As the vote that came from the country counties saved the amendment, notwithstanding the large adverse majorities in San Francisco and Oakland, it seems probable that many voters may have stamped "yes" after No. 8 on the ballot, supposing they were voting for woman suffrage.

This view is borne out by other facts.

For several reasons, and among them the pronounced opposition of President Taft, the Recall at first was not as popular with the voters as the Initiative and Referendum. Knowing this, advocates of the Recall who stumped the State in its favor, notably Governor Johnson and Mr. Heney, said little in their speeches about the Initiative but devoted the bulk of their talk to the Recall. Mr. Heney, in his speech in Los Angeles, barely mentioned the Initiative, but spoke for more than an hour on the history of the adoption of the provisions of the United States Constitution relative to the judiciary, the encroachments of the United States Supreme Court upon the rights of the people, and the necessity for the application of the Recall to judges as well as to other officials. Mr. Heney said little about equal suffrage. Governor Johnson refused to say anything about it, which led many women to be vexed with him, declaring that a word from him would have influenced many votes in its favor. His apologists explained that he feared that his advocacy of woman suffrage might lead some of its opponents to vote against the Recall.

An analysis sustains the inference noted above. Many voted for or against the Woman Suffrage amendment and neglected to vote on any of the others. If 10,000 votes were taken from the Recall it would leave the vote on the Initiative and the Recall about equal; and if this 10,000 were added to the total for woman suffrage it would show that about 35,000 more voted on that amendment than on any other, and that it should have carried by more than 13,000.

DAVID WHITE.

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POLITICAL RUMBLINGS IN PENNSYLVANIA.

Pittsburgh, Nov. 27

The results of the recent election in Pennsylvania, from a Democratic and independent viewpoint, afford little comfort to the one time irresistible Penrose machine. Philadelphia elected a Democratic-Keystone Mayor, thereby overcoming a 100,000 Republican majority. Penrose personally conducted the machine campaign and although he used a very "respectable" business man (Geo. E. Earle) as his candidate for Mayor, the people ignored him and elected Rudolf Blankenburg.

In Allegheny County the Republican ticket was elected, with the exception of Judge of Common Pleas Court No. 3. For this office A. B. Reid was elected on the Democratic and Keystone tickets, and several other county candidates ran close to their Republican opponents. The Socialists made a wonderful showing in Allegheny County, polling nearly 20,000 votes.

Insurgency was also rampant throughout the country districts of the State. In Newcastle, Lawrence County, the Socialists elected a Mayor. The Democrats gained six judges and in sixteen counties breaks were made in the Penrose machine. Some of these counties went Democratic for the first time in 25 years. The Republican majorities in practically every county were reduced or converted into victories for the Democrats, the Keystoners and the Socialists. Surely the people are beginning to view politics in a new light in Pennsylvania, the old bulwark of Republicanism.

The great Quay machine, handed down to Penrose in perfect working order, is crumbling. In 1912 it will have no easy task to hold itself together, for in the opinion of many, Pennsylvania will then be "fighting ground" for Progressives.

BERNARD B. M'GINNIS.

INCIDENTAL SUGGESTIONS

"CURRENCY REFORM" A LA ALDRICH

Denver, Colo.

We are living in troublous times; but of all the things that threaten our peace and liberty, nothing seems to me quite so dangerous as the scheme for handing the country over to the bankers, wholly and irrevocably, as is proposed by the "Aldrich Currency Plan."

That the people will allow such a measure seems incredible, but unless the promoters of the scheme felt tolerably sure of success they would hardly advertise it so boldly; for, hitherto, their work has been done largely under cover, and its ultimate object disguised.

I have read that "at a convention of the National Board of Trade, held in Washington, a series of resolutions was offered by the New York Chamber of Commerce, the Merchants' Association of New York and the New York Produce Exchange and was adopted unanimously." (Please notice, that, although the convention was held in Washington, our national capital, New York did the business.) The series begins as follows: "Resolved, that this convention unequivocally declares in favor of the creation for the United States of a central banking organization, based upon the following general principles." The series of resolutions ends with this: "(10) That the Central organization is ultimately to become the sole note-issuing power."

The "general principles" embodied in the intervening resolutions I have left out as being irrelevant to my purpose. If the end of a road is highly undesirable we are not interested in its direction nor in its various crooks and turns. The end of this road—"to become the sole note-issuing power"—is the goal towards which the longing eyes of American bankers have been turned ever since the first national bank was chartered—when, in its sore need, the nation sold its birthright for a mess of pottage.

A Money Trust is essential to the life of the other trusts. It has been with us, imperfectly developed, as the National Banking System, over 50 years; is it now to be perfected as a "Central Banking Organization" and "become the sole note-issuing

power"? Then we may expect a tyranny compared to which that of George III. over the American Colonies would look like benevolent protection. Any business man could be ruined at the behest of this money combine; no business could start without its consent. There would be no way out except through a revolution in which "confiscation" and "repudiation" would sound like mild terms.

If the Aldrich' currency plan, when full-blown, shows the people the real facts in the case, perhaps the experience will not be too dearly bought though the price be tremendous.

CELIA BALDWIN WHITEHEAD.

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IS THERE A DIFFERENCE?

Fairmont, Minn.

In the issue of The Outlook for Dec. 2nd there appears an editorial anent The Regulation of Bank Organization. The article states that "the Kansas Supreme Court has for the first time in this country established the power of a Commonwealth to deny charters to bank organizations." The article cites the specific instance on which the Court rendered its decision upholding the action of the Charter Board in denying an application.

May I ask as to the similarity of the principle involved in the regulation of the establishment of banks and the principle involved in the regulation of wages by a labor union? If the free-lance laborer must have his inviolable right to engage himself to whomsoever he chooses and for what price or wage he chooses guaranteed to him, why must not the ambitious banker by the same token be guaranteed the same freedom of independent action? Why must capital be protected against free lance capital and labor go unprotected against free-lance laborers?

Of course the motive of the regulation of bank organization is the protection of the depositor. But is the welfare of the depositor any more sacred than the welfare of the child of the laborer? Is there any more reason that capital shall be made secure against injudicious free-lance bankers than that the welfare of the home of the laborer shall be made secure against injudicious free-lance laborers? Why should the bank already established in a community have any vested interest against a new banking establishment and be protected in that interest by the State, and the already employed laborer be denied any vested interest in his job and remain unprotected against any new comer?

Is not the labor union censured and stigmatized for attempting to secure for itself the same protection which the State of Kansas has guaranteed to the banks already established in that State?

ALBERT E. FILLMORE.

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PULLING THE SUPREME COURT'S TEETH.

New York, Nov. 27.

Mr. Leubuscher, in The Public of November 24, says that I, in The Public of October 20, "unwittingly" suggested a peaceable method of depriving the Supreme Court of the United States of all power to declare unconstitutional most classes of

Acts of Congress. I did not only suggest that method, but I also proved its existence and legitimacy. And I did all this wittingly, knowing full well the vast importance of what I was saying. The time may come when I shall not only point out that undeniably proper way to curb the Supreme Court, but when I shall also advocate with all my might the application by Congress to the Supreme Court of that very curb. I have much to say and to write on this topic. The time for so doing may come next year, or the year after, or perhaps later in my life; but I think it will come.

ALBERT H. WALKER.

NEWS NARRATIVE

The figures in brackets at the ends of paragraphs refer to volumes and pages of *The Public* for earlier information on the same subject.

Week ending Tuesday, December 5, 1911.

Sensational End of the McNamara Trials.

Perhaps the most amazing termination of a capital trial ever recorded was that of the trial at Los Angeles of James B. McNamara, one of the brothers charged with murder in blowing up the building of the Los Angeles Times with dynamite and thereby killing twenty-one persons. [See current volume, page 1102.]

The trial had been dragging on before Judge Bordwell in the selection of a jury. Clarence S. Darrow of Chicago was leading counsel for the defense, and District Attorney Fredericks for the prosecution. Scores of veniremen had been examined and nearly all of them rejected, some on peremptory challenge, but most of them for bias or other specific cause. Meanwhile, a hotly contested local election had been steadily growing in heat, with the McNamara trial for fuel. At the direct primaries, Job Harriman, a Socialist and one of the lawyers for the McNamara brothers, was nominated for Mayor of Los Angeles by a substantial plurality over Mayor Alexander, the next highest candidate, thus making those two men the only candidates for the election to come off on December 5th. As the days went by and a vast mysterious women's vote (under the recent enfranchisement) was registered to the number of 80,000—double the entire vote at the primaries, which was only half of even the male vote—the hopes of Harriman's supporters and the fears of Alexander's became more and more pronounced. To read the Los Angeles newspapers, all but one of which (the Record) were opposed to Harriman, is to see that Harriman was apparently gaining ground fast and that division of public opinion over the guilt of the McNamaras and the fairness of their trial was the principal factor in the

campaign. This was the situation on the 28th, when the District Attorney's office made spectacular arrests of agents for the defense on charges of jury-bribing; but the current toward Harriman seemed to run stronger than ever. Three days later, on the 1st of December, with only three more until the election, the news flashed over the country, like a bolt out of the blue, that both McNamaras had changed their pleas from not guilty to guilty.

When explanations came, it turned out that they had done this under an agreement. One of them, John, who was not on trial, had pleaded guilty to using dynamite criminally where no loss of life resulted; the other, James, on trial for dynamiting the Times building, pleaded guilty to murder in the first degree. According to these reports John was by the agreement to be sentenced to 14 years' imprisonment, James to life imprisonment instead of capital execution, and sentences were to be pronounced on the 5th—election day.

Harriman had not been consulted by the other counsel. All the others, however, had joined in advising what had been done. The leading counsel, Mr. Darrow, has been reported as explaining to the newspapers in substance as follows:

I would never have consented to their pleading guilty if I had thought there was a chance left to save them. . . . I do not believe they or any one ever intended to blow up the Times Building. By their own statement the prosecution does not claim that there was more than fifteen or sixteen pounds of dynamite used. Jim tells us . . . that he . . . meant only to . . . give the Times people a . . . scare. There was inflammable stuff all around and probably a gas explosion also completed the destruction of the building. I have known for months that our fight was hopeless. But it is a lawyer's business to save life. . . . We could make no move toward a compromise . . . until Lincoln Steffens came to us . . . with the statement that prominent men of Los Angeles were anxious an agreement should be reached that would end the trial and wipe the bitter controversy off the boards. . . . That these negotiations came to a head just before election was merely a series of coincidences. That sentence is to be pronounced on election day is but another coincidence. Job Harriman knew nothing of our intention I did not want to worry him with this problem, and he has practically been out of the case since the first week of the trial on account of the campaign. . . . No motive of any sort entered into the disposition of the cases, except the welfare of the men accused of murder. Believing as I did that the action taken would save the lives of the accused men I had no more right to refuse it than a doctor would have to forbear an operation on a patient to save his life. . . . It was impossible to delay action . . . on account of the danger of having the matter become public property and thus making the end more difficult to achieve.

Lincoln Steffens, to whom Mr. Darrow refers as bearing overtures from prominent business men of Los Angeles, published a four column account of the matter over his own signature, and from Los Angeles, in the Chicago Daily News of the 2d. Our condensation of this account follows:

The McNamaras think they are fighters in a war, and they are. The present agreements are a step toward a treaty of peace. The first news was a shock, especially to the working people and the friends of the Socialist candidates. It is wrong to put out a piece of news as unexpected as this without an explanation.

The beginning of the story was at the ranch of E. W. Scripps, on Sunday, Nov. 19. I went there with Clarence S. Darrow, and we talked, all three of us, about everything under the sun, and finally about the McNamara case. Mr. Scripps read a letter about the belief that force and violence are the only weapons Labor has to fight with. We could all see that if this case could be tried so as to develop that theory as a defense, this terrible, true fact could be brought out into the light and dealt with. Some one else suggested that another way to accomplish the same end was to settle the McNamara cases on the basis of a plea of guilty. Such a plea would give us all a chance to assume that a part of organized labor had actually adopted the policy of force.

On Monday I decided to see, if any man on the capitalist side in Los Angeles would consider a settlement. Meyer Lissner, one of the leaders in southern California of the progressive Republican party, and others, were talked with. At first they balked, but not one took a narrow view. It was the big idea of getting the class war out of their city that appealed to them all. When I told Darrow how generously they regarded the proposition he told me to go ahead and see what could be done.

We therefore went on seeing other men. They protested at first, but when they were asked to consider what the case was and what the chances were of getting Labor and the Labor philosophy rightly understood, they came in. Some twenty or more were hurriedly invited to Mr. Lissner's office Wednesday evening, Nov. 29. Those that responded were Stoddard Jess, the leading financier of Los Angeles; J. O. Koepfli, former president of the Municipal League and a large employer of labor; R. W. Burnham, local manager for R. G. Dun & Co.; Edwin T. Earl, proprietor of two newspapers; Fred Baker of the Baker iron works; M. T. Snyder, banker, former Mayor of Los Angeles; T. E. Gibbon, leading lawyer and member of the harbor commission; Paul Shoup, vice-president and general manager of the Southern Pacific electric lines in Southern California; James Slauson, president of the Chamber of Commerce; H. W. Frank, a prominent merchant; former United States Senator Frank P. Flint; W. J. Washburn, prominent banker and member of the city council, and Meyer Lissner, local political reform boss. The day after Thanksgiving day, some eight or ten other leading citizens of the city were sought and four were found: William Mulholland, chief engineer of the Los Angeles aqueduct; J. B. Lippincott, assistant engineer of the aqueduct; W. B. Mathews, attorney for the aqueduct department, and Charles D. Willard, the man who more than any other in the city repre-

sents and personifies the many years of fighting that have been done here for good government. All these men agreed that the compromise was just the thing.

That evening LeCompte Davis, one of the local attorneys who was assisting in the defense, went to see Mr. Fredericks. In about twenty minutes he said that he and Mr. Fredericks had agreed.

There was one more struggle. Toward the end of last week Mr. Darrow had wired to Samuel Gompers at Atlanta to send out here somebody to represent the American Federation of Labor. Edward N. Nockels, secretary of the Chicago Federation of Labor, had responded. He didn't like the arrangement at all at first, but the whole case was gone over for him bit by bit and the whole situation here and elsewhere in Labor circles was put before him. It was a wonderful review of actualities in that field and it convinced Nockels. He said that under all the circumstances he thought it was for the best.

There remained only the judge to be seen. Mr. Fredericks called on him; nobody knows just what was said, of course, but he had known nothing of the negotiations and he would have nothing to do with the understanding. His view was that he couldn't. The success or failure of the whole arrangement, therefore, depends upon what Judge Bordwell may decide. No one has any inkling of what he will do, but I have had several personal conversations with him and I am not afraid that he will do anything to change the result. If he should happen to sentence the prisoners to penalties greater than those agreed upon by the attorneys the whole thing is off and the trial will go on as before.

The questions that I should like to leave on the national mind are just these: What are we Americans going to do about conditions which are breeding up healthy, good-tempered boys, like these McNamara boys, really to believe, as they most sincerely do—they and a growing group of Labor—that the only recourse they have for improving the conditions of the wage worker is the use of dynamite against property and life? And is it possible for a group of employers, well meaning as these are whom we have dealt with in Los Angeles, to understand their employes' point of view—not to take it, mind you, but simply to comprehend? These are real questions. They are pressing here. They are coming to all of us in all of our cities.

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Outside of Los Angeles the pronouncements of leaders of the employer class and their attorneys and "professional secretaries" have been jubilant and vindictive, with all organized labor as the object of their diatribes. Many labor organizations were bitter in their denunciations of the McNamara brothers. The Central Labor Union of Brooklyn, N. Y., rejoiced on the 3d "with the great body of law-abiding citizens of our country that our movement is purged of these miscreants" and declared it "high time that organized labor dissociate itself in no uncertain manner from all suggestions of sympathy with the kind of warfare waged by the McNamaras." Typographical Union No. 8 of St. Louis insisted that the severest punishment be

meted out to the McNamara brothers and all others who may be guilty of participation in violence, which it declares to be contrary to the principles of organized labor. Similar resolutions were passed by the typographical union of Norfolk, Va., and also by that of Grand Rapids, Michigan, except that the latter refused to demand the death penalty because the majority of its membership is opposed to capital punishment. Pending more complete and trustworthy information the Chicago Federation of Labor took no official action at its meeting of the 3d.

On the 5th the two McNamaras were sentenced by Judge Bordwell on their respective pleas of guilty. John made no response to the formal inquiry if he had anything to say; but James submitted the following signed statement:

I, James B. McNamara, defendant in the case of the People, having heretofore pleaded guilty to the crime of murder, desire to make this statement of facts; and this is the truth: "On the night of Sept. 30, 1910, at 5:45 p. m., I placed in Ink Alley, a portion of the Times building, a suitcase containing sixteen sticks of 80 per cent dynamite, set to explode at 1 o'clock the next morning. It was my intention to injure the building and scare the owners. I did not intend to take the life of any one. I sincerely regret that these unfortunate men lost their lives. If the giving of my life would bring them back I would gladly give it. In fact, in pleading guilty to murder in the first degree, I have placed my life in the hands of the State."

He was sentenced at once to imprisonment for life. His brother John was sentenced to imprisonment for fifteen years.

The Los Angeles Election.

On the basis of the count of 52 out of 317 precincts, the newspaper dispatches of the 5th from Los Angeles report the re-election on that day of Mayor Alexander over Job Harriman by about 35,000 majority. The 52 precincts give 18,116 votes to the former, and 7,682 to the latter. A heavy falling off of the vote as compared with the registration is a feature of the reports. [See current volume, page 1214.]

Congress.

The first regular session of the 62d Congress of the United States began on the 4th. [See current volume, page 874.]

In the Senate the session was brief. In the House enough time was taken to allow Congressman Littleton of New York to make a speech denouncing muckrakers, the specific bearing of which had to do with his alleged connection with the Steel Trust. At its close the Republican leader,

Congressman Mann of Illinois, offered a resolution intended to support Mr. Littleton's position. It was referred to the committee on rules.

On the 5th President Taft's message was read. It is devoted exclusively to the trust question.

Controller Bay.

Washington dispatches of the 29th stated that inasmuch as the Administration has substantially changed its announced Alaskan policy Louis D. Brandeis, counsel for the House committee on Interior Department expenditures, has advised Chairman Graham that no further action by that committee in investigating Controller Bay affairs is necessary. Chairman Graham said the committee materially aided in effecting this change of policy, and added: "The committee may go further than Secretary of the Interior Fisher and recommend retaining to the Government the title to all the mineral, gas, and oil lands in Alaska."

"The committee accomplished its principal purpose," said Chairman Graham. "That purpose was to determine whether valuable public interests in Alaska were being subjected to syndicate exploitation, a condition rendered probable by the revelation in the Ballinger investigation. Attorney Brandeis said that he found no evidence of illegality or bad faith by any government official in the elimination from the Chugach national forest of a large tract on Controller Bay in aid of the Controller railroad company, though that elimination was opposed to the best interests of the people."

[See current volume, pages 802, 1124.]

British Labor Insurance.

Final Parliamentary work on the Lloyd George labor-insurance bill was begun in the British House of Commons on the 30th. An order for preventing a filibuster on the hundreds of pending amendments, most of them introduced by opponents of the bill, had already been adopted by the House; and when these amendments came before the House for action, 469 were defeated without a division and one upon a division called for by the Labor Party. [See current volume, pages 440, 516.]

The Opposition had disappeared through a spectacular withdrawal of the Tories under their new leader, Andrew Bonar Law. He accused the Ministry of shutting off debate at the behest of the Irish in order to clear the way for an Irish home rule bill next month. Lloyd George replied that the Ministry had but adopted the tactics of the Tories when they were in power. The plan thus objected to by the Tories and defended by Mr. George is a mixed scheme of "closure" ("previous question" as we should say in the United States) by "guillotine" and by "kangaroo"—to adopt

British parliamentary slang; that is to say, by giving power to the chairman in committee of the whole or "grand committee" to select some amendments for debate and to pass over others.

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The labor-insurance bill, known officially as the "national insurance bill," was agreed upon in substance and form on the 20th of October last between the Ministry and British friendly societies after a long period devoted by the Ministry to conferences with Labor and other interests. The bill has two parts. Its first part applies to sickness among workers with incomes of less than \$15 a week; its second to unemployment. As to sickness, the insurance fund is to be made up by contributions from employers, employes and Parliament on a graduated scale; as to unemployment, the fund (similarly made up) is to be paid out in benefits to unemployed workers. In advocating it with reference to Ireland, Richard McGhee, a Liberal member of Parliament from Ireland, made this reservation in a public speech at Lurgan last summer:

The great defect of the bill is the source which is made to provide the funds for the working of the measure. Every single penny of the contribution should have been paid by the state, and it should have been collected, not from the wages of the worker and the income of the employer, but from that fund created by the whole people and now pocketed by an idle and useless class. I mean "land values." Here would have been the proper source from which to have drawn supplies to finance the bill when it becomes law. Land values are the creation of the whole community, and they are more than enough to pay all taxation and to finance Lloyd George's bill as well. The contributions as now laid will fall upon industry, and will hamper it to some extent. Small as they are they will prove too much of a burden for some men to bear and to carry on their business, while, if they had been imposed on land values they would have encouraged and helped industry, and would have made both the employer and the workman more prosperous still; for it is the great merit of a tax on land values that it does not fall as a burden on any kind of industry, but brings fresh strength and fresh vigor to all industries. It would make an unemployment benefit absolutely unnecessary, for the best of all reasons, that it would completely abolish unemployment. It is not too late yet to take this wise step in the direction I have indicated, for under the great Budget of Lloyd George for 1909 and 1910 we are now having a complete valuation of land taken, and when it is completed we should set to work to have all taxation, as well as the contributions to the national health insurance fund, taken out of land rent.

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Explaining the bill at Whitefield's Tabernacle, London, as reported in the London Daily News of October 16, Lloyd George said that in his judgment it—

would do more to hinder or assuage human misery

than any bill passed since the abolition of the corn laws. The three principal causes of poverty and destitution in the homes of the industrial population were ill-health, unemployment, drink. This bill made for fifteen millions of men and women engaged in industrial occupations provision that would save multitudes from falling into ill-health and would diminish the pains and perils of sickness for many more. In addition, it made unemployment provision for two and a half million people. The great burden of sickness and poverty now falling upon the industrial population would be immensely mitigated under the bill, and in future the cost of half the burden would be borne by others. Incidentally the bill attacked the evils of drink, there being a provision in it whereby the organizations which had the control of the health provisions of the measure would have it among their duties to instruct the people on the evil effects of alcoholism.

He closed this speech with a response to the various interests that were urging delay in the progress of the bill through Parliament by saying:

Why are we to wait? Are we to tarry because the "Daily Mail" and the "Spectator" and Mr. Philip Snowden are in no particular hurry? This bill was promised three years ago. It has been on the table six months, discussed, advertised in every paper. I have not yet received a single practical suggestion from either of the three. No. We will have it through. We want to get on with other work. This is not the end of social business. It is a good beginning. It is in some of its provisions a great palliative until we can get deeper. I never said that this will do everything. It will help. And then we will go on. I am taunted that I have promised a new heaven and a new earth. They seem to think that phrase was uttered by me. I am a humble believer in it. I should like to be able in a humble way to help its advent—a new earth where the health of the multitude will be more precious in the eyes of the law than the wealth of the few; a new earth where the superabundance with which Providence blesses labor shall be directed and controlled so that the home of the laborer shall be saved from wretchedness, penury, poverty, and privation; a new earth where the best of all shall be concentrated and organized to avert the worst from each.

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Republican Advance in China.

The Republicans, as the Chinese revolutionists desire to be called, after a drastic siege of Nanking, accompanied by careful tactical fighting, took the city last week. The difficulties were great for Nanking is strongly fortified. The wall at various places is ninety feet high, built of solid masonry and thirty feet thick. The four main gates are at the principal points of the compass. Tai Ping Men, the north gate, and Chao Yang Men, the east gate, are commanded by Purple hill, which is fortified and overlooks the entire city. Tiger Fort lies outside the wall, while Lion Fort, inside the wall, commands the river and is well fortified. Tiger Fort likewise is well fortified and equipped. Tiger

Fort and Purple hill were carried successively. At noon on the 2nd three of the city gates were forced simultaneously. The Imperialists were already in parley, and the bloodshed of the act of occupation was slight. Subsequently the Manchu quarter of the city was looted and burned, according to the dispatches. The rest of the city quickly resumed business under the police patrol of the Republicans. On the 3rd the city of Urga, the capital of Mongolia, was reported to have declared its independence of the Chinese Empire, and to have expelled the Imperial officials. The revolution is also making headway in Manchuria, where it is receiving assistance from the Japanese. [See current volume, page 1219.]

Persia Facing a Crisis.

The ancient kingdom of Persia, situated in the western part of Asia, south of the Caspian Sea, west of Afghanistan, east of Asiatic Turkey, and north of the Persian Gulf, has been advancing during the past six years out of autocracy into constitutionalism. The Shah Muhammed Ali was forced to abdicate in 1907, and his young son Ahmed was put on the throne under a regency. Although claiming independent nationality, Persia has been obliged in recent years to submit to the extension of spheres of influence over her northern provinces by Russia, and over her southern provinces by England. These spheres were delimited by an agreement between Russia and England, ratified in August, 1907; but the agreement between these two European nations included an assertion of the possible necessity of financial control of the Persian revenues. In order to avoid further European control, and fearing the complications of European diplomacy, the Persian National Assembly early in the present year turned to the United States for assistance in getting its finances on a stable footing. It may be remembered that, aided informally by the United States Government, arrangements were made with a small group of American financial experts who sailed for Persia in April, and that on their arrival one of their number, Wm. Morgan Shuster, was put in charge of the national finance with the title of Treasurer-General. Since that time the ex-Shah, with the scarcely concealed assistance of the Russian Government, has tried vainly to establish himself upon the throne. With the failure of that project Russia protested against certain confiscations ordered by the Assembly and carried out by Mr. Shuster; also against some of his appointments. Russian troops were started into Persia, and it was reported last week that Persia had yielded and made apologies, in the face of so threatening a situation. [See current volume, pages 351, 585, 1004, 1173, 1219.]

The report of the submission of Persia now ap-

pears to have been an error. The Russian ultimatum called for the immediate dismissal of Mr. Shuster, and demanded a cash indemnity for the dispatch of Russian troops to Persia. Mr. Shuster begged the National Assembly to consult only the interests of the country, and not to consider him. The National Assembly, however, rejected the ultimatum by a large majority. The Russians have thereupon proceeded on their way toward Teheran. An appeal to Sir Edward Grey, British Foreign Secretary, by the Persian minister at London, drew out only the advice that Persia should comply with the Russian terms. In the terror of the moment several prominent reactionary Persians have been assassinated. The populace at Teheran approves the attitude of the Assembly, and messages from the provinces pledge unlimited support to the Government. A general boycott on Russian goods has been started, and people are hindering the use of the Russian tramway. Placards are posted on the walls in Teheran, proclaiming "Death or Independence," and 10,000 persons marched through the streets on the 3d under such banners. On the 4th the National Assembly telegraphed an appeal for aid to the American Congress and to the other national parliaments of the world. Turkey was reported on the 4th to be marching troops toward the northwest Persian frontier, desiring, according to the dispatch, to share in the partition of Persia, if that day is at hand. But another report of the same date announced that Turkey has appealed to the Powers asking that the independence of Persia be respected.

The English Liberal press is divided on the situation. The Daily Telegraph, acknowledges and takes the consequences of the Russian partnership, saying: "By the terms of our agreement with Russia we are bound to take into consideration the wishes of our partner, even though she seems to have acted with peremptory harshness." While the Daily News declares that Russia's advance means a partition that will enable Russia, whenever she be so inclined, to fight a battle for India on the plains of Persia. The United States Government, according to the news reports of the 2nd, has sent instructions to the American minister at Teheran, to see to it that Mr. Shuster's person and property and liberty are protected in his official capacity, and if he suffers in that matter through the breaking of his contract of employment by the Persian government, even though that government is under duress from Russia, he must look to Persia for indemnification. Mr. Shuster's own statement of the situation, sent to the American press under date of November 30, is as follows:

Russia's demand for my dismissal is really actuated by my refusal officially to recognize her so-

called sphere of influence in northern Persia. To do so would be to betray the people I am serving.

The Russian bureaucracy is further embittered by the unexpected repulse of the ex-Shah and the solidarity and energy of the constitutional government; also by my refusal to submit to official bullying regarding the confiscated properties of Persian reactionaries protected by Russian officials against taxation.

Russian consuls have been so long accustomed to intimidating Persian officials of all ranks they are unable to comprehend any one desiring an impartial execution of the laws.

Being convinced that the Americans intended neither to become her tools nor to adopt the *laissez faire* policy, Russia now takes advantage of the embroiled European situation, Sir Edward Grey's timidity regarding Germany, and Turkey's war with Italy, to openly violate the Russian agreement and Persian sovereignty by occupying the coveted northwestern provinces, and also seeks a pretext to march on Teheran by making demands tantamount to the absolute abdication of Persia's sovereignty.

From the beginning Russia never intended to permit serious financial reforms or a strong Persia. The throwing off of the mask was merely hastened by the European situation and the insincere English foreign policy here. I have no apologies to offer for my course.

NEWS NOTES

—Thirteen cardinals were appointed by the Pope last week, three of them being American bishops.

—The centenary of the birth of Wendell Phillips, the great Abolition orator, was celebrated in Boston on the 29th.

—The 19th session of the National Irrigation Congress opened in Chicago at the Auditorium on the 5th. [See vol. xiii., pp. 925, 946.]

—Charles Frederick Adams speaks at El Paso, Texas, on the 10th and 11th, and at Los Angeles, Cal., on the 16th. [See current volume, p. 1196.]

—When Mrs. Pankhurst of England, accompanied by Mrs. Harriet Stanton Blatch, tried to speak in Wall street, New York, on the 27th, she was prevented by the outcries of a mob of men.

—The Eastern expedition of Governors of Western States passed through Chicago on the 28th, Grand Rapids on the 29th, Toledo on the 30th, Cleveland on the 1st, and Buffalo on the 2nd. [See current volume, page 1220.]

—John D. Rockefeller resigned on the 4th as president of the Standard Oil Company of New Jersey, and John D. Archbold was elected in his place. Mr. Rockefeller resigned also as a director. [See current volume, page 934.]

—The Congress of Santo Domingo on the 2nd elected Senator Eladio Victoria provisional President of the Republic, in succession to General Ramon Caceres, who was assassinated November 19. [See current volume, page 1196.]

—An order of the Postmaster General of the United States made public on the 2nd, forbids secret soci-

ties within the Post Office service. It is understood to be aimed at the National Federation of Post Office Clerks, a constituent body of the American Federation of Labor.

—The fifth annual meeting of the American Association for Labor Legislation, of which John E. Andrews (Metropolitan Tower, New York City) is secretary, will be held at the New Hotel Raleigh, Washington, D. C., from December 28th to 30th. [See current volume, page 980.]

—The grand jury at Kissimmee, Florida, decided on the 2nd against an indictment of Egbert Gillett and Elizabeth Sears, of the Shaker colony there upon accusation of homicide for humanely hastening the death of Sadie Marchant, of the same colony, who was suffering in the last stages of consumption. [See current volume, page 1004.]

—The National Association for the Advancement of Colored People (20 Vesey St., New York) is raising a fund of \$1,500 to publish a report of the facts about lynching in the United States, of which the appeal for funds says: "This form of lawlessness has now overstepped its former bounds, its former excuse, and even the confines of one race," and "is rapidly becoming a question of sheer civilization."

—A Washington state organization of Singletaxers has been effected with Oliver T. Erickson of Seattle as president, W. H. Kaufman of Bellingham as secretary, William Mathews of Spokane as treasurer, W. H. Proctor of Everett as auditor and A. W. Steers of Bellingham as organizer. A meeting at Seattle to perfect permanent organization is to be held in January, the arrangements for which are in charge of the secretary.

—Lectures by Charles H. Mann are continued at 352 Adelphi Street, Brooklyn, N. Y., the subjects for the next seven meetings being as follows: Dec. 12, "The Supersession of Ecclesiasticism"; Dec. 19, "Personal Immortality in Human Unity"; Dec. 26, "Human Nature in the Making"; Jan. 2, "The Divinity in Human Unity"; Jan. 9, "Life in Achieving; not in the Achievement"; Jan. 16, "The Sanction of Human Spontaneity," and Jan. 23, "The Cup of Hemlock." [See current volume, page 1123.]

—The California League for Home Rule in Taxation has been organized by the election of James G. Maguire as president, Mayor J. Stitt Wilson, of Berkeley as first vice-president, Herman Gustadt as secretary, Joseph Leggett as treasurer, and A. Lawrence Johnson, Walter MacArthur, Mrs. Lillian Harris Coffin, M. J. Dodge and Mrs. Helen Moore as the additional executive committee members. To secure a Constitutional amendment giving home rule in taxation to the counties and municipalities of California is the object of the League.

—In the Appellate Court at Chicago on the 29th Judge Windes' was reversed in his ruling on the valuation of certain long-time public school leases under 10-year revaluation clauses. For the ten years ending in 1915 a valuation of \$65 a square foot by the appraisers, provided for in the leases before the Court, had been set aside by Judge Windes for irregularities in the appraisal, and a much lower valuation fixed by him. The supposed irregularities are held by the Appellate Court to have been regular. In consequence the appraisers' valuation is sustained.

whereby the school income from ground rents is increased by about \$125,000 a year for the ten-year period. The victory was won by Frank Hamlin and Angus Roy Shannon, as attorneys for the Board of Education. This decision does not affect the Tribune, the Daily News and some other lessees who were favored by the Board of Education fifteen years ago with a cancellation of their ten-year revaluation clauses, their leases being thereby altered to flat-rate leases for some 75 years on valuations made in 1895. [See vol. xiii., p. 1228.]

—The fight for a California delegation to the Republican national convention pledged for La Follette was begun in San Francisco November 25th by the organization of the La Follette League of California, with Chester N. Rowell of Fresno as president, Mrs. Charles Blaney of San Jose as vice president, and Charles R. Detrick of Mayfield as secretary. More than 300 men and women prominent in California affairs were present. Instead of a formal platform a resolution was adopted declaring allegiance to La Follette and his principles.

PRESS OPINIONS

A Deserved Compliment From a Worthy Source.

The (San Francisco) Star (ind.), Nov. 4.—The Mayor of Berkeley, J. Stitt Wilson, is a man to whom we have the honor to take off our hat—and that we do to mighty few men; and never to the mighty. We take "off our hat" to Mayor Wilson, because we believe in him—because he is a man who is working for the right—and we don't care whether he be a Socialist, a Singletaxer, or anything else.

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Business and Politics.

The (New York) Nation (ind.), Sept. 28.—One thing the promoters of a Business Men's League, or whatever it may be called, cannot get too early or too clearly into their minds. This is that the day of a close alliance between "big business" and politics has gone by in this country. We used to approve it, then dubiously to tolerate it, but finally the people came to suspect and abhor it; and any political organization now seeking to revive it would be doomed from the start.

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The Campaign in Ontario.

The (Toronto) Globe (Lib.), Nov. 7.—One of the most popular planks in the platform will be that favoring such an amendment of the Assessment Act as will permit municipalities to exempt improvements from taxation either in whole or in part. Sir James Whitney stands like a rock against this reform, although he knows that Vancouver, Edmonton, Regina, Winnipeg, and almost all other cities or towns of any consequence in western Canada tax land values more heavily than improvements. The men who are most insistent in urging this reform on Sir James are within his own party, and they will no doubt use the Liberal declaration of policy as a goad with which to prod their laggard leader.

The Direct Legislation Victory in Ohio.

Cleveland Leader (Republican and Anti-Direct Legislation), Nov. 9.—There is no doubt that the advocates of the Initiative and Referendum have won a sweeping victory in the choice of delegates to the coming Constitutional Convention. They have chosen a clear majority of delegates sworn to the "I. and R." and many more are avowedly in favor of the new system, although not bound by direct written pledges. This settles all talk of changing the purposes or affecting the results of the Convention by influences brought to bear upon the men chosen as delegates. Nothing of that sort would be tolerable if it were possible. The people have decided to vote on a Constitution with the Initiative and Referendum written into it, and the will of the people is not only supreme, but it must be held beyond attack after it has been declared

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Socialist Attitude in McNamara Case.

Chicago Daily Socialist (Soc.), Dec. 4.—This is the time for every Socialist and union labor man to stand firm and dignified. We will not walk into the trap. We will not raise our voices in a hue and cry which, though ostensibly directed against an individual who has confessed murder, is really planned to drown the noise of a pack of hounds baying on the tracks of innocent men. We have seen murder before—in the mine, in the factory, in the sweatshop, along the steel webs of modern transportation. We have counted such murders by the tens of thousands. We have looked upon the dead bodies of our own brothers, workmen and women and their children, murdered by the greed of those who exploit us. We have seen blood, and always it has been our own. . . . If vengeance be due it belongs to us, not to those whose loss is measured in dollars. For our vengeance the law is ample. It is they who have lost their dollars who would create a reign of terror, who would slay men, innocent or guilty, with wanton disregard of the law, in order to strike such fear into the hearts of men as would render mammon safe from even legal opposition.

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The British Insurance Bill.

(London) Land Values (Singletax), June, 1911.—Even as a palliative this Insurance idea will prove a failure. The state will take from the employed workers of the country a certain portion of their wages. The purchasing power of these same workers will be decreased by just that amount. The demand for goods will be restricted to this extent and some men at present employed will be thrown out of work. The very act of levying contributions will bring about the conditions the Government is trying to insure against. The only way that unemployment can be banished is by freeing from monopoly and restriction the prime necessity of all production—the land. If land were thus freed, production would be carried on under fair conditions and the opportunity to labor would be open to everyone. If everyone had equal opportunity of access to land—the mother of all our needs and necessities—labor would be in a position to demand its real share of the wealth produced. Want would give place to

plenty, poverty would disappear and with it all the social evils and diseases which are such an outstanding feature of present day civilization. There would then be no need nor demand for Insurance bills or any other so-called "social reform" measures. While we feel strongly against this Insurance Bill, we appreciate, no less than anyone else, the splendid spirit and purpose which actuates Mr. Lloyd George and its supporters. What we desire is not to see this spirit crushed, but to see it strengthened and fortified and applied in the right direction. In concluding his speech introducing the Bill, Mr. Lloyd George said that he did not pretend that this scheme was a complete remedy and that before we could get a complete remedy for these social evils we should have to cut in deeper. Yes, we must cut deeper, and into the solid earth, the natural foundation of all genuine social reconstruction. We must first secure a rational measure of land reform.



The Singletax Over the Line.

Everett (Wash.) Herald, Nov. 14.—The passage of the Singletax amendment to the city charter means that Everett will be the first city in the State of Washington to adopt a system of taxation that is in line with the ideas of Henry George—an idea that ever since its first proposal by the American economist has steadily gained ground until now it has adherents in all parts of the world. The place nearest Everett where something akin to the Singletax idea has been put into practice is Vancouver, B. C. The system of taxation resorted to there is credited by many with that city's remarkable growth. But, even after the measure has been adopted here, there are many Everett people who are hazy concerning it. Briefly, it is a land tax as opposed to an improvement tax. Now, both houses and lands are taxed. Under the measure adopted by popular vote, eventually in Everett only land will be taxed, so far as city taxes are concerned, and improvements will be exempt. You will pay taxes on lots upon which your house stands but you won't pay taxes on the house itself. Opponents of the present system of taxation maintain that it is a tax on industry—that the more a man improves his property the bigger tax he is called upon to pay, while, on the other hand, monopoly of land and speculation in it are encouraged. They maintain that those who hold idle land for speculative purposes profit at the expense of the real city and country builders—the men who improve farms and build homes and mills, for it is the latter who increase the price of idle land. The theory of the Singletax is that it encourages the real use of land instead of its employment as a speculative medium, for an increased tax on land will make speculation in it less profitable. This measure, adopted by Everett, will affect only city taxes, and will not be entirely effective until 1917. From year to year the burden will be gradually shifted from improvements to the land until at that time improvements will be entirely exempt. So it will be some time before the effects of what we have done will be noticeable in any great degree; but, if the experiences of other communities are criterions and the theories of students of taxation are correct, the new measure should be a big factor in

encouraging the improvement of property and the coming of industries.

RELATED THINGS
CONTRIBUTIONS AND REPRINT

SLUM-CRY.

John Galsworthy in the London Nation.

Of a night without stars, the wind withdrawn,
God's face hidden, indignity near me,
Drink and the paraffin flares to sear me,
Dust-colored hunger—so was I born!

Of a city noon-day—as sand through sieve
Sifting down, as dusk padding the glamor—
I of the desolate white-lipped clamor,
Millioning fester. So do I live!

Of a Poor-house morning, not asking why,
Breath choked, dry-eyed, the death of me staring,
Faces of strangers, and no one caring—
Thou who hast made me—so shall I die!



HOW HENEY WAS MISREPRESENTED*.

From George Creel's Account in the Kansas City Times of a Memorable Conversation Between Frank J. Cannon, Ben B. Lindsey and Francis J. Heney.

Heney is a man of peculiarly winning geniality, with a smile that is a broad, boyish grin. He told—as if it were a boarding school row—of the murderous attack that had been made upon him by Morris Haas in San Francisco, and the way in which public sympathy had been turned against him and to Haas by newspaper accounts of the shooting, not only in California, but throughout the whole country, by the dispatches of the San Francisco correspondents.

"You see, they made it out that Haas didn't want to serve on that second jury which was to try Abe Ruef, the grafter boss of San Francisco; that he fought against serving because he was afraid his prison record would be found out—and he had lived that down, they said.

"They described him as the proprietor of a cigar store, who enjoyed the respect and esteem of the community after years of hard work and square living. And so, when I came along and brutally exposed him—not out of necessity but from the sheer joy of disgracing him—the poor devil went crazy, rushed out and got a gun, ran back again and shot me.

"As a matter of fact, Haas had been the keeper of a low grocery, and was openly living with a woman to the shame of his wife and family. His

*For an instance of the success of this misrepresentation see The Public of November 27, 1908, page 831.

prison record wasn't a secret, and he boasted to his paramour that his vote for Ruef's acquittal would put him back on his feet. There wasn't a single thing about the man's case that called for the slightest consideration, and it was imperative that I should get him out of that jury box. As for going mad with the disgrace and shooting me down in a burst of insane rage, he hustled out of the courtroom and wasn't seen again for seven months.

"It wasn't until Ruef's third trial that we saw Haas again. Ten jurors had been selected, and I was proving that the eleventh man had been a bribe giver and a participant in municipal corruption. The defense had exhausted its peremptory challenges, I had two left, and it seemed a cinch that we would get two honest men and begin the trial. There was pretty general belief that Ruef would break down and confess rather than take his chances with a square jury, and if Ruef confessed, that meant bringing in the men higher up, you know.

"The judge called a night session, the first in the case. As we entered the courthouse that night, Haas was hanging around at the top of a dark staircase. Foley, my bodyguard, happened to be walking ahead. He pushed Haas out of the way. The next morning Haas came into the courtroom, and for two weeks fairly haunted the place. He was always trying to slink into the press chairs just behind me, and I can't tell you how many times Foley shooed him away."

"What on earth was the matter with you!" exclaimed Lindsey. "Why didn't you have him arrested?"

"On what charge?" Heney shrugged. "Right up to the day of the shooting the papers ridiculed my bodyguard, and if I had had Haas arrested they would have yelled their heads off over the 'terrible outrage' and my cheap 'grandstanding.' To tell you the truth, I didn't think Haas had the nerve to pull anything off. All through the three trials the courtroom was full of the gang's real bad men, and I reckon I'd got into the habit of watching them. Anyway, I had reached a sort of 'what's the use' stage. You ought to know how it is. After the first week or two a man's nerve naturally lets down—he comes to see that if it's going to happen it's going to happen, and all the watching in the world won't help. Of course, I saw Ruef and his attorneys going white every now and then. Even the judge took notice of their jumping and dodging, and asked me what I thought it meant.

"Well, after two weeks of constant trying, Haas slipped Foley's eye and got into the chair right behind me—close enough to press the derringier barrel right against my head. You see, the idea was to take no chances of just wounding me. But I happened to be laughing at the time. If I'd had

my jaws together I would have lost more than my hearing in my right ear."

"A master slander," judicially commented Senator Cannon. "By far and away the most successful lie that the interests ever put across. It alienated the sympathy of the people who could not have been reached any other way."

"It caught me," shamefacedly confessed one of the newspaper men. "Brand Whitlock and I talked it over at the time and—"

"And you thought I was a brutal, bullying prosecutor who got what was coming to him." Heney nodded. "Never mind apologizing. You had plenty of good company. Wherever I go I find honest people still believing the lie—still half convinced that I brought it all on myself."

BOOKS

INDUSTRIAL INSURANCE.

Industrial Accidents and Their Compensation. By Gilbert Lewis Campbell. Published by Houghton, Mifflin Co., Boston. 1911. Price, \$1.00 net.

Social Insurance. A Program of Social Reform. By Henry Rogers Seager. American Social Progress Series, Volume V. Published by the Macmillan Co., New York. 1910. Price, \$1.00 net.

The United States kills and injures many more of its industrial workers than any other modern nation, and looks less to the consequences. Mr. Campbell in his brief book gives many facts and figures about accidents to American workmen and tells of the meagre compensation therefor, paid by a few employers and other voluntary agencies. He sees the Employers' Casualty Insurance companies in no favorable light; and, after a short summary of what Europe is doing, he suggests several legal reforms.

Employers should be held much more strictly to account, the author thinks, and "compensation should be paid according to a definite scale fixed by law and varying according to the age and pecuniary situation of dependents." "Payment should be guaranteed by adequate insurance."



The six lectures by Professor Seager of Columbia University, grouped under the title, "Social Insurance," cover a much wider field than that of industrial accidents merely. Illness, premature death, unemployment and old age are included. For all these the author considers there should be compensation under state supervision, as now in nearly all other civilized nations. Whether the compulsory insurance method of Germany, or—better for us, probably—the English plan of workmen's compensation, be taken as our model, some changes will be necessary to adapt it to our national characteristics. For Americans are suffering.

asserts the author, from an "exaggerated individualism."

Industrially, we have become a great unified nation; politically, we are held back by our inherited traditions in regard to State's rights, by our distrust of governmental action, and by our strong individualistic bias. . . . In business and in politics we are still individualists. We habitually put our individual before our common interests, and even when we are conscious of common needs we hesitate to entrust them to our common government.

"Our common government." But is it ours? In common? Can we now easily express through it our common interests, or safely entrust to it our common needs?

ANGELINE LOESCH GRAVES.

BOOKS RECEIVED

—Christ's Christianity. By Albert H. Walker. Published by the Equity Press, 97 Reade St., New York. 1911. Price, \$1.00 postpaid.

—The Problem of Freedom. By George Herbert Palmer. Published by Houghton Mifflin Co., New York and Boston. 1911. Price, \$1.25 net.

—Commission Government in American Cities. By Ernest S. Bradford. Published by the Macmillan Co., New York, 1911. Price, \$1.25 net.

—The Nut-Cracker and Other Human Ape Fables. By Charles Elton Blanchard. Published by Broadway Publishing Co., 835 Broadway, New York. 1911.

—Dolls and Toy Balloons. By Floyd Jenkins, Donald McGraw and Richard Putnam Darrow. Published by the Broadway Publishing Co., New York. 1910.

—Story of the Session of the California Legislature of 1909. By Franklin Hichborn. From the Press of The James H. Barry Company, San Francisco, 1909. Price, \$1.25.

—Story of the Session of the California Legislature of 1911. By Franklin Hichborn. From the Press of the James H. Barry Co., San Francisco, 1911. Price, \$1.25.

—Industrial Education. Twenty-Fifty Annual Report of the United States Commissioner of Labor. 1910. Printed at the Government Printing Office, Washington, D. C., 1911.

—The Economic Principles of Confucius and His School. In two volumes. By Chen Huan-Chang. Whole numbers 112 and 113. Studies in History, Economics and Public Law. Published by the Columbia University, Longmans, Green & Co., agents, New York. 1911. Price for both volumes, cloth, \$6.00, paper \$5.00.

PAMPHLETS

Spanish Singletax Literature.

Mr. Antonio Albendin (Ronda, Andalucia, Spain) sends a Spanish translation of the "Syllabus of Progress and Poverty," by Louis F. Post. The

translation is good, as are also the printing and paper.

C. L. L.

+ +

City Planning.

William Arthur, who has written several handbooks on building and contracting, cherishes an enthusiastic plan for a model city. ("Our Home City." Published at 4160 Davenport St., Omaha, Neb.) One thousand families, that is, approximately 5,000 people, are to go to "a tract of land bought at agricultural prices and start a city, and each family shall build on this land, leased from the city only according to its rental value. The city will thus own the ground, but the buildings will be owned individually." While based on competition, the city is to keep the title to all land, and to own and operate all public utilities. It will be laid out according to a careful ground-plan for which from 3,000 to 6,000 acres should be sufficient. This Utopia presents some very practical and modern aspects; but, like all Utopians, Mr. Arthur can not resist sailing his dream-ship into all the little rivulets of detail and so needlessly alienating many who might be through passengers. Some other features mar the prospect. Mr. Arthur would at first name all officials himself, and, though he speaks well of direct legislation, his governmental scheme is somewhat vague. The frivolous reader will note with mingled joy and grief how in the map of "Our Home City," "George Boulevard" is one of the diameters of "Arthur Circle."

A. L. G.

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Pamphlets Received.

Among the pamphlets recently received by us are the following:

Parcels Post. Bulletin for Debating and Public Discussion, Extension Division of the University of Wisconsin, Madison, Wis., October, 1911. Price, 5 cents.

Annexation of Cuba and Independence of the Philippines. Bulletin for Debating and Public Discussion, Extension Division of the University of Wisconsin, Madison, Wis. Price, 5 cents.

Suggestions for a Model Street Railway Franchise. Presented by James W. S. Peters and Delos F. Wilcox to the National Municipal League, November 16, 1911.

Elements of a Constructive Franchise Policy. By Delos F. Wilcox. Read before the National Municipal League, Buffalo, November 15, 1910.

The Remedy. By Henry Rawie. Published by George W. King Printing Co., Baltimore. 1911.

Reflections of a Lawyer. By Morris Salem, 198 Broadway, New York. 1911.

PERIODICALS

Lincoln Steffens.

Readers of Everybody's (New York) for December will find at page 796 an article of point and power by Lincoln Steffens, from which explanations of his connection with the Los Angeles dynamite case may be inferred. Its implications are vastly more numerous, to be sure, for it is in truth a startling sermon on Christianity by a sincere and able

an who is apparently trying to be a Christian without being conventional.

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President Taft's Apology.

In the Outlook (New York) for the 1st. Frances Leupp publishes a magazine interview with President Taft on the latter's administration and politics, which the President's critics and his admirers, both, may like to read.

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Land Values and Values Taxation Urged in Spain.

The Madrid Herald of November 7 contains an article by Mr. Antonio Albendin on the subject of land values in Madrid. Recent returns show an increase in population of 40,000, and an increase in land values of about forty million pesetas (\$8,000,000), about \$20 per capita for the increase in population. In Madrid, as elsewhere, the people as a whole create the land values which go to enrich the land owners, many of whom are absentees who do not participate in any way in making the city prosperous. At present the city government lacks the funds necessary for building and maintaining a sufficient number of public schools, public playgrounds, baths and hospitals. The city is forced to borrow money, and pay interest to those who take it from the people in ground rents. As a cure for these disorders Mr. Albendin advises the application of the land value tax.

C. L. LOGAN.

"Say, Cnolly, what's this—ah—Singletax we hear so much about lately?"

"Really, old chap, don't you know? There's a lot of bally beggars who want to change things so there will be no tax on anything but land."

"Oh, I say, really! I'm awfully glad, don't you know. I thought they might want to tax brains or something of that sort."—Chicago Record-Herald.

+ + +

The cost of the necessities of life grew greater and greater till at length the Ultimate Consumer was fain to cease consuming.

He brooded much over the plight in which he found himself. His mind became unsettled.

"The Ultimate Consumer—no longer a consumer!" he muttered, over and over. Then, brightening all at once, he exclaimed: "Why, that makes me the Ultimate, which philosophers have sought in vain from the earliest times!"

Whenceforth he was observed to carry himself with an air of profound satisfaction.—Puck.

+ + +

The Squire's son, just ordained, had finished the morning service and returned to the vestry, having accomplished the service to his own satisfaction.

"I think I got through without a mistake, John," he remarked to the old clerk, who was helping him off with his surplice.

"It was first-rate, Master Dick," said the old man

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THE SPECTATOR, Portland, Ore.

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THE NEW AGE, Sydney, Australia.

"This book is logical, convincing and helpful, and at this time when the 'higher criticism' seeks to demolish the faith of our fathers, it comes as a gleam of light in the darkness."

PORTLAND SUNDAY TELEGRAM, Portland, Me.

"A suggestive book and will be read with interest by many who realize the fashion in which formal religion has ceased to appeal to a great number of people who are not wicked, but puzzled."

TIMES, Hartford, Conn.

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MINNEAPOLIS, MINN.

with enthusiasm; "I don't know as I ever heard it better done." After a pause he added, "But the old parson, he never gives us the evening service in the morning."—Canadian Century.

* * *

"When I arose to speak," related the martyred statesman, "some one threw a base, cowardly egg at me."

"And what kind of an egg might that be?" asked an attentive listener.

"A base, cowardly egg," explained the statesman.

"Is one that hits you and then runs."—St. Paul Pioneer-Press.

* * *

"Patriotism, unless backed up by intelligence and ability, is worth little."

Thus William Jennings Bryan once ended a Fourth of July address in Lincoln.

"The man who has nothing behind his patriotism," Mr. Bryan added, "is as badly off as a certain recruit of whom I recently heard.

"This recruit was being put through an examina-

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THE PUBLIC, Book Dept,
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tion in geography, wherein he proved himself astonishingly ignorant. At last, after a failure on his part of unusual fragrance, the examiner scowled at him and thundered:

"'Idiot, you want to defend your country and you don't know where it is!'"—New York Tribune.

+ + +

The Scotch golf links are as good as the Scotch officials are quaint.

Once, at North Berwick, a stranger desired to

make arrangements for playing. He sought out the proper official, and this official took out a notebook and said:

"What name?"

"De Crespigny," replied the stranger.

"Mon," said the official with a look of disgust, "we canna bother oursel's with names like that at North Berwick. Ye'll start in the mornin' at 10:15 to the name of Fairrgusson."—Philadelphia Record.

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