

city bar. Most of the lawyers who belong to it are members only for the sake of its library facilities. Some are there for the purpose of taking part in judicial politics and using the club for a weapon. Others are of the sycophant type. No lawyer can become a member if a few members dislike him enough—for personal, race or other reasons alien to lawyership—to blackball him; and many reputable members of the New York city bar refuse to allow their names to go through this blackball ordeal. Such an organization may be very useful, and its opinions very worthy of consideration; but it does not and cannot speak for the New York city bar. It speaks only for its own limited and exclusive membership. It does not speak even for the members. So perfunctorily are its manifestoes usually adopted, it can hardly be said to speak with authority for more than the little group of members who attend its meetings, ballot for members, elect its officers, and in political campaigns give the sanction of its pretentious name to their political and personal likes and dislikes with reference to candidates for the bench.

It is the Cleveland police who are now trying to make capital out of Emma Goldman, by preventing her speaking in public. This was done in Chicago by Mayor Harrison upon the flimsiest and most anarchistic of pretexts. There is not so much as the shadow of an excuse for denying to this woman the right to speak. Such denials are on the contrary flagrant breaches of the law, which policemen are sworn to enforce and not to defy. Miss Goldman has the same right as any other person to speak freely in public, subject to a lawful prosecution for abusing the right. It is the duty of the police to attend her meetings for the purpose of preserving the peace. It is their duty while there to preserve the peace by suppressing physical violence of all kinds. It is not their duty, but quite the contrary, to censor her utterances. If the prosecuting attorney of the locality has

reason to believe that she may say things calculated to promote crime, it may be his duty, it certainly is his right, to have her words authentically reported and either to prosecute her at once before a magistrate or refer the matter directly to the grand jury. This may also be the duty of the police. But no one can prevent her from speaking, no one can censor her utterances in advance, no one can interrupt her while she speaks, without thereby himself committing a breach of the peace, without thereby, if he be an officer of the law, violating his oath of office, and without thereby threatening the exercise by others of their guaranteed rights of free speech.

Whatever may be thought of the unjudicial manner of the special sessions judges of New York city who have sentenced John Most to a year's imprisonment for republishing an extract from an essay written half a century ago by Carl Heinzen, a distinguished German patriot and American abolitionist, the proceedings appear at any rate to have been legitimate under the law. Most was held criminally responsible for what he had printed; not by way of censorship in advance, but in a prosecution for crime. Of the question of the criminality of the extract we need not speak at this time. The tribunal of petty justices which tried Most has decided that it was criminal, and he himself must have accepted that tribunal or his trial would have been by jury. He probably believed that a jury would have convicted him upon the same facts, and in this he was doubtless right. In the present disordered state of the public mind a jury would be as likely as a mob to punish a man suspected of systematically advocating assassination. And when juries or mobs are in a state of mind to punish even legitimate and lawful acts, there is no recourse under any possible system of government or no-government, except as government may possibly afford it through reviewing tribunals. It is to

be borne in mind, also, that John Most is not a peaceable agitator of opinions. He is what is known as a physical force anarchist. He makes a practice of advocating assassination. This affords no excuse for convicting him as for crime upon facts which do not constitute a crime, if that has been done; but it does raise a reasonable presumption in the minds of men who believe in law and order—not merely those who use these words as cant, but those who believe in law and believe in order—that he has not been unlawfully or improperly dealt with.

How ridiculously demoralized the public press, if not the public itself, has been by the recent anarchy hysterics, is illustrated by the way in which a sermon by Heber Newton is reported. Mr. Newton delivered this sermon last Sunday from the pulpit of All Souls Protestant Episcopal church, New York city, of which he is rector. According to the report which came over the wires to Chicago, it "amazed his congregation" by its "radical utterances on the subject of anarchism." Mr. Newton's views, the report proceeds, "came as a surprise to many, while some, who knew the trend of his mind, were astonished at the rector's bluntness." After that introduction one should be prepared for an explosion of rhetorical dynamite. Less than a hair-raising, blood-curdling, law-defying incitement to assassination would hardly fill the bill. Yet the worst extract the reporter was able to cull was this:

Anarchism is in reality the ideal of political and social science, and also the ideal of religion. It is the ideal to which Jesus Christ looked forward. Christ founded no church, established no state, gave practically no laws, organized no government and set up no external authority, but he did seek to write on the hearts of men God's law, and make them self-legislating.

If that utterance were capable of "amazing" church people by its "bluntness" as a plea for anarchy, the fact only goes to show that the revengeful pulpit utterances of recent days have benumbed their religious

sensibilities and made them unable to distinguish Christian doctrine.

The latest industrial bulletin issued from the census office (No. 93) relates to the manufactures of Rhode Island. Its immediate predecessor in the same general field (No. 87) related to the manufacturing and mechanical industries of Montana. The two previous ones on the industrial subject, relating respectively to the coke industry in general, and to manufacturing in Delaware, we commented upon at page 148 as to the coke industry and at page 260 as to Delaware. The Montana report (No. 87) we summarize as follows:

1890.—Value of products.....	\$5,507,573
Cost of Materials and miscellaneous expenses.....	2,539,996
Net Product	\$2,967,577
Net product per wage earner (2,386 wage earners).....	\$1242
Individual wages (\$1,652,413 for 2,386 wage earners).....	691
Surplus	\$551
Profit on capital, namely, gross products, less cost of materials, etc., and wages.....	\$1,315,164
Percentage of profit (\$4,293,794 invested capital).....	30 per ct.
1900.—Value of products.....	\$57,076,824
Cost of materials and miscellaneous expenses.....	35,209,106
Net product	\$21,866,716
Net product per wage earner (10,117 wage earners).....	\$2161
Individual wages (\$7,969,886 for 10,117 wage earners).....	787
Surplus	1374
Profit on capital, namely, gross products, less cost of materials, etc., and wages.....	\$13,696,830
Percentage of profit (\$40,945,846 invested capital).....	34 per ct.

Thus we see that in this case, unlike the previous ones, individual wages have risen. From \$691 in 1890 they have gone up to \$787 in 1900. But when we compare wages to net product, we find that whereas the manufacturing and mechanical wage workers of Montana received 56 per cent. of the net product in 1890, they received only 35 per cent. in 1900. Consequently, though there is a rise in absolute wages, there is a fall in wages relatively to net product. With reference to invested capital, the profit has risen from 30 per cent. in 1890 to 34 per cent. in 1900. In Rhode Island (No. 93), also, individual wages appear to have risen. And in this case the percentage of wages to

net product has remained unchanged—58 per cent. With reference to invested capital the profit is the same now as ten years ago—19 per cent. Following is the Rhode Island summary:

1890.—Value of products.....	\$142,500,623
Cost of materials and misc. exp	85,078,430
Net product	\$57,422,193
Net product per wage earner (81,111 wage earners).....	\$708
Individual wages (33,239,313 for 81,111 wage earners).....	410
Surplus	\$298
Profit on capital, namely, gross products, less cost of materials and wages.....	\$24,182,890
Percentage of profit (\$126,483,401 invested capital).....	19
1900.—Value of products.....	\$184,074,378
Cost of materials and misc. exp	108,592,003
Net product	\$75,482,375
Net product per wage earner (96,528 wage earners).....	\$782
Individual wages (\$41,114,084 for 96,528 wage earners).....	426
Surplus	\$366
Profit on capital, namely, gross products, less cost of materials, etc., and wages.....	\$34,368,291
Percentage of profit (\$183,784,587 invested capital).....	19

Tabulating the census bulletins so far issued on manufacturing industries, namely, 63, 69, 87 and 93, we get the following comparative results for the decade:

	1890.	1900.
Coke Industry (1889 and 1899):		
Net product per wage earner.....	\$554	\$396
Individual wages.....	\$453	\$417
Percentage of wages to net product.....	81	46
Percentage of profit on capital.....	2½	16
Manufacturing in Delaware:		
Net product per wage earner.....	\$711	\$747
Individual wages.....	\$421	\$417
Percentage of wages to net product.....	59	56
Percentage of profit on capital.....	18	13
Manufactures of Idaho, Nevada and Wyoming:		
Net product per wage earner.....	\$1108	\$1113
Individual wages.....	632	617
Percentage of wages to net product.....	57	55
Percentage of profit on capital.....	29	31
Manufacturing and mechanical industries of Montana:		
Net product per wage earner.....	\$1242	\$2161
Individual wages.....	\$691	\$787
Percentage of wages to net product.....	56	35
Percentage of profit on capital.....	30	34
Manufactures of Rhode Island:		
Net product per wage earner.....	\$708	\$782
Individual wages.....	410	426
Percentage of wages to net product.....	58	53
Percentage of profit on capital.....	19	19

In a very able and generally sound article in the September number of the Journal of Political Economy, Mr. George C. Sikes opposes the principle of farming out street car fran-

chises upon the basis of high fares and compensation to the city. He favors low fares without compensation. In other words, he objects to levying taxes upon street car passengers as such. But Mr. Sikes makes the mistake of adopting, as the basis for an ethical argument in support of this thoroughly sound contention, the untenable fiscal doctrine that "persons should contribute to the support of government according to their ability." There is no logical relation between that doctrine and just taxation. This logical step has been taken advantage of by James R. Galloway, in a letter to the Chicago Chronicle of the 13th. Mr. Galloway points out, correctly, that with taxes as with everything else, men should in justice pay not in proportion to the length of their purse, but in proportion to what they get. And he brings to his support no less weighty an authority than Judge Cooley, whom he quotes as laying down the principle that "if it were practicable to do so, the taxes levied by any government ought to be apportioned among the people according to the benefit each receives from the protection the government affords." In fact, notwithstanding Judge Cooley, it is possible to do that very thing. It would be possible, that is, but for the opposition, as yet effective, of just such men as Mr. Galloway. That gentleman can hardly realize what he is doing when he assails the doctrine to which Mr. Sikes refers. While this doctrine does not support Mr. Sikes's argument—which is an argument for equitable adjustment—since taxation according to ability to bear it can by no possibility be equitable, yet it is a far safer doctrine for the unproductive classes to cling to than the one which Mr. Galloway unguardedly advances.

It is gratifying to know that special arrangements are being made by the census bureau to furnish statistics of actual wages in mechanical establishments for the decade 1890-1900. Moreover, it is refreshing to be in-