

Market streets, no intimation being given that I was to be present. Herrin complied immediately with the request and was ushered into the room where we were. He was so surprised and taken aback that he leaned against the wall for support until he could recover himself. I asked Herrin how it was that he had made practically the same proposition to Mr. Spreckels and myself. He hemmed and hawed, pulled out a cigar and stuck the wrong end of it in his mouth, and finally stammered out something about the delay that had been made in making a reply to his proposition. I then asked him point blank: "Who is the railroad's candidate for United States senator?" His reply was: "Col. Dan Burns is the railroad's candidate."

All this must have been interesting reading to the voters of California, who, upon the assurance of the republicans that the Southern Pacific railroad was not in politics, elected a Southern Pacific railroad governor and legislature. And it should be interesting to voters everywhere as an exposure of the way in which railroad henchmen are sent to the United States senate. This attempt in California is unmasked. Most similar attempts, both in California and elsewhere succeed.

Two judicial decisions have been recently made in England, which, if generally accepted as precedents, will shield believers in Christian science from further persecution. One was in the case of Harold Frederic, the novelist, who died while under the ministrations of a Christian science healer. The other was in the case of two members of the sect known as the Peculiar People, a man and his wife whose child had died for lack, as it was alleged, of medical attention.

The Christian science healer in Harold Frederic's case had been charged by the coroner's jury with responsibility for his death; but the committing magistrates before whom she was arraigned refused to hold her for trial, and the prosecution was abandoned. But still more important was the decision of the criminal court in the case of the Peculiar People. According to the doctrines of this

sect, physicians are not to be called in cases of sickness, but an elder is to pray over the patient and anoint him with oil. Under that treatment, the infant daughter of the accused persons had died, and they were indicted for manslaughter. An attempt was made to quash the indictment, but the judge before whom the motion came overruled it, holding that the refusal of parents to resort to established methods of medical practice in cases of dangerously sick children of too tender years to choose in such matters for themselves, amounts to criminal neglect. But this view of the question has been reversed by the assize court before which the accused parents were tried.

The case is reported by Lloyd's Weekly, of London, under date of November 13. A physician had testified that death was due to inadequate nutrition, and that he believed he could have saved the child's life had he been called in. Against this testimony, however, there was ample proof that the parents had done what they honestly considered to be best for the child; and upon that proof, Justice Hawkins ruled against the prosecution. He held that the mere omission to call in a doctor in such cases is not a crime unless accompanied by gross negligence, and that a case of gross negligence is not made out when those who are responsible do for the patient what they honestly believe to be best.

Full reports of decisions in the express companies' internal revenue tax cases are being circulated by the companies. The cases arise under the war revenue law which requires stamps to be affixed to express receipts. This provision was intended, so the people were assured at the time, as a tax upon the corporations. But in practice the corporations compelled their customers to pay for the stamps. In some places this practice was resisted, suits being brought for injunctions against the companies. The courts decided, however, that under the law the companies were in the right. One of these

decisions was made by the United States Circuit court in New York, which held that the war revenue bill does not expressly require the companies to pay for and affix the stamps, but only requires that the stamps be paid for and affixed by somebody. That construction leaves the matter open, of course, to mutual agreement between the companies and the shippers; and as the companies refuse to carry goods until the shippers pay for the stamps, the shippers must of necessity bear the burden of the tax or make no shipment.

Decisions by other courts are to the same effect. So the courts, by their construction of the war revenue law, shift the stamp tax from the companies to shippers, who ultimately collect it of consumers. But it would have been shifted just the same without the aid of that construction. Had the companies been required to pay for the stamps, they would have recouped themselves by increasing their express charges. All such taxes fall not upon the corporations, but upon the people. They are indirect taxes.

SUPPRESSING ANARCHISM.

It was very fitting that the International Congress which met in Rome on the 25th of last month, and is still in session there, should select the capital of Italy for its deliberations. The purpose of the Congress, as outlined by its promoters, is to deal with the problem of suppressing that form of enmity to government and organized society designated as Anarchism. Italy is the proper place to begin operations, because nowhere else has so much been done by government and organized society to promote anarchism. Nowhere else have the people had so much reason to feel that the government, instead of being their defender and protection against lawlessness and injustice, is really the refuge of the plunderer and the public enemy.

It is quite interesting to attempt to discover the reason why such a congress should be convened at this particular time. The cases of murderous violence against those in authority,

and other outward signs of criminal anarchy, have not been more numerous of late than formerly. The bomb throwing incidents which are always associated in the public mind with anarchy were much more frequent several years ago than now. The assassination of the Empress of Austria is a single incident, and not an unusual one. From the destruction of the temple of Ephesus down to that murder, men with a feverish, insane thirst for notoriety have committed purposeless and conspicuous crimes. Crowned heads and those in supreme authority are proverbially in peril of such men. No less than two presidents of the United States have been murdered by political cranks, but no one ever thought of anarchy in connection with those cases.

In spite of all the effort of the Italian Government to create them, criminal anarchists, so far as information is given to the public, are less in evidence, even in Italy, than usual.

Nor can this convention have a reason for its being in the insufficiency of laws to prevent and punish every crime that can be named against peace and good order. Laws comprehensive and complete, with the severest penalties, covering every conceivable form of homicide and treason, are embodied in the code of every civilized nation, and they embrace every possible act of accessories before and after the fact, including plots and conspiracies of all kinds.

It might be said that the prevailing disorders in Italy, Spain and elsewhere present an urgent need for immediate action. But that hungry discontent, those riots and frenzied outbursts are not expressions of hostility to government in general but to those governments in particular. It is not anarchy but rebellion. Those occurrences are just what always have happened, and may always be expected, in a people driven to desperation by intolerable tyranny.

Yet, in Italy for instance, it may be truthfully said that real anarchy is the cause of those disorders. For, there, as in many other places, those whose duty it is to enforce the law have made it their business to sup-

press natural liberty instead of unnatural crime; the tax gatherer has worked with honest zeal and an eye single to his own emolument; the Government has been regarded as an institution for the benefit only of those who run it. It is no great wonder that the people, finding it impossible, under the oppressive exactions which they suffer, to reap even scantily where they have sowed abundantly, finding that industry and frugality, instead of being a safeguard against misfortune, only mark them as victims for the despoiler, at length conclude that any change could only be for the better. It would not be wonderful if they should even conclude that the sporadic robbery, to which they would be subject with no government at all, is to be preferred to the systematic and constant spoliation which they now endure.

Yet there is no evidence that they have reached that degree of desperation. Their grievance does not lie in the existence of a government, but in the government's disregard of all its duties to the citizens, its protection of the lawless in their depredations.

It is quite evident that the unspeakable greed of the official classes, and their fatuous disregard of every right and every interest of the people, in many parts of Europe, and especially in Italy, has led to such profound and all-pervading discontent that the existing governments in those countries are in constant and eminent peril of revolution. Revolution is what they fear, not anarchy.

This may be a reason for the International Congress. One feature of the program is "to define a criminal anarchist; another is "to concert measures against the press which incites to anarchist outrages," and it is also contemplated that there will be "measures to control the liberty of action of those known to be anarchists." In other words, something is to be defined as a crime which was not a crime before, something, of course, the discussion of which is dangerous to existing governments.

The Italian government not only originated the scheme of convening the Congress, if the newspaper accounts are correct, but also outlined

the program for its deliberations. It would seem that the purpose of that government is to obtain the consent of the powers to a definition of Anarchy which will include every form of discontent, and every form of discussion of their wrongs, on the part of the long-suffering people. It would then be possible, with that form of European approval, to resort to still more drastic measures than those heretofore employed, in warding off inevitable revolution.

Such may not have been the purpose of the Italian Government in calling the convention. If not, if there was a real intention to deal with real anarchy, it is extremely unlikely that anything of importance will be accomplished. The beginning is at the wrong end. They are after the rabid dog sure enough, but they will think they have decapitated him when they cut off his tail.

If the particular committee which has in charge the business of defining a criminal anarchist would make its definition sufficiently wide to include those who override the law and ignore the purpose of government, while having it as their duty to uphold and enforce them, some good might come of it.

JOHN TURNER WHITE.

NEWS

Nothing now remains to formally end the war with Spain, but the ratification by the Spanish cortes and the American senate, of the treaty of peace. This treaty was signed at Paris, by the joint commissioners of the two countries, on the 10th at 8:45 o'clock in the evening.

At the time of our last report on this subject, eight articles of the treaty had been agreed upon, and the last joint meeting of the commissioners had taken place on the 6th. The next joint meeting was held on the 8th. Then the terms of the whole treaty were agreed to, and an adjournment was taken until the 10th, when it was expected that the formal treaty would be signed. This final meeting was to have been held at 3 in the afternoon, but owing to the difficulty of engrossing upon parchment the documents were not ready for signature until evening. After