company refused to avert the inconveniences and dangers that are inevitable in a strike, though it could have done so by the reasonable and fair expedient of submitting its controversy with the men to arbitration.

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The employer who refuses to arbitrate differences with his men must be presumed by public opinion to be conscious of having the weaker side of the controversy. If his business is a private one, the fact that he prefers to fall back upon the strength of his position as employer rather than the merits of his controversy as a man, is none of the public's affair. It may have its own opinion of him and there an end. But if his business is charged with public obligations in return for special privileges, the case is different. He has no right to involve the community he has contracted to serve, in the inconvenience, the disorders, and the dangerous disarrangements of a strike, merely to gratify his own pride of power. He must either be in the right and ready to prove it before arbitrators, or he must bear the odium of having wantonly caused the strike.

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That is the position of the Chicage City Railway company. As the matter now stands, public opinion must hold this corporation responsible to the public for its strike and for all that the strike has naturally involved or may involve. By refusing to arbitrate, this company has been recklessly indifferent to the rights of the public, and under no circumstances should the public ever trust it again. It should be trusted with a new franchise no more than an exposed "grafter" should be trusted with a new office. The alderman or other public official, from Mayor down, who even negotiates voluntarily with a public service corporation so indifferent to its public obligations, for an extension of its privileges, may be justly suspected of disloyalty to the public interests. Wholly irrespective of all other considerations, the action of the Chicago City Railway company with reference to arbitrating the controversy with its employes should be considered as a sufficient reason for discharging it from the public service at the earliest possible moment.

The Turner case (p. 498) is revealing the anti-anarchist law which Congress enacted last Winter as a menace to personal liberty of the most extraordinary character. The old "alien and sedition laws," which have been a hissing and a by-word for a century, were very pearls of liberty in comparison with this so-called anti-anarchist law. To doubters we commend a perusal of the procedure in the Turner case, which we quote in another column from the New York Daily News. It is doubtful if even in Turkey, much less in Russia, the material for a story so significant of absolutism could be gathered.

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But the worst is not told there. Besides what is told there and what we described last week, we find this law a complete reversal of the American theory of arrests. Except in time of war, or when the writ of habeas corpus is suspended, the executive department of the general government is supposed to have no power of arrest. Think of the anomaly of a Presidential order of arrest in time of peace! Orders of arrest are judicial writs, issued upon proof duly made, and subject to judicial investigation. But under this law the order of arrest is issued by a member of the President's cabinet. It may be issued by him against any alien who has not lived in this country more than three years. The person arrested can be immediately taken from any part of the country to Ellis Island; be there examined privately without witnesses or counsel, by three men who are appointed and can be dismissed by the cabinet officer issuing the warrant; and if two of them report to this cabinet officer that they believe the arrested man "disbelieves in all organized government," the cabinet officer can send him back to the country of his birth without allowing him to see friends or family or to settle his business affairs. From this decision there is no appeal to any court or jury. The practical result will be to put every alien who may take part in political or trade union agitation against the policy of the Administration, at the mercy of the Secretary of the Department of Commerce and Labor for three years after arrival, and open a door to blackmail by Federal officers.

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We have called this cabinet officer's order of arrest a "lettre de cachet," something the use of which helped mightily to bring on the French Revolution. Is it badly named? When the President can arbitrarily arrest and deport any alien of not more than three years' residence, seizing him anywhere in the country and depriving him of every legal right except a habeas corpus hearing before a judge whose hopes of promotion depend upon the President's good will, how long before he will be able arbitrarily to arrest citizens, and deport or incarcerate them at his own pleasure? Since Destiny began to determine Duty in this country, we have traveled far and fast toward the Gehenna of popular liberties. Each stage has made the next one easier to reach, for Gehenna lies at the bottom of a hill.

A brief and very clear statement of the present extraordinary attitude of the United States toward Panama has been made by Charles Francis Adams, the eminent publicist of Boston. We reprint it in the Miscellany department. All that Mr. Adams says is true and sound. But he needs to make a further explanation. He states that the action of our government "is avowedly exceptional—that is, something that this nation will not justify by any of the rules of law, of international usage." This implies not only that the case is admitted by