

reorganization was written in a spirit of gentle sarcasm. I allude to your closing sentence, that if the individual stockholders having a controlling interest in all the companies do not compete with each other they can be proceeded against for conspiracy. The *reductio ad absurdum* would be that if one man were to hold all the stock in all the companies, he would be compelled nevertheless to compete with himself. Were this solemn foolery of court decisions merely futile, as it has been in the Northern Securities case, we might put up with it with some degree of patience, although it is rather an expensive way to waste the time of our highest courts; but the worst of it is that it serves to distract attention from a study of the best means of preventing that exclusive control of natural opportunities from which all monopoly is really derived."

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Mr. Roosevelt and the Morganic Riddle.

Everybody has heard of the peach-and-onion riddle, and most of us have probably "bit" and been "caught" by it; but it is doubtful if Theodore Roosevelt was ever before now thought to be a fair "prospect" for the "catch," even though put up to him so grandly as in the morganization of the Tennessee Coal and Iron Company. "What is the difference between a peach and an onion?" That is the common form of the riddle. When the victim "bites" by "giving it up," he is punched in the ribs and told that he would be an unlikely person to send out as a peach buyer. But the way the riddle was put up to President Roosevelt, as Mr. Roosevelt testifies, was somewhat like this: "What is the difference between morganizing the great natural resources of the Tennessee Coal and Iron Company in order to make Mr. Morgan's Steel trust impregnable, and doing it in order to save the financial situation?" And President Roosevelt—no, come to think of it, he didn't "bite;" at any rate, he didn't "bite" in quite the same way that we have all "bit" and got "caught" on that peach-and-onion riddle. He reversed the "bite," so to speak. But he got "caught" all the same; or if *he* didn't the country did. Instead of "giving it up," Mr. Roosevelt saw the difference at once; and precisely the same difference that Mr. Morgan wanted him to see, which is where the joke comes in. So Mr. Morgan fed to the Steel trust the Steel trust's only great rival, while President Roosevelt looked on and thanked him.

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Free Speech.

Everyone has peculiarities, we suppose, and

Anarchists are no exception. Some of them, at any rate, exhibit at times a certain curious confusion regarding freedom of speech, which might pass for a peculiarity. They are not without excuse, perhaps, even if they do use free speech invasively, for they and their audiences have had to suffer much injustice from its invasive suppression; but as a simple matter of fact, some of them *are* guilty now and then of acts in the name of free speech which are as indefensible as governmental acts to suppress free speech.

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A case in point was the insistence recently, by Emma Goldman's agent, upon crying Anarchist literature at a Socialist picnic in Chicago. Of course he was stopped, as he ought to have been. Anarchist literature does not represent Socialists, and those picnic grounds were for the time their home. The protest of Miss Goldman's agent that they were interfering with freedom of speech or press was absurd. As well denounce a Catholic householder for interfering with freedom of speech because he ejects a guest for insisting upon propagating atheism in the family circle.

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There is a more recent instance down in Delaware. The newspapers are giving it pretty wide publicity, probably because the circumstances make a good story for the yawning news columns of summer time, but quite as likely because Upton Sinclair figures in the fight. Mr. Sinclair and nine others were fined by a magistrate under a Delaware blue law of 1794 for playing tennis on a Sunday. Refusing on principle to pay the small fine, they were sent to the work-house for eighteen hours. It was probably their intention thereby to set a sort of magisterial pace preliminary to prosecuting country club violators of the same law, but that fact is only incidental to our theme. The point is that Sinclair and his Sabbath-breaking confederates were prosecuted by an Anarchist, the leading one of Philadelphia it is intimated; and in revenge, for this Anarchist had been denied freedom of speech by them at an economic debating club in Arden.

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Newspaper reports describe Arden as a Singletax colony. It is in fact a village of radicals of various shades—socialistic, singletax, anarchistic, artistic, etc.—who "agree to disagree" on points they cannot agree upon. They therefore have a good time together in a multitude of pleasing ways. The only excuse for calling Arden a Singletax colony is the fact that Singletaxers were among its or-

iginal promoters, and land values go into a common purse. One of the ways in which Ardenites have a good time is in the debates of the local economic club. All are eligible to membership; and the floor is free, with decorous and decent speech taken for granted. Perhaps the by-laws should have specified those conditions of debate, for the Philadelphia Anarchist in question proclaims a violation of the rule of free speech because the club suspended him for indecorum of a highly reprehensible type. When he tried to speak during his suspension, the chairman ruled him out of order. He thereupon defied the chairman and the club, in persistently disorderly ways, and was prosecuted accordingly for disorderly conduct. Fined for this he elected to go to jail instead of paying, and upon his release proceeded to "even up" by prosecuting his prosecutors for the somewhat unrelated offense of Sabbath day tennis.

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To regard that Anarchist's case as an instance of suppression of freedom of speech, is to ignore a fundamental condition of all social intercourse. Anarchists who do so, and we doubt if there are many, disclose a one-sided notion (whether excusable or not, on account of their own persecutions) of the essentials of free speech, which is quite as much a right of audiences as of speakers. For audiences to refuse to listen to speakers may be an assertion of a condition of liberty as important as speech; and this it certainly is when the refusal to listen has been provoked by the speaker's indecorum.

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Abolish Criminal Fines.

Upton Sinclair and his friends have served a work-house sentence for playing tennis on Sundays in Delaware. They were subjected at the work-house to all the indignities that go with the most degrading penal servitude, and Mr. Sinclair announces his intention of prosecuting rich violators of this left-over law of Delaware until it is repealed. His success is more than doubtful, since they may easily escape all those indignities by paying a small fine. He might have escaped himself for only four dollars. The rich violators of the law whom he prosecutes will pay their fines and laugh at him. They won't even stand at the bar of the court to do it. They will send a lawyer to plead guilty for them and get their receipt for the fine. Whereupon they will be ready for another Sunday's sport, and another \$4 penalty if Mr. Sinclair catches them at it.

But the imprisonment of those Arden men will not be without good results—better than merely shaming a backward commonwealth into repealing an archaic law. They have emphasized the fact that under the survival of criminal fines from the "weregeld" period, rich law breakers may buy immunity cheap, while poor-law breakers buy it at a much higher price relatively to their ability to pay, and penniless law breakers are put into prison stripes and set to breaking stone.

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This fining system also is archaic, but unlike the Delaware blue law it is not confined to one State. It is universal in the United States. Ten dollars for a disorderly drunk if the criminal has ten dollars; ten days if he hasn't. And so with a long list of crimes in every State, tennis playing on Sunday happening to be one in Delaware. If Mr. Sinclair and his Arden associates can make of their work-house experience and their probable failure to give like experience to other Sunday tennis players, an occasion for bringing about a repeal of the whole system of criminal fines, they will not have gone to prison in vain. Where any persons are made prison convicts for any offense, all should be made prison convicts for the same offense—regardless, at least, of their financial ability. Suspensions of sentence with a warning for first offenders is a wise discrimination if fairly used; but the custom of money commutations should end. Fines for crime ought to be abolished.

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Trying to Correct an Error.

We are rather glad of an error that crept into D. K. L.'s Nebraska letter of last week, for it forces upon us an opportunity to suggest not only that the letter be re-read with the error corrected, but also that special attention be paid to D. K. L.'s editorial in this week's issue. Yet the error was an unhappy one—one of those exasperating errors of print that reverse the meaning without spoiling the sense enough to put readers on guard. Intending to explain Governor Shallenberger's refusal at a critical time to call an extra session of the legislature, D. K. L. explained that "it was *not so much* subserviency to the brewers that actuated Governor Shallenberger (for he had signed an 8-o'clock closing law over their violent protest), as it was a temperamental failure to rise to the occasion." But in print the italicized words "*not so much*," fell out of the sentence; and D. K. L. was thereby made to say precisely the reverse of what he meant. We do the only thing we can to