

lation of the injunction, Judge Kohlsaasat was asked to impanel a jury to try the question of guilt, and he refused. It should be noted, therefore, that the question for the people to consider is not whether strikers may do what these novel injunctions forbid, but whether, when accused of it, and they deny the accusation, their guilt should be inquired into by a jury or passed upon by a judge. Jefferson expressed deep concern with reference to the powers of the American judiciary. He said it is of the nature of courts to draw power to themselves, and that if they get a little they will take more. His fears are in process of realization.

It is a good move, even if dilatory, which is being started in labor circles to petition congress with reference to government by injunction. It would be somewhat remarkable, however, if congress, as now constituted, after two presidential elections which virtually endorsed "government by injunction," should give the matter any consideration. As to impeaching Judge Kohlsaasat, which is also proposed, no congress, however constituted, could decently do that. Judge Kohlsaasat is not especially blameable. His action rests upon a body of precedents which have been accumulating for several years. Even if he has gone beyond the letter of these precedents he has not gone beyond their spirit. "Government by injunction" cannot be stayed by voting for it at election time and complaining between elections of judges who practice it.

A movement is reported to be on foot in Chicago for the organization of a labor party. It is assumed that the result in San Francisco, where the labor union candidate for mayor was elected this month over the candidates of the other parties, can be perpetuated and everywhere repeated. What gives plausibility to this mistaken idea is the fact that the labor vote, if concentrated, would hold the balance of power. The "if" is the big obstacle. Except temporarily, under

extraordinary circumstances, the labor vote cannot be concentrated.

Upon all class voting, as such, abstract principle has little or no effect. It does not appeal to class interests. But it does appeal to individuals, and with such force as to disarrange class lines. The history of party politics goes far to prove that this is so. Abstract party principle, and not party machines, holds great political parties permanently together. Though these parties do not seem to be conspicuous custodians of principle, it is nevertheless true that they do represent principle. In all countries and at all times, there are two opposing currents, one setting toward democracy and the other toward some form of centralized power (aristocracy, monarchy, plutocracy, or the like). These two tendencies are the great primary political principles, and they are always represented permanently by two great parties.

Sometimes these parties are armed with guns and sometimes with ballots. Sometimes they change front without changing banners. But always their power depends not upon organization merely, but chiefly upon popular convictions or instincts with reference to democracy and some opposite of democracy. This is a fact which no one who reflects will deny, and which labor politicians should take to heart. Were it possible to concentrate the labor vote at all, it would be most effective in the long run if concentrated as a faction in that one of the two great parties which could be most easily propelled in the direction of serving labor interests. But no permanent concentration of the labor vote is possible. For workingmen in politics, like other men in politics, are as a rule either democrats or anti-democrats before everything else. When President Roosevelt, a free trader, abandoned that principle, saying he was a Republican first and a free trader afterward, he stood forth as the type not of a class but of the

voter, even of the labor voter. It seems contradictory, but it is true, that among workingmen there are aristocrats and plutocrats in abundance. The backbone of monarchy, aristocracy, and plutocracy, is always supplied by the working masses. Of all aristocrats the "Alameda citizen" is most devoted to aristocratic ideals; of all plutocrats the "penniless plute" has most respect for government of the dollar, by the dollar and for the dollar.

Harris R. Cooley, the Cleveland director of charities under Mayor Johnson, has excited criticism for liberality in pardoning workhouse convicts. We are inclined to the belief that thoughtful men who know the facts will agree with Mr. Cooley rather than with his critics. One ground of criticism is that he has pardoned "repeaters"—men and women sentenced repeatedly for intoxication. But the results of this leniency justify it. Mr. Cooley has recommended pardons in these cases when the prisoners had been sentenced for the seventieth or eightieth time. They had never been pardoned before. No one had ever taken any interest in their misfortunes except to punish them by imprisonment and to exact the last hour of their sentences. Pathetic descriptions have been published in the Cleveland press of the gratitude which these unfortunates have expressed for the unprecedented and unexpected intervention of the authorities under the new and less heartless regime. And of all the many persons pardoned upon Mr. Cooley's recommendation, only a small percentage have been sentenced again. So the philanthropic method of dealing with "repeaters" appears to have been more effective than the vindictive policy.

Another kind of case in which Mayor Johnson has granted pardons upon Mr. Cooley's recommendation is that in which the prisoner is imprisoned merely upon a fine that he cannot pay. Two men, for illustration, are convicted of petty theft and