

the United States," it is not easy to see how the exclusive province of federal legislation was invaded. But this miscarriage does not prove that the idea of inviting arguments from the bar in general upon important questions of law about to be decided by a court of last resort is not a good one.

The Philadelphia Single Tax society has voted down a series of resolutions in condemnation of the war. These resolutions denounced war as in itself a great evil, which brings in its train many other evils, and asserted that no war can be justified except when clearly the only means of defense. They justified the Cuban revolt, and the efforts of Americans to help the Cuban cause, and condemned the government of the United States for its interference; a wrong, said the resolutions, which "cannot be atoned for by committing other wrongs," such as the declaration of war to make Cuba independent. In so declaring, the resolutions proceeded, the government "exceeds its functions and violates its traditions; it commits robbery not alone by the seizure at sea of the property of inoffensive Spaniards, but also by the misuse of public funds which cannot rightfully be used in a war unnecessary for the defense of the owners of those funds." Among the other grounds of condemnation, the war was charged with shedding innocent blood, generating international hatred, and reviving militarism and thereby retarding the advance of freedom and public virtue; and the government was accused of giving the lie to its professions of desire for justice by ignoring Spain's offer to arbitrate the dispute over the destruction of the Maine. These resolutions having been voted down by the single tax society, 17 prominent members have signed and published them as their individual protest.

What may have been the motive of the Philadelphia single tax society in thus defeating the resolutions

outlined above, can be known of course only to the members respectively who voted against them; but several reasons might be inferred, any of which would have justified the action. It will be sufficient here to name only one. The resolutions rest upon the anarchistic principle—which is not at all the single tax principle—that the community or nation is a loose aggregation, having no individuality of its own, and owing no obligations as a whole to other nations. In other words, that there is no such thing as international law which we as a community ought to respect. It is only upon this basis that it can be maintained that our citizens should have been permitted to make unlicensed war upon Spain in behalf of Cuba. If the principle of responsible government be admitted, the right of individuals to make war upon their own account must be denied. The protest, made as it is in the spirit of peace, is entitled to all respect; but the single tax man militant—and most single tax men are militant when questions of liberty, political as well as economic, are at stake—will, we take it, be glad that the Philadelphia single tax society did not give it their sanction. To paraphrase a famous utterance, conditions as well as theories confront the single tax movement.

One of the signs of a disposition among what Gladstone called "the classes" in contradistinction to what he called "the masses," to govern the masses without their consent, appears in a growing tendency to revert to the old plan, abandoned because it was undemocratic, of making state constitutions against the interests and the will of the people as a whole. The latest instance of this species of usurpation is furnished by "the classes" of Louisiana. A constitutional convention of that state, which has just completed its official labors, has not only virtually disfranchised the negroes, who comprise half the population of the state, but has proclaimed the instrument in operation without submis-

sion to the voters. In disfranchising the negro population, these constitution makers have violated their obligation to propose an instrument for the good of all the people, and not of a class merely; but in declaring it the constitution of the state without confirmation by popular suffrage, they have gone much further in the direction of usurpation. A constitution is the charter by which the people themselves establish their state. To assume, then, to make such an instrument valid without the consent of the people, is the baldest kind of usurpation. If one constitutional convention can do this, and in doing it can disfranchise one class in the community, another can do the same thing, disfranchising another class. Let the white people of Louisiana beware how they tolerate usurpation, even though they think it excusable for the purpose of taking the suffrage from the blacks. An act like that of their recent constitutional convention is a menace to their own liberties. The price of liberty is eternal vigilance. People who acquiesce in acts of usurpation like these, fail to pay that price and must expect in consequence to find themselves divested of the goods. The despoilers of liberty never sleep.

At the instance of the Interstate Commerce Commission, a bill is now pending in the United States senate for largely increasing the power of that commission over interstate commerce by railway. The bill was introduced by Senator Cullom, and is known as Senate Bill 3,354. Should this bill become a law, interstate railroads would fall completely under the control of the Interstate Commission. It is a bad bill. But not for the reasons given by the railroads in their opposition to it. They make a great deal about giving "a political body the practical control of property which in the aggregate represents nearly one-fifth of the total assets of the United States," as if a fifth of the wealth of the country were any more sacred than a twenty-fifth or a millionth! The sanctity of property rights is to