amendment of the state constitution—

> adopts the suggestion of Senator Cullom, and demands the existence of sufficient intelligence, "either by inheritance or education," as a necessary qualification for voting. It requires of the negro the qualification by education because he has it not by inheritance, and demands only of the white man that he possess it by inheritance.

Heredity with reference to mental and moral qualities is a fad that has been pretty badly overworked, but this spurious democrat of North Carolina has worked it to death. And in the end, if we mistake not, it will appear that he has at the same time also worked the state amendment to death. For if a state law which requires of negroes, as a condition of voting, that they shall derive their intelligence from education, while assuming that the white man acquires his from inheritance, does not conflict with the fifteenth amendment that amendment must be utterly without force. Think of it! The fifteenth amendment prohibits any denial of the voting right on account of race or color. This does not prevent a denial on educational grounds; but if a law denying the right to uneducated negroes, while granting it to uneducated whites, upon the theory that whites inherit voting intelligence while negroes do not, is not a denial on account of race or color, what would be?

In a recent decision the supreme court of Kansas nullifies an act of the legislature as obnoxious to the fourteenth amendment to the federal constitution. The objectionable act was intended to protect workingmen from the extortions of the truck store system by nullifying labor contracts not payable in money.. "It has been sought by some judges," reads the opinion in the case (state versus Haun) "to justify legislation of this kind upon the theory that, in the exercise of police power, a limitation necessary for the protection of one class of persons against the persecution of another class may be placed upon freedom of contract." To this proposition the Kansas court does not assent. "As between persons sui juris," it asks, "what right has the legislature to assume that one class has the need of protection against another?" Of the soundness of the conclusion indicated by this question there ought to be no doubt. The court was right in holding that paternal legislation in favor of wage workers is intolerable. But if that be true, what becomes of all the usury laws that grace the statute books of the several states. If a legislature cannot interfere with freedom of labor contracts in behalf of the laborer without running foul of the fourteenth amendment, by what right does it interfere with borrowing contracts in behalf of the borrower? There may be a distinguishable difference in legal principle, but if there is it must be an exceedingly nice one.

So conservative a man as Walter S. Logan, prominent at the New York city bar and but recently president of the New York State Bar association, is preaching a gospel of wealth limitation. He would start with a maximum of $10,000,000 and hold the possessions of individuals down to that amount by means of graduated income taxes and restrictions upon inheritances. The large public revenues resulting he would expend in the acquisition by the state of those franchises which, as he describes them, "have done so much to enrich its citizens at its expense." He suggests, for example, that New York state might buy and operate the New York Central railroad, while New York city might establish public ice plants and furnish ice to the people at nominal prices.

It is encouraging to find a man of Mr. Logan's professional, business and social environment exhibiting contempt for wealth accumulation and accumulators. But it is not so encouraging to find him so indifferent to the elementary principles of wealth distribution. If Mr. Logan were cross-examined upon his reasons for proposing the confiscation of fortunes in excess of $10,000,000, he would probably justify himself morally by insisting that no one can earn so much. Any other moral justification would be impossible. For if any man should earn more than $10,000,000 the state would have no more moral right to confiscate the excess than the whole. Earnings either are sacred to the last penny, or they are not sacred at all. The instant, therefore, that you empower the state to confiscate any excess of private earnings, that very instant you justify the state in making a total confiscation.

Yet Mr. Logan is right in supposing that no man earns $10,000,000. He would be right if he put it at $1,000,000. For it would take a five-dollar-a-day man some 650 years, without allowing him anything for expenses, to earn and save $1,000,000; and it is beyond the range of probability that any man, however gigantic his productive power, can productively earn and fairly save in a lifetime as much as a five-dollar-a-day man could earn in 650 years. But we are confronted with the fact that there are millionaires. It must be, then, that they get enormously more than they earn. How do they get it? If they do not earn it, but are honest, they must get it by means of legal privileges of some kind. The obvious method, then, for limiting unearned fortunes is to abolish legal privileges. It is the natural and just way, too. If that were done, fortunes would be limited as nature limits them—by the earnings of their owners.

The interestingly garrulous and often instructive "Spectator" who contributes to the Outlook, had some very sensible observations in that periodical of May 19, upon the provincial character of the New York press. He rather inclined to the view that New York papers are provincial. We are sure that he would be confirmed in this view by any newspaper reading New Yorker who has ever gone through the back door of the metrop-