

delinquent members of their own class? The Sacramento Bee generalizes the facts in this paragraph: "So long as Heney was fighting to send Schmitz and Ruef to San Quentin, a united press lauded him to the skies; but the minute he launched forth in an effort to punish the officials of the United Railroads, the sheep and the-goats of journalism separated." And lo, and behold! even the New York Evening Post was found among the goats, by the Bee.

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Whatever the merits of the Calhoun case may have been, Mr. Heney described with boldness and accuracy a general condition which the circumstances of the case illustrated, when he said in his speech to the jury:

The history of this country shows that the menace to our existence lies in the great cities where we foster the bosses, who are supported by two classes. One holds forth in the tenderloin, where they want a permit to commit crimes. The other class holds forth in the fashionable neighborhoods and want higher dividends from their investments in gas and railway and telephone stocks. They join hands with the tenderloin to accomplish their ends, and that is what has made the boss possible.

This co-operation of the respectable class of parasites with the vulgar class—one of the most obvious phenomena of public affairs in every city,—must be generally recognized as boldly as Mr. Heney recognizes it and condemned as unsparingly. This would be bad, no doubt, for many a church, for more than one Y. M. C. A., for numerous charities, for some of our best clubs, and for a galaxy of "good names." But it must nevertheless be done.

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Police Despotism.

Mayor McClellan is entitled to special commendation for his rebuke to the police department of New York in connection with their despotic practices (p. 660). In administering this rebuke he was obliged to condemn with severity the head of the department whom he had himself appointed as his own personal choice. He might well have gone farther in his rebuke than he did, but he filled out sufficiently the requirements of the case before him.

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This case had been instituted by Judge Gaynor of the Supreme Court of the State, for the protection of a youth whom the police had arrested five times without warrant, against whom they

had made no formal accusation, and who was never even tried in court for any offense. Yet the police had not only arbitrarily arrested him; they had taken his measurements and filed his photograph in their "rogues' gallery" as if he had been a convicted felon. When Judge Gaynor—not as a judge nor as a lawyer, but as a citizen—applied to the police in behalf of this outraged boy, asking that his picture be taken from the "rogues' gallery," the head of the department sneered, and justified the outrages upon the boy on the ground that he had kept bad company—a charge that seems to have been false. Judge Gaynor then appealed to Mayor McClellan, and the satisfactory result is now reported.

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After a full investigation Mayor McClellan stated his conclusions on the 30th in a lengthy written decision, in which he found the first four arrests of the boy to have been without proper cause, and the fifth unreasonable. So far as certain charges of depravity made against the boy by policemen are concerned, the Mayor says:

Two officers, named Clarke and Tunney, both made affidavits to the effect that the Duffy boy had admitted to them he had been guilty of a certain form of depravity. This admission, although made to both officers over a year ago, never resulted in an arrest and only presented a defense for these five arrests after the investigation was started by me. The charge now made, if the admission is true, should have led to the arrest then and there.

As to the allegations that Duffy was in the habit of associating with other boys who had been arrested or were known as bad boys, the Mayor concludes that even if true they cannot justify the retention of the boy's picture in the rogues' gallery. "I am not aware," Mayor McClellan dryly observes, "that even the police authorities ever have contended that a man's photograph should be taken and retained in the gallery merely because of men he happens to associate with." While the Mayor decided that he would not order the police to stop taking photographs of people arrested and accused of crime or who are indicted by grand juries he ordered the head of the department to remove the photograph of Duffy from the rogues' gallery, and to return all photographs, negatives, and Bertillon measurements of the boy to his father. In addition he took such action with reference to the department as to make it difficult, if not impossible, for the present head to retain his place with self-respect.

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Judge Gaynor's remarks upon Mayor McClellan

lan's decision are worth remembering. In a newspaper interview immediately after the decision he said:

The great thing is that it has been established in the person of this weak and uninfluential milk boy that there is no place under our system of government for the autocrat. This is a government of laws, not of men. No official, however high, is above the law. He has no right or lawful power to do anything except what the law permits him to do, and then only in the manner and way the law limits and prescribes to him. That is free government.

Judge Gaynor was credited with saying at the same interview that he "can name at least five police rulers who have gone out of their offices millionaires in the last fifteen or twenty years." This tends somewhat to account for the growing police despotism, of which the case before Mayor McClellan was a minor example. Despotism and graft are seldom far apart.

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The Race Struggle for Work.

"First-class white people, North or South, have ever been friendly towards our people, but God deliver us from the lower grades of whites—the trash." This is the opinion of a Negro, writing from Georgia to the Gazette, of Cleveland, a loyal paper of his own race. The quotation is preceded by a description of a brutal attack by a white mob upon a Negro locomotive fireman during the recent railroad strike in Georgia (p. 589), from which a white woman of what the writer calls the "first-class" had protected the Negro.

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It is doubtless true that the brutally cruel treatment of the Negro by some whites at the South comes from what the writer we quote calls "trash." The aristocratic element are, as a rule, kind to individual Negroes, whatever their views may be of the proper status of the Negro as a class; and equally, as a rule, the poor white working class are apt to be brutally cruel. An instance in point is furnished by this Georgia strike. The white firemen struck to compel the railroad to stop giving Negro firemen better firing work on the basis of greater length of service; and its ultimate object was very likely to exclude Negroes from that kind of service altogether. The sympathy of the working whites of Georgia was with the strikers in this controversy, while that of the aristocratic whites was with the Negroes. This fact alone is strong confirmation of the contention we have frequently made (p. 529), that the race question at the South, while influenced by tradition, is at bottom a labor question. If jobs were not scarce in

Georgia, the white locomotive firemen would have no incentive to exclude Negroes from that kind of work. But when jobs are scarce, individual fights individual for what jobs there are, and class fights class; and if class lines coincide with race lines, then race fights race. It would be so at the North. It would be so anywhere. It would be the same if the class line were religious, and even if it were a sex line instead of a class line.

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We might add that precisely as the race question at the South is a labor question, so the labor question there is a land question. If the unused and poorly used land of Georgia were held upon a tenure that made its owners keen to put it to its best use, jobs in Georgia wouldn't be scarce. And isn't it quite natural—human naturely natural—that when the owners of land have no incentive to use it to its best, they shall hold it out of its best use in large measure? And when they hold it out of its best use, don't they restrict the demand for work? And when the demand for work is restricted, aren't jobs scarce? And when jobs are scarce don't men who live by work, scramble for employment? And when there are two distinct races, divided by social lines, among the workers, isn't the scramble certain to generate a race war? And in this race war isn't it also quite human naturely natural—Anglo-Saxonly natural at any rate—that they who are in the midst of the life and death struggle for employment shall be brutal toward those of the "inferior" race, while the leisure class, personally unaffected by the bitterness of the fight whichever way it may go, are kind? We condemn nobody for this. We excuse nobody. We merely state a broad fact of human experience, and suggest a responsibility which no one of either race can safely evade.

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WHY WE ARE A NATION OF GAMBLERS.*

I.

Whoever has read Andrew Carnegie's recent essays on "Problems of Today" must have been impressed with the author's naive preachments against the folly and dangers of speculation in stocks.

Mr. Carnegie emphasizes the importance of avoiding the gambling instinct if one seeks financial or material success, and gives examples of in-

*Problems of To-day: Wealth, Labor, Socialism. By Andrew Carnegie. Published by Doubleday, Page & Co., New York, 1908.