

innocent of crime until their guilt has been proven is obsolete. We mean citizens who believe in law, order, justice and liberty; not those merely who prate about these things when their own ox is gored, but those who believe in them and use their influence to maintain them under all circumstances when the disorderly spirit rises up. These are what we mean by good citizens. The criminal prosecution in Florida already mentioned as seriously concerning that class of citizens is pending against Helen Wilmans, formerly well known in Chicago; her husband, C. C. Post, also well known at one time in Chicago, and Charles F. Burgman, Mrs Wilmans's son-in-law. This family manages a health resort at Sea Breeze, Fla. Mrs. Wilmans practices mental healing, and she and Mr. Burgman publish a paper, *Freedom*, in the interest of mental science. What mental science is we are not prepared to explain. Neither is it necessary or important in this connection, beyond the fact that these people are accused of being fraudulent pretenders. The essential fact is that a post office inspector has charged the persons named with using the United States mails for fraudulent purposes. Upon this charge a warrant was issued by a United States commissioner at Jacksonville, and the defendants being arrested were taken to Jacksonville, 110 miles away from their home, for preliminary hearing. They must go there again, and perhaps more than once, for trial.

Mr. Burgman, writing of this proceeding in *Freedom*, says that "the government is right in its effort to protect the public against fraud and in declining to have the postal facilities used as a medium for fraudulent purposes." But that is precisely where the government is not right. Fraudulent acts are essentially local and not federal crimes; and the fact that the mails are used to promote them does not change their essential character. It is the business of local authorities, therefore, and not of the

federal authorities to protect the public against fraud. And what is of infinitely more importance is the right of innocent persons charged with fraud to be tried in their own neighborhood, where the people know them, where the witnesses are accessible, where they may find bail, and where they may secure vindication without the expense of going to a distant city. To Mrs. Wilmans, Mr. Post, and Mr. Burgman, who are well known not only in Florida but over the country, and who are in comfortable circumstances, these rights may seem to be of only trifling or academic importance. But they are of great practical importance to the average citizen. Moreover the tendency to give the federal courts jurisdiction over crime in general, instead of confining their jurisdiction to federal crime, is becoming a menace to the saving principle of local self-government. The tendency has advanced gradually but rapidly and it is insidious. It began with laws making it a federal crime to mail obscene literature. Of course nobody—that is to say, no thoughtless body—could object to this. And if anybody did object, no matter how clean minded he was known to be, he fell at once under the extremely disagreeable suspicion of being a defender of obscenity. The next step was to extend these laws so as to include lotteries, acts of fraud, and the like. That they could be easily extended, in the present excited condition of the public mind, to anarchist literature—not the literature of assassins merely, but also that of peaceable and argumentative writers who believe that all invasive government is wrong, without drawing any "fine-spun distinctions" between the two, as the astute David B. Hill puts it—there is no reason to doubt. When that had been done the chasm between American freedom of the press and Russian censorship would have been bridged. The regulation of private conduct in every corner of the American republic would be under the control of the cen-

tral government at Washington. It is this tendency that makes the Wilmans case in Florida especially important.

How far the Russian censorship tendency has gone is illustrated in the same case. Not only is Mrs. Wilmans prosecuted under federal law and in federal tribunals for a local crime, but, without a trial, without any hearing whatever, in spite of the fact that she is presumably innocent, all her mail has been stopped. By orders from Washington the postmistress confiscates it until further directions. On the 30th of this month Mrs. Wilmans is to have a hearing in Washington, but in the meantime no mail matter addressed to her can be delivered. They don't go much beyond that in Russia.

The partisan newspapers and preachers that are trying to trace responsibility for President McKinley's assassination to cartoons of Mr. McKinley, to which he as well as other public men was subjected, might find a subject for prayerful reflection in their own cartoons and misrepresentations of Mr. Bryan.

The New York judge, Holbrook by name, who told John Most that he would not be allowed to defend himself in that court but must employ a lawyer, made a spectacular play to the galleries. Time was when persons charged with crime were not allowed the assistance of a lawyer; but time never was when they were forced by the courts to employ one. John Most has the legal right to get convicted without a lawyer if he wants to.

President Roosevelt's continued refusal to make the president appear like a divinity, is one of the hopeful things about the new administration. He is treating the office of president as a business occupation, going about with the same freedom and in the same unostentatious way that other business men do. This is as it should be. The people have never intended

to turn the president into a king for four years. He was intended to be the head business man of the government. Not only does Mr. Roosevelt show the right spirit in rejecting guards and other kingly paraphernalia, but this makes his life more secure. The psychological effect upon men with a mania for assassinating rulers, of a course of life in the presidential office which makes the president appear to the public as a business man instead of as a ruler, cannot but be wholesome.

### LANDMARKS OF LIBERTY.

Without in the least minimizing the public dangers of which the assassination of President McKinley gives warning, all thoughtful persons who believe in popular government will see in the reaction toward imperialism which that crime has intensified and emboldened, far greater dangers than such crimes themselves involve. We do not refer to the lawless spirit of anger and revenge which has recently paraded with the sorrowful and passed for grief. That is only the spirit of the mob; it has no lasting qualities. What we refer to is the imperialistic purpose, hitherto unpopular and restrained, but in consequence of the murder of the president now freely expressed and widely applauded—the purpose to abolish free government in this country.

#### I.

The Virginia constitutional convention has set the example. By an almost unanimous vote, it proposes to abolish in that state the constitutional guarantee of free speech, one of the bulwarks of free government and a landmark of liberty of which the great statesmen of Virginia have always been eminent defenders.

This reactionary movement is not confined to Virginia. The Western Society of the Army of the Potomac, which exists to perpetuate the memories of a bloody civil war, demands in formal resolutions that—adequate legislation be enacted wherein liberty of speech and right of assembly shall be clearly defined and regulated, the alien doctrine of anarchy suppressed, and all supporters of this political heresy banished from the United States and its territories forever.

President McKinley's old comrades, the 23d Ohio regiment, demand also by resolution that a law be enacted—banishing all anarchists from the United States.

The chairman of the republican state committee of New York announces that a law will be speedily passed in his state—defining anarchism and providing severe penalties for all anarchists.

He predicts that similar laws will be passed in all the other state legislatures.

The Chicago Turn Gemeinde, a large and influential organization, while expressing its appreciation of the blessings of free speech and liberty of the press, deliberately declares in resolutions:

We realize that these blessings are abused by unreasoning and irresponsible persons, and therefore advocate laws which will restrict such abuses.

The State League of Republican Clubs of Pennsylvania demands that congress stamp out anarchy and uproot its causes, naming as among these causes—

the defamation of private character, the vilification of public officials, the reckless criticism of the legislative, administrative and executive branches of government and the outrageous cartooning of public and private characters for ridicule, malice or profit.

And here comes a religious organ (Baptist) with a proposition to set up a Russian censorship. This paper is the Christian Herald, of Detroit. We quote from its issue of September 12:

Is it not time that there should be censorship of the press? The supreme court of the United States has declared public health and public morals of first importance. It has defined the police power as unlimited in the preservation of these civic and personal rights. We have a department of agriculture, justice, war, interior, post office, treasury, with a cabinet officer in charge of each. We have commissioners of education, pensions, internal revenue and taxes, why not a department of press censorship in the interests of public morals and the safety and well being of society.

Further quotations would be an unnecessary draft upon space. These are samples of thousands that might be made, as the intelligent reader knows. He needs only to be reminded of it to recognize the fact that newspapers, preachers, lawyers, politicians, and a thoughtless populace everywhere have, by speeches, resolu-

tions and interviews been demanding legislation of various kinds against free speech, the purpose, generally declared and always understood, being to suppress anarchism and to exclude, exile and punish anarchists.

Not only is it proposed for this purpose to abolish free speech and to establish a press censorship, but there is also a demand for the overthrow of another landmark of American liberty by amending the federal constitution so as to make anarchism treasonable and anarchists punishable as traitors.

Naturally, the average man asks himself why these precautions against anarchy should not be taken.

To his imagination an anarchist is an ill-kempt person of forbidding visage, with a shock of uncombed hair upon his head, a bloody knife between his teeth, a pistol in one hand and a torch in the other, while every pocket bulges with dynamite bombs. This is the picture which incendiary newspapers of the respectable sort have made for him. Even if sensible enough to know that it is a caricature he is not as a rule well enough informed to understand that the caricature is vicious.

For he sincerely believes that anarchism is a theory of no-government, to be realized by assassinating and terrorizing the conspicuous agents of government. This conviction has been fixed in his mind partly by assassinations of rulers by persons who declare themselves anarchists, partly by anarchist speeches which he has not heard but garbled reports of which he has read in his paper, partly by editorial and police misrepresentation, and partly by the assurances of persons who know no more about the subject than he does, but who impose upon him by looking profound and talking wise.

And unfortunately there is something to justify this common notion of what anarchism is. Some anarchists do believe in murdering public officials. Some anarchists do advocate this method of warfare against all government—republics as well as absolute monarchies. Some anarchists do join in plots to kill.

But be his conception justified or no, the average man not unnaturally