

actual use and occupation of so much of the earth's surface as (according to conditions) is required. All other rights are conventions, concessions, customs or, as may be said, gifts from society. They are generally supported by some existing law. But notwithstanding our various constitutions and judicial decisions to the contrary, I think there are philosophically no vested "rights" in any property, except that which we have ourselves created by our own labor. The value of the Broadway street car franchise lies in the fact that it is in New York. On the desert of Nevada it would be valueless. The street car company did not make New York, nor the people. It does not own the street. It has received the gift of a use from the people of New York, and the people of New York may, in fundamental good morals (court decisions to the contrary notwithstanding), take it back or modify it at any time. If the street car company paid value for the franchise it would not alter the moral relation, except that it ought always to be made whole in every respect.

I think the old feudal idea of the title to all the land being in the king, or, in our case, in the state, as an individual, to be given to this one or that as the state (that is, in reality, a few politicians) may choose, is as erroneous as the idea of an infeasible vested right in a franchise.

The discoverer of a mine, like the discoverer of anything else, is entitled to the use of his discovery. That is to say, he has a squatter's right at the point of discovery to so much as he can use. But the right of transfer or alienation must be denied. When once this is the accepted custom there is no hardship in it. In my opinion, if the right of alienation in fee simple were denied, and title depended on actual occupation and beneficial use, the anthracite, the timber, and many other "baronial" questions would be settled. For instance, if the people elected to say: "Vested rights, as given by will of the people, may be revoked by that same will; and we of this generation revoke the law of our ancestors as to fee simple ownership, and exclusive ownership in mines and mineral deposits, and declare that no one can hold title to any coal field, except as to so much as he and his employees are in good faith actually working, or reasonably require for a future fixed period, according to the custom of the district," the operators

could only hold those mines which are in actual operation, and the miners themselves, or anyone, could go to other parts of the natural deposit and open it for market. This would be the freest competition, the most perfect private ownership, and bottling the mines in idleness would be impossible. Their operation would be limited by the law of supply and demand. A less novel road to the same end would be the Henry George plan—the operators paying to the state the full rental value of every acre of coal land, whether they used it or not. No operator could then afford to hold, at such a price, more land than he could actually work. True, the operators in either case would in good faith feel outraged in their "divine rights." So did Charles I., and in good faith. But the world must move nevertheless.

The radical and essential fault in strikes is never with the day laborer; it cannot be. It lies always with the superior power engendered by some special privilege to a few. The striker strikes because of necessity. No matter what his faults, ignorances and misdeeds, the fact remains that the striker is without any special privilege whatever, save to earn a mere existence by his daily labor, and he strikes because his lot is unendurable—a sort of serfdom. To compare his position with that of the few specially and (as we all at heart feel) unduly privileged monopolists of a God-given bounty, is to rail at the fish for its struggles in the net of the fisherman. Strikes will not be ended till the private monopoly of valuable natural deposits be ended. This will undoubtedly be done in time. The question is: What is the best way?

C. E. S. WOOD.

Portland, Ore.

But the little Nation side-stepped, and, countering cleverly, rushed the Big Nation against the ropes.

"Foul!" roared the Big Nation. "You hit me below the belt!"

"I can't reach above it!" protested the Little Nation.

"Precisely!" retorted the Big Nation. "Haven't I insisted all along that the only honorable course for you is to yield?"—Life.

Mrs. Emma P. Ewing is treasurer of the "Dinner Delivery Company," lately formed at Pittsburg, Pa., with Mrs. Bertha L. Grimes as president, and Mrs. Maud P. Kirk as secretary. It cooks and delivers dinners

and other meals at private residences in any part of the city. By a recently invented apparatus for retaining heat, it is enabled to deliver meals warm, and in as good condition as those dished up in the average home kitchen. Each meal will be inspected by Mrs. Ewing or some other culinary expert, and none will be sent out that does not meet the inspector's approval. The company is already doing a lucrative business.—The Woman's Journal of November 8.

The Reformer could not help but observe that the Office, prior to seeking the Man, as was now again become its custom, always consulted a certain ponderous volume.

"What book is that?" the Reformer finally asked, for his sense of civic duty would not suffer him to remain silent, once his curiosity was aroused.

"Bradstreet's," replied the Office.—Puck.

Liveryman—Th' only thing this horse is afraid of is that he won't get enough to eat.

Smith—Why! Ain't that the same horse that ran away at an "auto" yesterday?

Liveryman—Certainly! But there wuz two millionaires in it that are trying to corner oats.—Puck.

BOOK NOTICES.

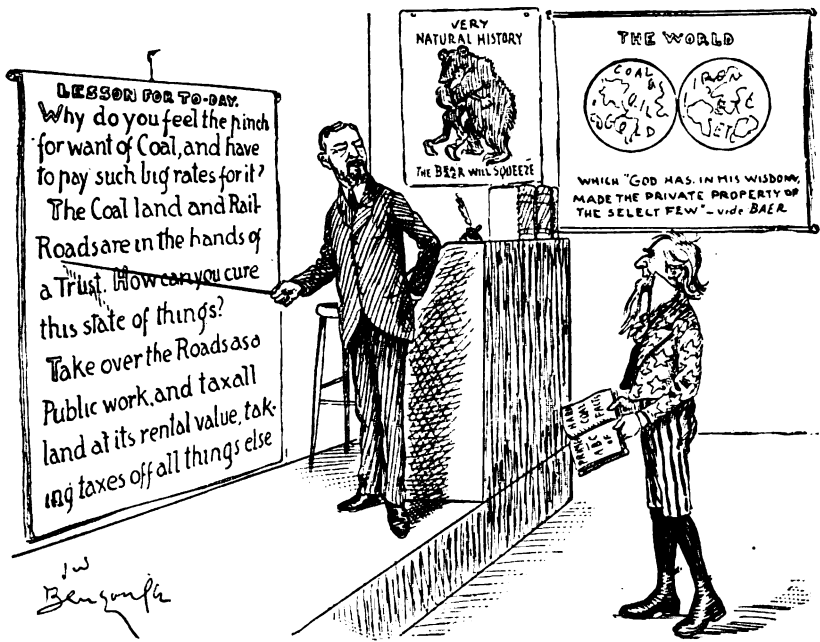
Bishop Spalding's "Socialism and Labor, and other Arguments, Social, Political and Patriotic" (Chicago: A. C. McClurg & Co. Price, 80c net) is a disappointment in almost every respect except its luxuriant eloquence. Instead of a thoughtful and fairly comprehensive, or at least profound, discussion of the relations of socialism to labor, we have one brief essay, platitudinous to a degree, which barely skims the surface of the subject. That Bishop Spalding must have written this opening essay without preparation is evident from his confusion of one of the most elementary distinctions—utility and value, or as socialists would say, "use value" and "exchange value." For instance, in one place he illustrates his contention that "values cannot be estimated in terms of labor," by asking: "How shall we determine the worth of the labor expended in perfecting a plan such as that which led Columbus to discover America? What is the worth of Newton's labor in evolving the theory of gravitation, of Shakespeare's in writing Hamlet, of Wagner's in composing 'Parsifal,' of Gutenberg's in making his type, or Watt's in building his steam engine?" The worth of these things in the sense of their usefulness, is very different from their worth in the

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NOTICE is hereby given that a petition for the pardon of George Damaglia, who was convicted of manslaughter and sentenced to 12 years in the penitentiary at the February term of the Criminal Court of Cook County in 1899, will be presented to the State Board of Pardons at the January term of said Board, in 1903.
MORTON A. MERGENTHEIM,
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sense of their value in trade; but Bishop Spalding overlooks the difference. Such confusions of thought are typical of the entire essay. Though its general conclusions are what we should regard as sound, the course of reasoning leading up to them—if, indeed, there is any reasoning—is neither satisfactory nor luminous, charming as is the essay simply as a specimen of style. Other essays in the collection are better. Yet in one of them—"Charity and Justice"—an approval of the revolting idea of regulating human reproduction by law, which has been proposed by some "scientists," may well make the reader wonder how the democracy and religion of so democratic and spiritual a writer should have become polluted. From this shocking proposal, and such platitudes as that "the foe of labor is not capital, but ignorance and vice," it is a pleasure to turn to the thirteenth essay—the Bishop's splendid oration on Altgeld,—which is in no wise inferior in literary charm to the other essays and is in many respects far superior. If there were nothing else to distinguish it, this rugged sentiment—without a parallel for vigor elsewhere in the volume—would be enough: "It is better to be wrong, inspired by the sense and love of right, than to be right, inspired by motives of policy and the worship of vulgar success."

—The *Cosmopolitan* for November contains an admirable character sketch of Tom L. Johnson by Henry George, Jr.

—Fashion magazines are not usually promising for anything of interest outside of fashion subjects, but the Christmas number of *The Delineator* (New York: The Butterick Publishing Co. Price \$1.00 a year; 15c a number) is a pronounced exception.

—"Whim" for November (Newark, N. J.)

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