cused for misconceiving their real nature. It should be observed that nominally the injunctions do not forbid contributions to the strikers, nominally they do not forbid public meetings, nominally they do not forbid public speeches of any kind. What they do forbid, nominally, is intimidating nonstrikers by means of public meetings and speeches in the neighborhood of the mines. As one of the judges explained in open court, the question is as to what precisely the strikers may do at any given time without intimidating the non-strikers. If a public meeting with speeches near the mining property might do this, then there can be no public meetings and speeches there. But what law gives a judge without a jury the right to determine whether a public meeting and public speeches are intimidating? What law gives either judge or jury the right to say of any meeting peaceably conducted and at which no unlawful speeches are made, that its participants shall be punished for unlawful assembly? What law gives anyone the right to say in advance of such a meeting that it will be unlawful and to forbid its being held? None. These West Virginia judges are making law to suit themselves.

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The pretext of protecting non-striking miners from intimidation is a transparent subterfuge. In the first place, the non-striking miners have not asked for protection; no injunctions have been granted at their instance. They are granted at the instance of corporations which claim a sort of property right in the men who work in their mines. In the next place, men who are intimidated by public meetings which are not unlawful assemblies, and by public speeches which are not disorderly, must grin and bear it. Judges who are true to their oaths have many things more important to be solicitous about than the timidity which shies at a public mass meeting, and one of them is the sacred right of lawful assembly itself. A public meeting, held upon premises belonging for the time to those who meet, cannot lawfully be stopped upon any such frivolous pretext as that it might scare somebody's hired man. When the time, place and circumstances of holding lawful public meetings, and of making lawful appeals by speeches to the public reason and conscience, are left to the regulation of Federal judges, the right of public assembly, as a right, is at an end.

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One of the motives of corporation employers in procuring injunctions against strikers instead of prosecuting them criminally if they really commit crimes, has not been much commented upon. Perhaps it is not understood. It is the ambiguity of the injunction—which is usually so sweeping in its terms as to make strikers fear doing anything at all, lest they unwittingly commit a breach and get sent to jail—that makes this process so popular for puting down strikes. It is this that makes employers feel, and usually with good reason, that a strike is ended if an injunction can be got. Its principal service is the scare it makes. If it doesn't scare, the strike doesn't end and the injunction fails of its purpose. An amusing instance occurred in the recent brass molders' strike in Cleveland. The companies asked for the usual injunction against "conspiring," etc., and filed a volume of sensational affidavits. But they made the mistake of applying to Judge William A. Babcock, who doesn't believe in government by injunction—they either made a mistake, or else they wanted to put him "in a hole." Their affidavits presented such a case that in conformity to the precedents Judge Babcock was obliged to issue the injunction, and he did so. He forbade trespassing on the corporation premises, committing assaults, using intimidation, and all the rest of it. But he did more. He interlined an extra clause in which he explained that peaceable persuasion was expressly allowed as lawful and not within the list of things prohibited. Simple as that clause was, and incontestibly proper, it actually made the injunction valueless. The strikers could not be fooled about its meaning. They knew what they could do as well as what they could not. As one of the attorneys against them said, with a profane expletive or two, the injunction with that clause in it was "no good." But it was too late to go to another judge, for one judge had acted; and in just 48 hours the employers met their men half way and settled the strike. Judge Babcock seems to have hit upon the weak spot in labor strike injunctions.

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It would be difficult to see how the Ohio court, which has dissolved the injunction secured by the Cleveland street car ring (p. 266) to prevent the Cleveland authorities from authorizing a three-cent fare street car system, could have done otherwise. The wonder is that the injunction was granted in the first place. The theory of it was that as the Cleveland charter had been held by the supreme court to be invalid, the existing officials were only officers de facto who ought not to make bargains for the city. But there is a remedy for that condition without resorting to injunctions. The officers could be ousted from all authority. Instead of proceeding against them in this regular manner, however, the street car ring instigated an injunction which, while allowing them to do some things, forbade their doing others. That was government by injunction, indeed; and it is gratifying to know that the court as a whole would not countenance it. It holds that though the city officials were officers only de facto, yet the courts cannot restrain their exercise of legislative powers. They must either be ousted altogether or be let alone. So Mayor Johnson's three-cent fare plans will go on.

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In his struggle to obstruct those plans, Senator Hanna appears to have lost his head. His latest eccen-

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tricity is to beg the street car employes to get out and hustle against Johnson, because three-cent fares would reduce their wages! This is painfully indicative of the confused state of Mr. Hanna's mind. In one breath he tells workingmen that our national prosperity is so splendid that they had better "keep on letting well enough alone," and in the next he warns his own employes that he will reduce their wages if fares are reduced. How can he do it? Wages don't depend upon Cleveland street car fares. They depend upon the general demand for workingmen relatively to the number whose jobs are poor or who have no jobs. But three-cent fares would increase this demand, and thereby tend to raise rather than lower wages. Even if three-cent fares didn't increase street car jobs, still Mr. Hanna could not reduce the wages of his employes unless he could get others cheaper; and if he could do that, would he wait until fares were reduced? He doesn't say so. Again: in the original three-cent ordinance Mayor Johnson inserted a clause requiring the company to arbitrate wages whenever their employes demanded it. This condition has been condemned by the courts as unreasonable, in a suit instigated by Mr. Hanna's street car ring. But for that condemnation the three-cent fare company could not reduce wages, even if it had the power. Why did Mr. Hanna object to it? Once more: Mr. Hanna's street car ring charges Mayor Johnson with pushing the three-cent fare franchise for the profit there will be in it, and then tells street car employes that instead of a profit there will be a loss necessitating a reduction of wages. Mr. Hanna ought to "get together." Evidently he is "rattled," and so badly as to be in danger of exposing the real reason for his opposition to the three-cent fare movement. He is opposed to it because it would let the water out of his street car stock. The street car system of Cleveland is capitalized at $20,000,000, though the value of the plant is but a few hundred thousand. All the rest is street franchise value, and this appears on the market as "water." It is the volume of "water" and not employes' wages that three-cent fares will shrink, if they shrink anything. Upon this hypothesis Mr. Hanna's opposition is understandable; upon the falling wages hypothesis it is not.

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Mr. Hanna's street car ring gives further evidence of the "rattled" mental condition of its chief, when it voluntarily offers to pay a trifling increase in taxation. Mayor Johnson's administration had raised the taxes of the ring to a par with taxes on other property, by increasing its valuations to 60 per cent. of true value, which is the customary basis. But the street car ring, through its affiliation with other rings, mostly political, had that fair assessment arbitrarily swept off the tax books, and caused the legislature it controlled to abolish the tax board that had made it. The ring thereby secured the valuable privilege of assessing itself. It now exercises this privilege graciously, by raising its assessment. But how much? To make its taxes the same proportionately as other people's it would have to raise its assessment about $12,000,000. It has raised it $1,600,000, or about 13 per cent. The ring might better have made no raise at all. Such additional tax as it may pay will only be credited to Mayor Johnson's equitable tax agitation, for the ring never offered to pay higher taxes before that; and the people will see all the more clearly that if Mr. Hanna's chain of rings, corporate and political, had not temporarily balked the mayor in what he was doing, the taxes of the street car ring would be much higher and the local tax rate lower. As a conscience gift, this voluntary increase is contemptible; as a matter of policy it is too thin; it is important only as a confession of weakness and bafflement.

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Mayor Johnson's tax bureau, under the management of Peter Witt (p. 266) is issuing statements in detail of the results of its work. They will prove valuable everywhere, for they expose in detail a system of iniquitous taxation which prevails everywhere. The following table, published by this bureau, shows the condition of the Tenth ward of Cleveland with reference to the taxation assessments and the actual values of land irrespective of its improvements:

| | |
|---|---|
| Total cash value of land | $7,074,610 |
| Total appraised value of land | 2,782,240 |
| Total cash value of land exempt from taxation | 1,208,820 |
| Total cash value of taxable land | 5,865,790 |
| Total appraised value of taxable land | 2,292,840 |
| Average appraised value, 39 per cent. | |
| Lowest appraised parcel, 9 per cent. | |
| Highest appraised parcel, 127 per cent. | |
| Number of lots appraised below 39 per cent., 159. | |
| Number of lots appraised above 39 per cent., 433. | |
| Whole number of taxable lots, 592. | |
| Cash value of lots below 39 per cent. | 3,769,120 |
| Appraised value of lots below 39 per cent. | 1,210,450 |
| Average appraised value, 32 per cent. | |
| Cash value of lots above 39 per cent. | 2,096,670 |
| Appraised value of lots above 39 per cent. | 1,082,390 |
| Average appraised value, 51 per cent. | |
| Equalized at 39 per cent., the value of all lots below 39 per cent. would be | 1,472,550 |
| The appraised value of these lots is now | 1,210,450 |
| Therefore they should be increased. | 262,100 |
| Equalized at 39 per cent., the value of all lots above 39 per cent. would be | 820,290 |
| The appraised value of these lots is now | 1,082,390 |
| Therefore they should be decreased. | 262,100 |

If the Ohio legislature had not accommodated the Cleveland street car ring by abolishing the city tax board, these irregular valuations, varying from nine per cent. of actual value to 127 per cent., would be equalized. If equalized at 39 per cent. of actual value, the average valuation, they would yield in that ward alone a taxable value greater than the present by $262,100. Thus the general tax rate could be considerably reduced, and the taxes on 433 lots now asessed at more than 39 per cent. of true value would be lowered, while only those on 159 lots, now assessed at less than 39 per cent. of true value, would have to be increased. If Mayor Johnson had done no more, the system of exposure of inequitable taxation which he has developed would entitle him to the gratitude of the masses, who suffer from such taxation, and the enmity of the classes, who profit by it.

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