

ly aimed. The New York Nation says that the bill as amended would make "judicial injunctions against strikes easier rather than more difficult to obtain." It might be argued, however, that the Nation's judgment on this point is not to be trusted since it is now opposed to "government by injunction." Turn, then, to that able and candid plutocratic organ, the Commercial and Financial Chronicle. In its issue of the 22d it speaks of the nullifying amendment as "a very clever and at the same time extremely reassuring act on the part" of the Senate committee, since it "expresses in a brief way and in plain terms just what the law is now"—meaning, of course, just what the innovating "government-by-injunction" judges hold the law to be. Plutocracy is seldom without friends in the right place in an emergency.

Colorado, which is not yet known to have redeemed her good name by punishing the infamous lynching and burning of a Negro, which recently occurred there, has another case of Negro lynching to her discredit. This time the victim, convicted without judge or jury or any other safeguard of innocence, was hanged and shot. Do the authorities of Colorado purpose allowing that crime against public order and the due administration of justice to pass without notice? Or will it punish the anarchists who committed it?

On Tuesday next the people of Chicago are to cast a referendum vote for or against these three important propositions:

Ownership by the city of Chicago of all street railroads within the corporate limits of said city.

Ownership by the city of Chicago of the gas and electric lighting plants. Said plants to furnish all heat and power for public and private use.

The nomination of all candidates for city offices by direct vote of the voters at the primary election to be held for that purpose.

This vote will not be decisive. It can be only advisory. The law-making authorities may adopt or ignore the advice as they please. But it will be no

insignificant factor in determining their action. Should any or all these propositions receive pronounced support at the polls on Tuesday—and all of them deserve to — their legal enactment will be only a matter of a little time. Politicians do respect public opinion when there is no mistaking it. It is important, also, that a large vote should be cast. A small vote would tend for a time to discredit the principle of direct legislation by the people; whereas a large one, whatever the particular result might be, would silence captious objections to that method of holding corrupt legislators and councilmen in check. Whatever, then, may be a voter's opinions on these subjects, he will perform a distinct service to good government by expressing them on this occasion. Each of the three propositions is sound and well worthy the support of all good citizens; and in addition, a vote, even an adverse vote, will count as a fourth civic virtue, because it will tend to foster the saving principle of direct legislation by the people.

THE POLICE "SWEAT BOX."

In the course of an argument in a criminal case in New York last week, the defendant's lawyer raised a point of vital interest to the due administration of criminal justice. He moved the suppression of admissions or confessions that had been made by his client, doing so on the ground that they were made to police detectives in whose custody she was, without any previous warning to her that she need make no statements unless she desired to, and that if she should make any they might be used to convict her.

The motion was granted by Justice Mayer, who said, in making his decision, that he found no warrant in the law for the questioning of a prisoner by a police officer, before the prisoner had been arraigned in court and informed of his legal rights. Had the point been involved, he would doubtless have added that neither is there any warrant for such questioning after arraignment.

Justice Mayer must be a veritable

Daniel come to judgment, for in this decision he has delivered a decisive blow at the police "sweat box" system, which has been practiced for years by the police in all the great cities, and at which, lawless as it manifestly is, judges in the criminal courts have winked.

The extent of this illegal practice may be inferred from the plea of the assistant district attorney to Justice Mayer, in the case alluded to. He urged the judge not to make the decision he did because—

it is going to work the greatest innovation in the system in vogue, not only in the city of New York, but over the entire country. Thousands of cases have been decided in court here on statements made by prisoners to officers before the arraignment in court.

The general nature of this "sweat box" system is well known, yet it is tolerated because its victims are usually friendless persons accused of crime. It is a system of torture applied for the purpose of extorting confessions. Quite candidly and approvingly the Minneapolis Journal described the system at about the time of President McKinley's assassination, and we can do no better than quote that description:

The practice of "torturing" suspected criminals to wring from them information that will lead to the apprehension and punishment of accomplices is followed generally throughout the country and is almost invariably a speedy and satisfactory method, leading in many cases to the discovery of instigators for whose crime their dupes or tools would otherwise have suffered alone.

While admitting that very drastic measures are adopted in the "sweat box" in order to extract a confession from suspects, the police officials seldom divulge the nature of the process employed. There is no set method in use. Each prisoner when taken into the "sweat box" is given different treatment, depending entirely on his temperament and mental condition and the degree of anxiety on the part of the police to make him talk. Often it is only necessary to browbeat and threaten the witness or to harrow his feelings by some of the numberless methods known to an experienced police officer.

But often prisoners are not to be scared by threats or "bulldozing" methods, and when these means fail, torture is used as a last resort. It is applied unflinchingly and relentlessly, and with such severity that the pris-

oner is frequently rendered wild or insane with fear and pain. Human endurance and self-control fail before some of the methods employed. Probably the most common method of forcing confession from unwilling lips is to string the prisoner up by the thumbs. This will fetch the majority of criminals to terms, for the intense pain such treatment induces will subdue the most stubborn spirit.

But if the prisoner maintains his defiance after this torture, the inquisitors are not balked, by any means. There are other more painful tortures, and while they do not rival the methods of the old Spanish inquisition in their cruelty or barbarity, they are just as effective.

Whatever the people may mean by "pincers" can be as well inferred as described. Ordinarily the torture—for it is nothing more—is specially devised to fit the particular case under consideration. If the police are satisfied that any person possesses information which may reveal the principals or participants in a great crime, they will get it and they feel justified in employing any means, no matter how severe and cruel, if it will result in a confession.

When it is considered not only that the tortured prisoners are plied with questions without any notice to them that it is their legal right to make no disclosures, but also that our constitutions forbid unusual punishments and cruelty even to convicted criminals, the utter disregard of law involved in this brutally inquisitorial "sweat box" system cannot but excite the indignation of all men who really respect the law. It is a system which puts the sworn officers of the law who practice it upon the criminal level of the "anarchist" as they describe him.

The police are usually reticent, as the Minneapolis Journal says, about their "sweat box" methods; but from items written by police court reporters, and the disclosures of victims, it is reasonably inferred that there are three degrees. The first degree consists in impressing the prisoner with the idea that he must answer questions whether he wants to or not. This is entirely lawless, as the decision of Judge Mayer now points out. Having so impressed the prisoner, all kinds of ingenious, irritating and confusing questions are asked. Under such an ordeal shrewd and self-governed criminals may come out first best; but the timid, the slow of thought, the unsophisticated and frightened prisoner who is innocent, may very easily be, and he not infre-

quently is, led into a tangle which fixes apparent guilt upon him.

An instance of the first degree in the "sweat box" was given simply as matter of current news not long ago in one of the Chicago papers. The prisoner's name was Thombs. He was in the custody of the police, whose sole duty it was to keep him safely for trial. But they violated their duty and the law by subjecting him to a "sweat box" experience. We quote the report:

For over an hour Thombs was kept under fire. He was told all about how he had abused his wife, Minnie Ristau, and compelled her to work for him and support him. Thombs did not know where the information came from nor how much of it the police had in reserve, and he soon weakened. Then Lieut. Haines switched suddenly and asked Thombs whether he had ever been at Cedar Lake, Ind. The question caught Thombs off his guard and he answered "Yes." Thombs scarcely had made this admission when Lieut. Haines bombarded him with a string of questions in the same line. It was all too rapid for Thombs's slow mind, and apparently without realizing what he said, he told the lieutenant that three years ago, in 1898, he and his "wife" had driven to Cedar Lake together. He declared they had come back together also. Thombs had said too much, and Lieut. Haines could get no further admissions. In the afternoon Capt. Wheeler tried another sweatbox method. Thombs declared at first that he wished to make a statement. When told to go ahead he launched into a tirade on Mrs. Severs, whom he at once connected with the Cedar Lake charge. He asked the police to send for Mrs. Severs and his wife and begged that he be kept at the police station until his brother-in-law could see him. Then Capt. Wheeler began. Thombs's heavy features did not move at first, but soon he began to flinch. Finally the prisoner began to weep, but it was not from grief. The man was racked by rage. "I never abused my wife. I would hang for her if I had to," he shouted. "I love her. I never threatened to throw my baby out of the window. That Severs woman has told you all this, and she is the one that hatched up the Cedar Lake story. Capt. Wheeler ended the interview, and Thombs, with his cloth cap pulled down over his eyes, was handcuffed to a policeman and taken to the county jail. He will not be questioned by the police any further on the Larson murder unless he wishes to confess.

On the following day the police captain who conducted this "sweat

box" proceeding was quoted in the news columns of one of the papers as saying about this case:

It has been the most trying police investigation in the history of the Chicago department. The alleged alibi produced by Thombs upset us and for a few hours the police were lost. But we set about to knock the alibi sky high, and in this we succeeded. Thombs while in my custody put up a defiant air, but I am positive that before his case reaches the grand jury he will break down and confess. He told me on Saturday that all that kept him from making such a confession was the warning of his lawyer.

There is an instance of the first degree. Could anything be more defiant of law? The second and third degrees are known only to police inquisitors and their friendless prisoners. It is generally believed, however, that they consist in physical torture. The second degree is described by some as including sudden and violent changes of temperature, accompanied by probing and confusing questions, until the victim's nervous system gives way and he answers at the will of his official but lawless persecutors. If this fails, the third degree—in which, perhaps, a brilliant light is steadily directed at the victim's eyes, both while he is awake and when he tries to sleep—is resorted to. That there certainly is a "third degree" is fairly evident from the following item in a New York news report in the Chicago Tribune:

The passage of this "third degree" from police headquarters, so far as official support is concerned, took place to-day when Commissioner Partridge and District Attorney Jerome had a conference. The "third degree" is to be left out of the methods of the district attorney's office in preparing prosecutions. While it has never become a habit there, as it was at police headquarters and even at police stations, nevertheless it is not unknown.

In this connection it is as gratifying as unexpected to find one chief of police who has discouraged not only this particular form, but every form, of police lawlessness against the rights of prisoners. We refer to Francis O'Neil, the general superintendent of police of Chicago, who has given evidence on three or four occasions and in as many different ways, of his respect for the law. Last fall he issued an order which is a credit to him and the observance of which would be a credit to any police force that should act in harmony with its

terms and spirit. In this order, dated November 22, 1901, he said:

To All Members of the Force: All police officers should bear in mind that, while it is their duty to suppress crime and arrest and prosecute criminals, they must not resort to illegal means to accomplish desirable results. . . . Policemen cannot afford to ignore the law even for a good purpose.

It is to be hoped that the infamous and lawless "sweat box" system, introduced into this country by the most successfully corrupt chief of police that ever disgraced the New York force, will be abolished. Judges and grand juries, if they would foster popular respect for law, must set about suppressing this official violation of law. Now that one judge has been courageous enough to stamp it with judicial condemnation, there is no excuse for tolerating it. Other judges should denounce it and grand juries should act.

If inquisitorial proceedings are necessary, let them take place only in the presence of a responsible magistrate, as in the courts of first instance in Europe, where the prisoner can have some responsible protection. Let the inquisition be no longer allowed in the inner rooms of irresponsible police detective, where the prisoner has no protection at all and is at the mercy of merciless men.

Of course a law providing for an inquisitorial examination of prisoners charged with crime would be invalid, for under the English and American theory of the administration of justice no man can be compelled to give evidence against himself. But if such proceedings would be without constitutional validity, surrounded as the prisoner would be with judicial safeguards, what shall we say of the same kind of proceedings when they are carried to the extent of cruelty by policemen unchecked by judicial restraints? On what other basis can any man justify lawless proceedings of that sort than that he has turned "anarchist" and cares nothing for the sanctity of law?

EDITORIAL CORRESPONDENCE.

Cincinnati, March 23.

I.

There is in this city a socialist organization which is interesting and significant for many reasons, one of them being that it holds aloof from the fatalistic sectarianism of the socialist parties. It is the Clarion club, the members of which distinguish

themselves as "Clarionets," and its leading spirit is Edward C. Wenning.

The Clarion club meets at Odd Fellows' Temple on the first and third Wednesdays of each month, and during the winter season it offers a public lecture course, in a commodious theater, the course for the present year having closed to-day.

Speaking of this club, one of its leading members describes its internal policy as being very strict, though in a rational and practical sense. "The active member," he says, "besides being a socialist, must be willing to cultivate practical organizational faculties. He must not be an indolent or slipshod socialist, but must learn how an organization should be conducted and how he should conduct himself in relation to the organization of which he has become an integral part." To promote this policy the club sternly insists upon regular attendance, and, unlike most organizations, drops members who become too remiss in that respect. Instead of weakening the club, this strictness appears to strengthen it. Absentee government, one of the weakening evils of club organization, is eliminated.

Another feature of the internal policy of the Clarion club, as explained by the same prominent member, is self-cultivation. "The club does not merely advocate socialism, but advocates rather the study of socialism. It does not seek fanatically to make miscellaneous socialists of outsiders; it seeks to make good socialists of its own members, feeling this to be the best way, in the end, of converting outsiders. Tolerating no proselyting fever, it strives to keep itself free from fanaticism, from sectarianism, from stiff-necked bigotry and from crass partisanship in socialism as in everything else. Though it holds itself faithful to the cause of socialism and to the general socialist movement, feeling and acknowledging its oneness with that, it does not believe it to be to the best interest of the socialist cause at present to cooperate with a socialist party. It believes, both upon local and general considerations, that its higher and better service would, under existing socialist party organizations, be impossible. Looking to the welfare of the socialist cause, and testing the usefulness of socialist parties by that standard, it abstains from blind or indolent partisanship and adopts instead the policy of keeping in touch with the

thought, feeling and sympathy of the masses of the people who are not yet socialists. Its members regard these people as their fellow citizens, as their own brethren, and their burdens and problems as among the burdens and problems of the club. Consequently the club inculcates the policy of helping all the people practically and progressively here and now. It believes in democracy as well as in socialism. It believes in sensible current work, as well as in the ultimate goal. It believes in bridging the way to that goal and not in expecting the people to leap the intervening chasm. And it believes that in this way the goal can be reached more surely and faster than through the existing socialist parties, yet without meanwhile in the slightest degree abandoning the socialist ideal; for it believes that socialism is democratic and that its practical policy should be progressively constructive."

By way of illustrating the methods and spirit of the club, the same leader in its counsels refers to its annual lecture course, saying:

"Here it establishes a platform for public enlightenment, where no one idea, no one creed or doctrine, no offensive or pugilistic party speeches, no shallow or trivial lectures, are in place. Neither is the platform a 'forum' for acrimonious debate or the airing of multifarious views, ignorant and ill digested, on the social problem. On the contrary, well informed and competent thinkers, men and women who are not only sincere but intelligent, and capable of explaining the truth as they see it, are the kind of speakers whom the club seeks for. Their subjects vary and their philosophies may conflict, but it is light upon these varying subjects and an understanding of these divergent philosophies that the public needs."

The Clarion club was formed hardly more than a year ago—December, 1900—but its members claim for it already a gratifying influence, both within and without the city, and both as to quality and lasting effect.

Its directing and voting members must be socialists, but it maintains a roll of associate members to which any one in general sympathy with socialism who approves the methods and desires to aid in the work of the club is admitted.

"Its socialism," says the member already quoted, "is the socialism that