

may make mistakes, but they will not commit crimes.

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Equality.

Is it unconscious class loyalty, or conscious individual perversity, that makes some moralists of intelligence and honest repute play fast and loose with the plain principles of human equality? Of course that question is for such moralists themselves to answer—and to themselves. It is none of our business. We only wonder. And if sometimes we wonder ungently, let it be remembered that legalized robbery of workingmen, and the physical and moral lives of hosts of little children, are involved in the issue. Who can help wondering, and possibly with some un-Christian feeling, when Dr. Parkhurst, for instance, joins the band of confusionists? He says that “men are not created equal,” and “no amount of trying to be equal, and no amount of leveling legislation will make them so.” Not at his saying this thing is there reason for critical wonder, for it is true; but at his saying this true thing with false implications in behalf of great industrial parasites. Dr. Parkhurst distinctly implies, in a signed editorial in the Hearst papers, that the inequalities of financial condition in our day are because “some people have a talent for making money,” which “is a gift, as much so as painting or sculpture or oratory,” and “a thing that cannot be put into a man if he hasn’t it nor legislated out of him if he possesses it.” This is a false and misleading suggestion to account for colossal fortunes.

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The “doctrinaire” indictment to which Dr. Parkhurst enters those special pleas has no reference to personal qualifications. Some men may indeed, as he says, be born “to be six feet tall” while “others are born to be five feet ten.” But what of it? The brain of some men may be “of finer quality than that of others.” But what of that? A few may be “constitutionally gifted,” and the great mass be “plain and ordinary.” But where is the relevancy? Some may “have a talent for making money.” But the real issue is whether legislation shall be maintained which enables them legally to exercise that talent at the expense of the “plain and ordinary.” No amount of “leveling legislation may make men equal in money-making.” But has not un-leveling legislation made, and does it not continue to make, gross inequalities in money-getting? and is not this the gravamen of the indictment which Dr. Parkhurst moves to quash? When men born to be tall

tower high up into the sky, instead of rising six feet from the ground, it behooves moralists to lift the immaculate drapery and see if these magical six-foot men may not be standing on the heads of five-foot-tens, and eights, and fives, and four-and-a-halves. Likewise when some men without working have larger incomes every hour, many of them enormously larger, than competent and industrious workers get in a week for hard and useful work. Instead of slurring over the social regulations which make this possible, men of moral light and leading would approve themselves better to the “plain ordinaries” if they asked themselves a penetrating question and squarely answered it. They should learn whether the incomes which Dr. Parkhurst relates to a talent for money making that cannot be legislated out, may not in fact be largely due to a talent for taking advantage of un-leveling social regulations that ought to be legislated out. How legislated out? Is that the interrogative retort we hear? It is a futile question until the other is answered. The how must follow the wish, and not precede it. Are our social regulations un-leveling? If they are, do we wish to abolish their un-leveling factors and influences? Let these questions be answered affirmatively, not with perfunctory acquiescence but from the heart, and the effective *how* may not be difficult.

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The Roots of Public Corruption.

Whether Patrick Calhoun is guilty of having bribed San Francisco officials we do not know. The judgment of a jury, 10 to 2 in his favor, raises a doubt at the very least. And we are not sorry, for we find no satisfaction in the mere punishment of individuals. If Mr. Calhoun is guilty, he is no worse than other Big Business men of his time. He may have been more careless or cynical in his methods, but he is hardly more culpable than the best. And that the men of his class felt it so, is evident from the swiftness with which they protested against his prosecution. They were vigorous enough in urging the relentless prosecution of the bribees. They had no mercy for Ruef, the political go-between; nor for Mayor Schmitz, the easy dupe; nor for the bribed aldermen. But when it came to the prosecution of traction magnates, Big Business jumped into the arena with a virtuous protest. And yet, where there are bribees there must be bribers. Why is it that the very classes who beg workingmen to refrain from class agitation, are so quick to stand between the law and

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