

motives respecting China, to demand a suspension of judgment.

It would require the humor of a Mark Twain to do justice to the decision of that federal judge in New York who holds that as to foreigners Puerto Rico is an integral part of the United States, while as to the United States it is a foreign country. Nevertheless, this is the first decision directly upon the point. A Minnesota judge has delivered an able opinion, sustaining the opposite view as to our relations to Puerto Rico. He held that it is an integral part of the United States as to everybody and for all purposes. But as the point was not directly involved in the particular case before him his opinion is without judicial authority. Until the New York judge is overruled, then, Puerto Rico must be regarded as the pea in a political thimble—now in one place and now in another, so that now you see it and now you don't.

One of the New York judge's arguments in support of his decision that the United States has constitutional power to govern alien territory as Rome governed her colonies—in other words, to be an empire—he puts in these words: "It could not have been intended by those who framed our constitution that we should be born a cripple among the nations." But that is precisely what the framers of the constitution did intend. All constitutional governments are cripples. The very object of a constitution is to cripple arbitrary power. It was especially and emphatically the object of the reservations in our constitution. And so well has this always been understood that the United States government has been heretofore held by the courts to have been so completely crippled by the constitution as to be incompetent to do anything whatever unless expressly or by necessary implication empowered by the constitution. Not until this era of imperialism which the Hanna-McKinley coterie is inaugurating has it ever been hinted that the government of the United States has

the national powers that England, Germany or Russia possesses. Compared with those nations ours has always been what this judge, with his imperialistic instinct, would call "a cripple among the nations."

A newspaper contributor of the name of Ambrose Bierce phrases in the New York Journal a very common opinion regarding "government by injunction." It is an opinion which, more than anything else, makes the possibility of "government by injunction" something to be feared. Premising that he does not understand the clamor against it, he proceeds with this explanation of his lack of understanding:

The argument is that if the law forbids something to be done and sets a penalty for doing it, that is enough. By forbidding it himself a judge may make the doing it a crime with a different name and differently punishable. But consider: he cannot forbid what was not already forbidden; he cannot make a crime of what was not already a crime. How, then, can his injunction harm one who obeys the law? Of what importance is it to a good citizen what would happen to him if he were a bad citizen? If I am not intending to commit a crime I do not care how many times I am warned not to commit it, nor how many kinds of penalties attach to its commission.

That quotation is an excellent example of popular thoughtlessness. If Mr. Bierce were not intending to commit a crime, he might not, indeed, care how many times he was warned not to commit it, nor how many kinds of penalties might attach to its commission. But if he were falsely charged with a crime he would care very much about the kind of trial he was to have. If, being charged with a crime falsely, he were to be tried by a judge without a jury, upon affidavits drawn by a hostile lawyer, and sworn to out of court by witnesses whom he was not allowed to see or cross-examine, we suspect that he would begin to understand the clamor against "government by injunction."

The evil of "government by injunction" centers in the mode of

trial. It is an established Anglo-Saxon doctrine with reference to the preservation of human liberty that men charged with crime shall be tried by a jury; that they shall be confronted with their accusers face to face; that every witness against them shall be subject to cross-examination; and that the jury shall judge the law and the facts. These safeguards are not for the benefit of the guilty. They are established for the purpose of protecting the innocent from unmerited penalties. The guilty are protected by them because even they are supposed to be innocent until guilt has been proved. And it has been the theory of Anglo-Saxon law for centuries that without such safeguards liberty is endangered. Now "government by injunction" does away with all these bulwarks of liberty. It begins with a presumption, like that of Mr. Bierce, that the accused is guilty. It denies a trial by jury. It substitutes affidavits for living witnesses. And it leaves the question of crime, the question of guilt, and the extent of punishment to the discretion of a single judge. With such a system in full operation liberty would be doomed. Yet there are Ambrose Bierces by the hundred thousand who cannot understand the clamor against "government by injunction"! And they through their ignorance may contribute, having votes, to making the doom of liberty certain.

Apropos of this subject a remarkable article—most remarkable, considering its source—appeared editorially not long ago in the New York Nation. It was a discussion of Senator Bate's bill for the regulation of trials for contempt of the federal courts, and in the course of the article the writer took occasion to say that when a man commits a breach of the peace he should be dealt with by the sheriff or a policeman and not by a court of equity in injunction proceedings. For that reason the writer of the article in question condemned the injunction proceedings of the federal courts at the time of the Chicago riots.

Asserting that Gov. Altgeld "apparently sympathized with the rioters," he declared nevertheless that "that can hardly be regarded as a reason why the federal courts should have enjoined them from rioting and punished them for contempt when they disobeyed." So at last the Nation understands the iniquity of government by injunction, and understands it so well as to criticize, though tenderly, the proceedings against Debs. The objection to those proceedings was not that Debs or anyone else ought to have been shielded from punishment for instigating or participating in riots, if guilty; but that the injunction proceedings deprived him of his right to an orderly trial.

In the admirably conducted labor department of the Philadelphia North American, which is under the management of Henry George, Jr., Mr. George sums up the trust question in a nut shell when he says that—

while the remedy for artificial monopolies is to abolish privilege and establish competition, the remedy for natural monopolies is to preserve the exclusive principle, but to take it out of private hands and to operate it publicly. To put the matter in another way, the simple, sovereign plan to meet whatever of evil there is in what is commonly spoken of as "the concentration of wealth" is to deal with the power of privilege, either by abolishing such privilege, as in the case of artificial monopolies, or by taking privileges into government hands, as in the case of natural monopolies. This principle, followed to the end, it seems to me, would clear the way for freedom of individual exertion and give to each in the production of wealth what he produces and only what he produces.

If the democratic party at Kansas City dared to adopt that principle in unmistakable terms, it would completely command the situation on the trust issue.

A good test of prosperity is a "want" advertisement. It is the best test, since the prosperity we are having is so microscopic that tests are needed. An illustrative example comes to us from Kansas. A gentleman in that state who needed two salesmen—not men to help him

make things, observe; but men to help him find buyers—put this advertisement in the Kansas City Times:

WANTED—Two salesmen in Kansas; men of good address; experience not necessary; give references; permanent position and good wages for right men. Address ARTHUR L. ROSE, Manager, Newton, Kan., for particulars.

It is very much to the credit of the Kansas City Times as an advertising medium that the advertisement brought over 30 replies. And most of the men who replied evidently had business knowledge and ability. But the prosperity for which McKinley became advance agent four years ago should "sing small" when a demand for two to fill a permanent position at good wages unearths 30 men who want the jobs.

In Scotland, too, they have been enjoying a season of "prosperity." It is very much like our own. One of our consuls, as quoted in the American Machinist, describes it so that the reader can hardly tell the difference. He says that skilled laborers in 1898 and 1899 had full employment, with increases of wages in most trades of from eight to ten per cent.; but that in Edinburg the cost of living has so far increased that "the earning power of even the best paid skilled labor has diminished."

Our democratic neighbors across the Canadian border are pestered much as we are on this side with patriotic fetish worship. From one of them—John Macmillan, of Victoria, B. C., a sterling public-spirited member of his community—we gladly give place to a letter on the subject, in which a proposition is made that is worthy of general consideration by all men and women who think of the world as their country. Mr. Macmillan writes:

Since the war in Africa began we have had a continuous outburst of flag worship. In boys' brigades, schools, churches, everywhere, men seem to be overwhelmed as with a mania, and those who do not join in are hounded as traitors and pro-Boers. For months the idea has possessed me that we can and ought to use this

flag worship for good. Cannot some one devise a flag that will be the emblem of Universal Peace? And will not men of our ideas be ready in every land to raise it on public occasions as an emblem of universal good will? This flag worship, when used for the spread of jingoism, seems to be infectious. Should its influence be all on one side? Give us a flag that is emblematical of peace. Let good men everywhere be asked to sign a pledge to hoist it, when other flags are raised, as a mute appeal in behalf of "peace on earth to men of good will."

The incidence of indirect taxation is often curious and not infrequently wicked in its effects. The profits made by Carnegie, Frick and their associates, amounting to \$46,000,000 in the last two years are examples. Though this astonishing sum of money was collected from the people of the United States, not a cent of it went into the national treasury. Carnegie and his accessories pocketed it all, McKinley's belief that the tariff is not a tax except upon the foreigner to the contrary notwithstanding. As most of this huge sum was extorted from the people by adding unduly to the price of structural iron and steel, it is not difficult roughly to follow its burden to the end. Most of that product went into office buildings in the larger cities. Their cost being enhanced just so much, the annual rents demanded and obtained by their owners are higher than they could otherwise be by an amount equal yearly to the interest on the increased cost.

THE FAMINE IN INDIA.

Once again the charity-giving world is stirred to its uttermost borders by piteous appeals for India, as another visitation of famine sweeps over that richly endowed but sorely tried land. From the Mysore to the Punjab, and from the western coast to the center of the peninsula, a territory of 300,000 square miles—equal in area to all the Atlantic coast states of the American Union which lie north of Georgia—the impoverished inhabitants are suffering from hunger. Sixty million people, equal in number to three-fourths of the population of the United States, are smitten with