in favor of privilege, as it does against reforms that strike at privilege, it had better be voted down.

There is all the more reason for this when certain speeches in support of the proposed amendment are considered. We allude to the speeches of which John S. Miller's, before the Bankers' Club on the 15th, was typical. Mr. Miller recognized, what is the fact, that this amendment is proposed in order to avoid the necessity for calling a constitutional convention; and his objection to a constitutional convention was that it would open the way "for the cranks, and lunatics and agitators." These handy terms are bankerese for all active objectors to high-grade graft. In view of speeches of the Miller type, it will be safest for citizens who have no axe of their own to grind, no special interest to serve, but who believe with some fervor in equitable public policies and are therefore "cranks" and "lunatics" in the estimation of the grafting interests miscalled "conservative," to vote against the charter amendment. Instead of constitutional patchwork, contrived in the interest of arrogant classes, let us have a constitutional convention, through which the people can be heard on the whole question of constitutional readjustment.

There is reason in the idea that the preferences of the legal profession in a community are a good guide in the selection of judges. But there is none in the notion that this preference is expressed by the vote of a lawyers' club. Yet a lawyers' club in Cook, the Chicago county of Illinois, with a membership of only 900, habitually assumes to speak for a bar of 5,000 members, on the question of judicial preferences. It has done this with reference to the choice of judges at the approaching election. The highest vote it casts for any candidate is 520—about 10 per cent. of the total membership of the county bar. This vote is entitled to its full value, as indicating the preference of a respectable club of respectable lawyers, including all of the more dangerous corporation-owned practitioners; but its exploitation as an indication of the preferences of the bar of the county is not quite ethical.

Some implications are made by the Record and Guide, the real estate review of New York, that the local tax department there is remiss in not assessing all property, unimproved as well as improved, at full value, as the law requires. If deserved, this is a good criticism. There is no fair reason for assessing unimproved lots lower in proportion to market value than those that are improved. It is often urged that the owners of unimproved lots get no income from them, and therefore should be treated more gently than improvers. But if these owners get no income from their vacant lots it is their own fault. The fact that a vacant lot has market value proves that it is in demand for improvement. If, then, it is not improved, the reason must be that the owner is holding out for higher prices. In other words, he is preventing the lots' yielding an income now, in order that he may some time in the future possibly reap a larger reward. This disposition should not be encouraged by tax discriminations. If either kind of owner is to be encouraged by tax officials, it should be the improver and not the forestaller. But after all this has been said, the embarrassments of the New York tax officials must be considered. For many years it has been the custom there to assess improved property at 50 to 60 or 70 per cent. of market value, and unimproved at from only 15 to 30. This custom is being reformed. Efforts apparently in good faith are being made to bring all assessments up to the level prescribed by the law—full market value. But it is evident that this cannot be done as quickly with property heretofore assessed exceedingly low as with that which has by custom been assessed relatively higher, without making trouble for the assessors; and their admirable report (p. 402) indicates a disposition to advance to the legal requirement as diligently as possible. No harm will be done by stimulating this disposition on the part of the taxing officials; but they have fairly earned exemption from severe criticism. It is gratifying to observe in the criticisms of the Record and Guide a judicious balance in this respect.

While the utmost sympathy is due to men who are denied employment for having passed the age limit, or, indeed, for any other cause, how is it possible to sympathize with the criticisms on employers for refusing to hire these men. This is a false scent. Employers don't refuse to hire men for the joy of making them miserable. They do it because other men can serve them better. The true reason for sympathizing with the unemployed is not that this employer and that, or all employers together, refuse to hire workers; but that the unemployed workers have no where else to go to earn a living. And why have they no where else to go? Is it in the nature of things that men should be workless when the demand for workers is as limitless as human wants. We have all gone far astray in assuming that so-called employers are the real employers of labor. They are only middlemen—workers themselves in some degree, and in some degree monopolists, it may be. The real employers of labor are the consumers of labor products. And in the nature of things who are these? They can be no other, in the nature of things, than some kind of plunderers who give no work for the work done for them, or else workers themselves. If consumers, the real employers of labor, are workers themselves to the same degree that they are consumers, then it is impossible to conceive how there should exist at one and the same time an unsatisfied demand for products and an over-supply of productive labor. In that case we must "give up" the riddle. But if the consumers are in any degree plun-

derers, then the riddle is comparatively easy. We have only to find out how the plundering is done and put a stop to it. With plundering stopped, workers would both make and meet demand for workers. Demand for workers might then exceed the supply, but the supply of workers could not exceed the demand for them while any Oliver Twist asking for "more" remained above ground.

THE MARRIAGE PROBLEM—SUCCESSIVE MARRIAGES.

Out of the conclusion that polygamous groupings and "free love" alliances lack the essentials of marriage by reason of their promiscuity (p. 437), questions naturally arise with reference to successive monogamous unions. If, for example, legitimate marriage cannot exist between one man and two or more women at the same time, how can it exist between one man and two or more women successively? Questions of this kind put upon trial the legitimacy of second marriages after death or divorce.

The issue here is in reality not the same as in questions of polygamy, polyandry, and "free love," even though it may at first seem to be so in principle. Polygamous and polyandric marriages are condemned (p. 438) because they are absolutely irreconcilable with the principle of marriage unity; but successive marriages are not necessarily irreconcilable with that principle. "Free love" is condemned (p. 439) because it ignores the essential principle of the love that makes marriage: but successive marriages may, each in its order, be cemented by essential marriage love. There is nothing of promiscuity in successive marriage relationships, if each be constituted by love abiding in its nature, and each ends before the next begins.

Obviously the crucial point regarding the legitimacy of a second marriage is whether or not the prior one still lives. If it does, then the second is subject to the objection of promiscuity. But if all prior marriages in a series of successive marriages are dead, the last one in the series must, so far as the question of plurality affects it, be as legitimate as the first.

And the life of a marriage cannot be perpetuated by making the marriage bond indissoluble. Since marriage itself and not marriage ceremonials constitutes the relationship, it is the vitality of the marriage itself and not the potency of the ceremonial bond that determines the life of a marital union.

This does not imply that marriage ceremonials are unimportant. What it implies is that their importance is to be kept within proper bounds. To give excessive importance to marriage ceremonials is to degrade marriage, not to conserve it. They must not be allowed to prevent a new marriage when the older one is dead.

I

The first consideration regarding successive marriages is the effect upon temporal marriage of bodily death. Does a marriage naturally die with the death of one of the parties to it?

On this question there is almost universal agreement.

In the sensuous view, according to which human life ends with the death of the physical body, the love that makes marriage must necessarily be regarded as ending with death. Reciprocal unifying love cannot possibly survive the existence of either of the two persons it unites. To the materialist, therefore, every marriage naturally dies with the bodily death of either party to it; from which it follows that successive marriages, separated by bodily death, are free from promiscuity.

In the spiritual view, the marriage love that constitutes a temporal marriage is abiding in its nature only for the period of bodily life. Though it may possibly be eternal in its character, not even the parties to it can know that it is so (p. 422); and at any rate, the material and the distinctly spiritual spheres of existence are so insulated from each other that personal relationships can be rationally created in the former only with reference to its own limitations. Accordingly, a temporal marriage is (as to temporal concerns) only for the life of the parties. So far, then, as it relates to what is temporal, it dissolves with the death of either party. Whether or not the same union revives in a further or continuing life, on some other level of human existence, has to do with that life and not with temporal life, with that level of existence and not with this. In the spiritual view, therefore, as well as in the sensuous, temporal marriage ends with bodily death. Successive marriages separated by death are consequently free from promiscuity.

On this point there is no confusion with reference to marriage ceremonials. The ceremonial contract being for life only, even idolatrous minds, which tend to regard as marriage itself the mere ceremonial proclaiming marriage, must acknowledge that marriage ends with life and that successive marriages are free from promiscuity if separated by death.

In every view of the question—the material, the spiritual and the ceremonial,—temporal marriage comes to an end when death intervenes; and subsequent marriages, being thus free from promiscuity, are, so far as objections to plurality have any bearing, entitled to be considered as legitimate.

II

There is no such unanimity over questions of successive marriages separated otherwise than by death. While all agree that the death of a party to a temporal marriage dissolves both the marriage itself and its ceremonial bonds, thereby justifying a succeeding marriage by the survivor, it is not so with reference to divorce. A strong if not the dominant opinion, opposes marriage by either party to a prior marriage during the lifetime of the other party, when divorce only, and not death, has intervened.

Yet the determining principle is really in each case the same.

The legitimacy of successive marriages when death intervenes, depends, in the last analysis, not upon the fact of the death of one of the parties to the prior marriage, but upon the death of that marriage itself. If, for instance, the marriage survived the death of a wife, the second marriage of the widower would be plural—as truly so as is polygamy, and as illegitimate. It is because the unifying love of temporal marriage may dissolve with bod-