

rights, or belief in equality of human rights leads up to belief in a beneficent God—John Fiske's mind had traversed the path that connects them. Some of his writings are direct expositions of theism and all are vital with the spirit of democracy.

These are the qualities that will immortalize his influence if not his fame. Other writers may teach history as brilliantly; other thinkers may expound philosophy as clearly. So far, then, as concerns the outer shell of his life work, Fiske's fame may be dimmed or even totally obscured, and his influence be wholly superseded, by theirs. But that which constitutes the soul of his work, while it tends to preserve the one, will perpetuate the other.

Eminent as a teacher of philosophy at a time when philosophy was Godless, Fiske nevertheless found God even in the scientific know-nothingism of Spencerian evolution. Eminent as a teacher of political history at a time when plutocracy dominated schools and press, yet he bowed at the altar of democracy. As the principle of the fatherhood of God and the brotherhood of man—the principle of the two great commandments, love of God with all one's heart and of the neighbor as one's self—grows to be more real and definite in human thought and action, the fame of such a teacher must grow with it, even though these teachings of his appear now to have been only incidental allusions instead of the primary impulses they were. At any rate, whatever may become of his personality the effect of teaching so inspired can never come to an end. Theistic democracy lays a wreath upon the bier of John Fiske.

#### THE CASE OF ST. CLAIR COUNTY

St. Clair county, Mo., is again furnishing food for the eastern press. Many are the times, for a generation, that it has done service in pointing a moral and adorning a tale of western lawlessness. One might judge from reading the New York Evening Post and eastern commercial journals that the people of St. Clair county are nothing more nor less than banded outlaws, ornamented with Winchester and bound together with blood-freezing, hell-born oaths, and that no

stranger with money on his person can safely set foot inside its borders without an attendant company of militia.

Yet when one goes to St. Clair county, one finds the people not at all different from people elsewhere. They do not carry arms nor gather at midnight. They attend church on Sunday and send their children to school. They pursue their peaceful vocations as quietly and industriously as people do in the best ordered communities. Crime is as infrequent there, and all the amenities of civilized life are just as observable there, as in other rural districts of the United States.

The immediate occasion of the present editorial eruption is the imprisonment of the county judges of that county, by order of the federal court, of which they are held to be in contempt.

True it is, that St. Clair county is, and for 30 years has been, in a sense in open rebellion against the government of the United States. The judges of the county court, which has charge of the administrative affairs of the county, have persistently refused to levy a tax wherewith to pay the county's bonded debt. When recently ordered to do so by the federal court, in which judgment had been rendered against the county, they steadily refused, and were promptly committed to jail for contempt, there to abide while their term of office lasts. There they will abide rather than yield to the order, for the same thing has happened to their predecessors in office for a generation. This gives rise to the cry of "repudiation," "anarchy," "brigandage," and other complimentary terms which have been so often applied to the case.

If, as a matter of fact, St. Clair county has repudiated a just debt, and has refused to levy a tax to pay it, even after it is reduced to judgment, then morally, as well as legally, such punishment and such epithets are well deserved. But is it so?

In the early seventies, while the constitution and the laws of Missouri authorized any county of the state to subscribe for stock in any railroad company organized under the law of the state, many of the counties voted

large subscriptions to such enterprises. The county courts of the several counties were authorized, in discharge of their ministerial functions, to provide the necessary funds (issue bonds) to pay such subscriptions. St. Clair county, like the rest, voted a subsidy in the form of a stock subscription to some mythical (as it turned out) railroad, and the county court at that time issued the necessary bonds.

Thus far the progress of the matter was clear and easily understood, but from that on the whole thing became involved in a fog so dense that no one has ever been able to penetrate it. By some means, those bonds got into circulation, without a mile of railroad, or any form of quid pro quo to the county, to show for it. Valuable negotiable commodities like county bonds don't lie around loose without attracting attention. They cannot safely be suffered to run at large even in a thinly populated region like St. Clair county, and the bonds in question got away, "without a bell on," as a Missourian would put it. Whether it was by some deal between a corrupt county court and bond sharks, or by the stupid yielding of the county court to some seductive flim-flam, nobody now seems to know. They were next brought to notice by a scire facias, in the hands of a United States marshal, issued from the federal court, where "innocent purchasers" were seeking to recover judgment on them. St. Clair county was not alone, for some 26 other counties in southern Missouri were in the same fix. There seemed to be an epidemic of corrupt bond deals. There was a general stampede of bonds from their corrals over the whole district, and the fugitives were "gathered in" somewhere east.

The people suddenly realized that their liberality and enterprise were to be repaid by persecution. Instead of the railroads for which they had so confidently voted, they were saddled with hopeless debts. Yet, some people affect to wonder at the hostility to bonds and bondholders which remains with them to this day, and that a Missourian has "to be shown" when a bond proposition comes up.

Counsel was employed, and the

cases were fought through all the courts until the court of last resort determined the issue against the counties. But the bondholders were generous, as they could well afford to be, and some of the counties compromised, refunding their bonds at a liberal discount. Others refused to compromise on any terms, and among them was St. Clair county. The judgments rendered against that county were so large that at this time they amount, with accrued interest, to as much as the assessed valuation of all the property in the county—\$1,500,000. It is as impossible to pay the judgments, or a considerable portion of them, as it is for St. Clair county to pick itself up and take position in some other state. Had the railroads been built as expected, the county would have had exact value for its indebtedness. It would have had an equivalent in railroad stock to show for every dollar of debt, and the one could have been made to pay the other.

When judgment was rendered, the county court in charge at that time refused to levy a tax whereby to pay it. A writ of mandamus was issued from the court which had rendered the judgments to compel such levy. The three members of the county court promptly declined to obey the writ and were as promptly committed to jail for contempt. They served their term of office, two years, in jail. The next county court was tried with the same medicine, and likewise failed to yield to the treatment. The judgments were renewed from time to time, and it became understood that a candidate for election to the county court was a candidate for imprisonment, and contests for the office were not spirited. It is strictly a case where the office seeks the man. For many years the citizens have selected their victims, those who had the time, the patriotic fortitude and the constitution to endure two years of incarceration. Sometimes they have escaped the United States marshal by hiding in the hills and meeting to transact county business at some secret place by night; some terms have passed without a mandamus, but never have three members been selected who would obey the order to levy a tax.

The recent case shows no abatement of the resolution to hold out.

If one takes pains to understand the people of St. Clair county, one sees a plausible explanation of their conduct without referring it to lawlessness. They voted the subscription in honest expectation of a railroad whose value to the county would have been beyond calculation, besides the equivalent of the debt in railroad stock, and got nothing for their pains except a debt which they can never pay. The outrage is more than they will submit to, and they say they will resist as long as the county contains within its borders three men who can endure two years in jail.

It is no use to point out to them that they are beating innocent parties—widows and orphans it may be who have inherited those bonds. Their ready response is, that there could be no innocent purchasers of those bonds.

And that is certainly true.

While the holders of those bonds when suit was instituted were held to be innocent purchasers in a technical sense (the supreme court of Missouri held the bonds invalid and it was the federal supreme court which determined it), they could not have been innocent in any real sense. Investors do not buy bonds without some inquiry about how, by whom, and for what purpose they are authorized. The slightest inquiry would have shown the fraudulent manner in which those bonds were put in circulation, would have shown that they were not exchanged for railroad stocks as was intended, nor for anything of value to the county.

So, while the people of St. Clair county may possibly be charged with bad judgment in dealing with the matter, it cannot be said that they are dishonest. The term "repudiation" does not apply to the case.

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NEWS

Notwithstanding the confident predictions to the contrary, Tom L. Johnson carried all his points at the Ohio democratic convention. He was himself unable to attend, being detained in New York, partly on ac-

count of the recent death of his brother, but also because his own illness made attendance impossible—as he telephoned his associates on the Cuyahoga delegation, of which he was chairman—even if the adoption of his tax proposals depended upon his personal presence. The convention met at Columbus on the 10th. Charles P. Salen was both temporary and permanent chairman. The platform, adopted on the 10th, opens with a declaration for "equality of taxation and other public burdens," and for "the equal rights of all the people and special privileges to none." The "monopolization of industry, with its tendency on the one hand to crush out individual enterprise and on the other to promote a socialistic spirit among the people as the only refuge from oppression," is denounced. Charging the republican party with the corruption of municipalities, the platform then "calls upon the people to unite with it in placing the conduct of municipal affairs upon a business basis, that they may be administered by the people in the interest of all the people on the principle of home rule." That is a paraphrase of the demand of the Cuyahoga delegation for a plank favoring home rule in taxation, which was rejected because the committee on resolutions thought it a single tax plank. It is followed by the other Johnson demands as follows:

No franchise, extension or renewal thereof ever to be granted by any city or village without first submitting the same to a vote of the people.

The acceptance of free passes or other favors from railroads by public officers or employes shall be made adequate ground for vacating the offices held by them.

All public service corporations shall be required by law to make sworn public reports, and the power and duty of visitation and public report shall be conferred upon the proper state and local auditing officers to the end that the true value of the privileges held by these corporations shall be made plain to the people.

Steam and electric railroads and other corporations possessing public franchises shall be assessed in the same proportion to their salable value as are farms and city real estate.

On the tariff question the platform reads:

Tariff reform, never more urgently demanded than now, when the production of the country so far ex-