

# The Public

A National Journal of Fundamental Democracy &  
A Weekly Narrative of History in the Making

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## EDITORIAL

### Champ Clark and the Presidency.

When Speaker Clark took the floor in Congress to close the debate on the President's wool-tariff veto, he virtually declared himself Mr. Taft's adversary for the Presidency, and over the protection question. Taft's protection vetoes and Clark's anti-protection speech furnish the certain issue and the probable candidates of the Presidential campaign.

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### President Taft's Tariff Vetoes.

Such whistling up the wind has seldom been heard as that of the publicity bureau at the White House over President Taft's vetoes. If these sounds were echoes of public opinion, Mr. Taft would have an easy go for re-election. That they are such echoes is what the wild whistlings seem to say. "I doubt it," said the Carpenter, and shed a bitter tear—the carpenter in this instance being Mr. Taft's playfellows in politics. His judicial Recall veto will play no very important part, Congress having let Arizona in upon a condition it will be at full liberty to reverse at its own pleasure as a State; but the tariff vetoes are going to make much glorious trouble. Mr. Taft calls a session of Congress to pass his reciprocity agreement with Canada, an agreement in the direction of free trade which is as useless practically to help or to hurt as a college text book. But when it comes to free trade measures that would hurt the grafting interests and help the farmers, he vetoes

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them. An interesting Presidential campaign on economic questions along radical lines looms up in consequence in the political sky.

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### A Lesson of the British Labor Strike.

In this country great labor strikes evoke hysterical demands for the military; and it is customary in that connection to insist upon mercilessly "shooting down the mob." If one tries to argue that these "mobs" may have just grievances, a heartless reply comes sharply back. In effect it is that the time for considering grievances is past, the only consideration now being "law and order." To persons who have argued in this way, the time they speak of as past had never come. They were wholly indifferent to grievances until aroused by fears of violence, and then they thought of nothing but slaughter. Americans are not alone in this hellish attitude of mind toward "the lower classes." Precisely the same spirit animated British Tories when the recent strike broke out in Great Britain. Some military shooting was indeed done; but one death-dealing volley in Wales aroused the indignation of all humane Britain. Had Tories been in power, the slaughter might have gone on in spite of public opinion, but Tories were not in power. The Ministry, supported by the Liberal-Labor-Irish coalition, cast aside all that "upper class" nonsense, criminal nonsense, about "law and order first and grievances afterwards," and sanely considered that grievances which cause lawlessness and disorder are the primary consideration for a government trying to re-establish law and order. Consequently—and note that it is *consequently*—a gigantic labor struggle has been averted with peace and in honor. A man like Grover Cleveland wouldn't have believed it possible, and wouldn't have tried it; men like Asquith and Lloyd George did believe it possible, and trying it in good faith have proved it.

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### The British Federation.

A brief news item that went through the American newspapers last week, is prophetic of the future of Great Britain. It was to the effect that a Scottish member of the British Parliament had, on the 16th of August, introduced a bill in the House of Commons providing for a local legislature for Scotland. This is a natural sequence of the abolition of the absolute veto heretofore held by the House of Lords. The purpose of the Scottish bill will doubtless follow, if indeed it does not accompany, the granting of home rule to Ireland. As long as the House of Lords controlled legislation

by its veto, home rule for any of the amalgamated nations within the British empire was impossible. But abolition of the Lords' veto was a preliminary condition to home rule for Ireland; and home rule for Ireland means inevitably home rule for Scotland also, and for Wales and for England.

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None of those countries has a local legislature. There are city councils and county councils, but no sub-Imperial autonomy. Parliament governs all. On the other hand, nearly two score British dependencies scattered over the world and having local self governments, such as Canada and Australia, have no representation in the British parliament, as have Ireland, England, Wales and Scotland. All this is to be changed. The abolition of the Lords' veto absolute, makes it possible. With Ireland in the lead, local legislatures will be established in Scotland, Wales and England as well as in Ireland; and all four, together with the world-scattered autonomous dependencies of Great Britain, will be represented in the Imperial parliament. The whole Empire will be as in Canada with her Provinces, and in Australia with her States, or as in our own country with its State legislatures and its Federal Congress. Here, then, is in the making the greatest federated empire of history—and a democratic empire at that, albeit the shadow of a throne and the ghost of an hereditary legislature may for a time remain. It is no new thought. Richard McGhee, an ex-member of Parliament from Ireland, and now a member of Parliament again, told the City Club of Chicago about it two years ago. Mr. McGhee saw then what was coming; it is easier to see it now.

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### President Taft's Statehood Veto.

To appreciate the significance of President Taft's veto of the Statehood bill, three things are necessary to be understood. In the first place, Mr. Taft's legal education was got at a time and under circumstances which bias him in favor of the sacrosanctity of the judiciary. A bunch of wigs and gowns, with corporation lawyers concealed within them, is to Mr. Taft what crowns and scepters are to imperial flunkies. In the second place, his political, business and social connections have a tendency to make Mr. Taft see the patriotic importance of morganistic government. In the third place, New Mexico is absolutely under the thumb of morganistic combines through their control of its natural resources, whereas Arizona is as yet above the control of those powers. Gladly would Mr. Taft have admitted New Mexico with its prac-

tically unamendable and plutocratic Constitution. He himself says it. But there was only one bill before him, and in this the two applicants for Statehood were coupled. He could not admit New Mexico without admitting Arizona. Put those three considerations together and you have "a line on" Mr. Taft's veto. His amiably patriotic desire to serve his great and good friends of the class to whom he has done his utmost to give Alaska, fell nicely in with his distrust of popular government and his worship of judicial wigs and gowns. Run your eye over the argument of the veto message.

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If the people of Arizona should adopt the Recall for judges "the rights of the individual" would be subject "to the possible tyranny of a popular majority." Granted. But even if it occurred why would that be worse—why as bad as the actual judicial tyranny over both individual and popular rights which has so long been inspired by corporate greed? And what governmental device is there by which "possible tyranny" over individual rights can be prevented? Absolutely none; except it be the will of the people themselves, they being armed with power to enforce their will. "The unbridled expression of the majority of a community converted hastily into law or action would sometimes make a government tyrannical and cruel;" wherefore we must have, not only Constitutional checks (depending upon the people for their just observance, which the masses of the people are always inclined to, as experience shows), but, so thinks President Taft, we must also have judges so "independent" as to be depended upon by greedy interests to twist those checks into weapons for killing popular legislation. "Judges are not popular representatives," says Mr. Taft. True enough. But Mr. Taft would have it understood that they represent even handed justice, and this is not true outside of the old text books and Bar-society oratory. In the very nature of things, judges who are "independent" enough of public opinion to deny it or to defy it, tend to become representatives of class interests at the best, and of corrupt interests at the worst. Jefferson prophesied this, and experience proves it. The "independence" of judges is secured by "a fixed term and fixed and irreducible salary," Mr. Taft goes on to say. This is the old and essentially sordid if not corrupt theory of property rights in public office. Cases are infrequent in which the judgment of a judge may be "affected by his political, economic or social views." So writes President Taft, as soothingly as a morganistic lawyer might purr it to a friend on the bench with a perpetual franchise at

stake. Mr. Taft must have been among the exceptions when, as a judge, he departed from what in his message he describes as the "clear principles of law," to introduce government by injunction in the interest of plutocracy. If these exceptions are in cases in which judges come under "the people's influence," as his message asserts, then in his own case the "people" consisted of his own class and not of a majority of all the people. But if influence is to count, why not count it by means of formal regularity? If judges "are not removed from the people's influence," and this is part of President Taft's argument, why not provide for popular expressions of that influence, instead of depending upon plutocratic clubs and newspapers subsidized by Big Business? This is the meaning of the judicial Recall, except as it applies to corrupt judges—those that impeachment is intended for but has never reached.

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A man of President Taft's instincts, training, associations and extreme simplicity of mind, might have been expected to give away his whole case against judicial recalls; and he does so when in his message he approvingly says, alluding to the judiciary, that "we are dealing with a human institution that likens itself to a divine institution because it seeks and preserves justice." Precisely what used to be said, with precisely the same meaning, in precisely the same spirit, and for precisely the same object, in behalf of the pernicious doctrine of "divine right of kings." The Emperor of Germany and his flunkies say it yet. Might they not shake hands with Mr. Taft across the bounding billows, or cable him to "have one on" them?

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Congress has doubtless adopted the wise course regarding Arizona, in amending the Statehood bill so as to conform to the President's demands. By withdrawing the judicial Recall, Arizona may secure her Statehood; and after her admission Mr. Taft's prejudices will have no more weight in the matter than in any other State. At least one of the others already has the judicial Recall, and more will have it soon.

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### Crooked "Parallels."

Not long ago plutocratic newspapers were testing the Initiative and Referendum by the action of "the people of Jerusalem" in demanding the crucifixion of Christ; all unmindful, these papers, that those demands were not by the people but by plutocratic pharisees and their slumgullion hang-

ers-on. That the masses of the common people would have done differently had they been consulted, as they were not, was demonstrated a few hours before. What was the Judas kiss for, but to enable the "representatives" of the people to get the Galilean out of the reach of rescue by the people? Having worn out that crooked "parallel," its authors are now trying one on the Recall. This also is crooked. It brings into service the recent horrible lynching in Pennsylvania of a Negro prisoner. This was done by the populace in a fit of passion, and therefore, according to some statesmanic minds, it shows what the populace would do with judges if they had the Recall at command. We might suggest waiting to see what judges not subject to recall will do with that case before we speculate upon what the people would do with judges if they were subject to recall. But never mind. Let's take the challenge as we find it.

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Here is a mob of respectable white criminals who murder a Negro charged with crime, because he is a Negro. What man is there who believes that this, or anything like it, could have been done or approved by any State in the Union, upon an Initiative petition formally submitted, discussed for three or four months, and voted upon formally at the ballot box, where every citizen and not merely a masked mob would have had an equal voice? It couldn't be done in the worst "nigger-hating" county of the most "nigger-hating" State, whether North or South. And the crime having been committed, as in this Pennsylvania case, what man believes that the Sheriff arresting the ring leaders, the Judge holding them to full legal responsibility at the trial, the Governor refusing to pardon them, or any other official doing his duty in the premises, could be recalled anywhere in the Union upon a recall petition specifying such action as the reason for recall, and upon a ballot box vote after a three or four months' campaign of discussion. It couldn't be done anywhere.

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#### Popular Good Purpose and Good Sense.

Those undemocratic arguments against the Initiative, Referendum and Recall which rest upon distrust of popular judgment and honesty, have no other excuse than the fact that when the people as a mass are confused with complex issues further complicated with personal considerations, they often go awry. One other excuse is possible, of course, namely, that among numbers there are often panics. But neither excuse, nor any of its variations, justifies objections to the Initiative,

Referendum and Recall. All possibility of panicky voting is practically removed by the campaign of education that precedes voting on a specific principle or policy, and with no personalities or complexities of any other kind involved. As to individual selfishnesses, they are mutually nullified to such an extent as to leave a fair show for civic principle to express itself effectively. This is not an inference only. It is a fact of experience. So also is the further fact that the people in mass are of conservative tendencies, when they express themselves directly and formally. The whole history of the Initiative, Referendum and Recall goes to prove this—in Switzerland, in Oregon, and wherever else these democratic aids to representative government have come into use.

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#### Woman Suffrage in Housekeeping.

Some well meaning woman who writes as if she were addicted more to "bridge" or "progressive euchre" than either to civics or to housekeeping, has called out from Alice Stone Blackwell a crushing answer. She had written that women ought to be taught housekeeping instead of having the vote given them; and Miss Blackwell, retorting that "they are more apt to be taught housekeeping where they have a vote," marshals the testimony. It is good testimony to have at hand (better to have in mind), and we reproduce it as Miss Blackwell states it:

One of the first things that the women of Norway did with their ballots was to get the government to start schools of domestic training for girls. Mrs. Helen Loring Grenfell, who served three terms as State Superintendent of public instruction for Colorado, mentions this among the good results of equal suffrage.

In Idaho woman suffrage has led to the addition of a department of domestic science to the State University.

Baroness Aletta Korff, formerly an American girl, a Bryn Mawr graduate, the daughter of Surgeon-General Van Reypen, now the wife of an official in Finland, says in an article in the National Geographic Magazine, describing the results of woman suffrage in Finland: "One of the noteworthy reforms undertaken by the women has been the establishment of schools of domestic training throughout the country—schools intended to teach young girls to become efficient and capable wives and mothers."

Lady Stout, wife of the Chief Justice of New Zealand, says that since women got the ballot, a society with branches in every district has been organized "to train women and girls in intelligent motherhood and home-making."

The National Bureau of Education asked our last Congress for an additional appropriation of \$75,000 to enable it to meet constantly growing demands and opportunities for service. It got \$7,600—about

one-tenth of what it asked. Among the items requested was money to investigate the best methods of industrial education (which is chiefly for boys) and of education for housekeeping. Congress granted the first and refused the second. Congress would not have been nearly so likely to strike out the appropriation for education in housekeeping if the women of the United States were voters.

The pause for a reply is lengthened probably because "Antis" are absorbed now in the politico-physiological discovery by a professor at Columbia University that "suffragists are sexless." This objection is really the most comprehensive as well as startling that has yet been launched. Mr. Roosevelt ought to be consulted about it.

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### The Oregon Liquor Question and Land Value Taxation.

A reader asks us this important question about the Initiative petition for land values taxation in Clackamas County, Oregon, which we printed in full at page 679 of the current volume of The Public:

It seems to me that this measure, if it become a law, would abolish in common with every other license, the liquor license. Is my interpretation correct? Is it the intention of the originators of the move to place the liquor business on a par with every other occupation and remove from it every restraint under police power?

Other questions accompany the above, such as "What, in general, is the attitude of land tax on the liquor question?" and "How do they handle it in Vancouver and other Canadian cities which have adopted the system?" To the former, the only answer we feel at liberty to give is that it seems to depend upon the attitude of each land taxer toward the liquor question; and the only one we are able to give to the latter is that officials of the respective Canadian cities could furnish more authoritative information than we. As to the main question, however, the Initiative petition for Clackamas County appears to furnish the answer pretty clearly.

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Turning to that petition as Mr. Eggleston quotes it at page 824 of The Public of August 11, and as we had quoted it at page 679 of a few issues earlier, we find that it proposes the following:

No tax shall be imposed upon any trade, labor, business, person, occupation or profession under the pretext of a license or the exercise of the police power within said county; but in its application to licenses and permits this is intended only to prevent the raising of revenue from such licenses and permits, and to prevent exacting of fees therefor greater than the cost of issuing the permit or license,

and is not intended to impair the police power of the county, city or State.

That clause seems to us to hold the liquor business fully within all the restraints of the police power. If prohibition is in force it would continue; if not in force, but desired, it could be established; if there is police regulation now, it would be unaffected by the amendment; if not, its powers could be as freely asserted as before. The tax amendment would not affect the liquor question in any way, except by excluding the liquor traffic from the sources of public revenues. And to whom could that be objectionable? Only to three classes: (1) Land monopolists, who depend upon liquor license revenues to lessen their own taxes; (2) temperance people who mistakenly suppose that high-priced "booze" licenses promote temperance; and (3) distillery and brewery combines, whose owners know from experience that high revenue licenses enable them to monopolize the whole "booze" business and thereby to enormously influence politics. The Clackamas County tax amendment, while it would abolish the revenue-raising feature of the liquor business, would retain all police powers (1) to regulate the liquor business by licenses costing no more than their expense, or (2) to prohibit the business altogether.

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### A Sign of the Times.

If the platform of the Keystone party of Pennsylvania is at all indicative of the character of the Keystone movement throughout the Keystone State, the outlook is most encouraging. This platform stands for People's Power, as every true democratic platform must, and not in words alone but by effective means as well. Of course, therefore, it stands for the democratic plan of commission government for cities, for the short ballot, for direct election of United States Senators, against the taxation of legitimate business, against irrevocable franchises, and for the encouragement of real estate improvement by tax exemptions.

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On the latter subject the Allegheny platform of the Keystone party makes this sensible though conservative declaration:

We believe that the unduly high price of land in this country, causing high rents for both factory and home, is the greatest obstacle in the development of diversified industries in this district. These high prices are due largely to the speculation in land, by which a few individuals appropriate to themselves the values resulting solely from the growth of the community. In order to remedy this evil we would gradually relieve the improvements on land, by which a few individuals appropriate to themselves

the values resulting solely from the growth of the community. In order to remedy this evil we would gradually favor the reduction of assessments on such improvements at the rate of 10 per cent a year for a period of five years, thereby reducing taxes on all improved real estate and somewhat increasing them on land held out of use. Such a policy would tend to reduce rents and to cause the improving of unused land, to the great benefit of all the people.

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#### Progress of Singletax Sentiment.

An editorial in the San Francisco Chronicle of August 6th is one of many indications that a boom is setting in for the Singletax. The San Francisco Chronicle was more likely, perhaps, to be the last rather than the first of the leading newspapers of the far-western metropolis to declare that "the exemption of personal property which cannot possibly be located and equitably assessed and of structures which are constantly deteriorating and may burn before the tax is paid," is a "matter well worth considering, whatever the conclusion may be;" that "land is in sight and cannot get away;" that "its value is more easily determined than that of any other class of property;" that "the upward tendency of rentals" would "be checked by the desire of owners of taxed land to derive revenue from it by the erection thereon of untaxed buildings;" that "it would discourage speculation in land and secure to the public more of the increment not 'unearned,' but earned by the public and not by any individual;" and that it might to that extent "reduce taxation of those not owners of land not put to beneficial use." Editorial comment or any kind of notice by the press of Singletax progress has been remarkable for its absence. The time is here, however, when those newspapers which continue to ignore it will be considered as not up to date by readers who wish to be enlightened on what is doing. It is to be hoped that Singletaxers of California may have printed in large type copies of the leading points of this editorial for distribution.

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#### A Singletax Anniversary.

The next issue of The Public will bear the date of September 1, 1911, precisely twenty-one years after the opening of the First National Singletax Conference, which met at New York. We intend, therefore, to make a special anniversary number of that issue. One feature will be a supplement portrait of Henry George as he appeared at that period. Another will be a medallion portrait by Hinton of William T. Croasdale (organizer of the Con-

ference), photographed by Cox. A section of the group picture of delegates will be given, and this will be supplemented with a similar section of the delegates to the Conference at Chicago three years later. Reminiscences of the first Conference, by the chairman, and an editorial on Croasdale, by Edward N. Vallandigham, together with portions of the recent Singletax speech in Congress by Henry George, Jr. (a member of the first Conference), will be among the other features.

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### ARCHAIC RHODE ISLAND AWAKES.\*

The foundation period of Rhode Island, the age of Roger Williams, of John Clarke and Samuel Gorton, was an age of liberty, religious and political, of democracy, of toleration, of manly independence, of character, of radicalism, of idealism. Yet a government less popular than that of Massachusetts developed in Rhode Island.

The explanation is a paradox. The Massachusetts and Plymouth colonies were founded upon principles of orthodoxy in religious faith, while Rhode Island was founded upon the principle of religious freedom. In Massachusetts and Plymouth, church membership was everything; in Rhode Island it was nothing, so far as civil rights and political power were concerned. In early Massachusetts, church membership was the sole qualification for voting. But with the growth of liberal ideas, Massachusetts ceased to have a state church, and passed easily and naturally from a theocratic to a democratic commonwealth. Republican Massachusetts based suffrage on manhood. Rhode Island, on the other hand, was driven by her religious freedom to have a property test for the suffrage, if she had any.

The Royal charter of 1663 did not specify the suffrage qualifications. The charter gave full power in this matter to the General Assembly, and the Assembly voted to admit as freemen those of "competent estates." An authoritative historian says: "Solvency has at all times held the same place in Rhode Island which Puritan orthodoxy once held in Massachusetts." The acquisition of property was regarded as the test of virtue and intelligence.

The General Assembly, in colonial times, conferred the suffrage on landholders and their eldest sons only. The landholding qualification gradually stripped the majority of the people of the right to

\*This informative and stirring editorial is by a Senator of the Rhode Island legislature, who is a lawyer by profession and occupation. No question of his democracy and competency will occur to any reader of the editorial.

vote. In 1840, sixty-four years after Rhode Island had joined with the other Colonies in promulgating the sublime doctrines of the Declaration of Independence, fully two-thirds of the native born adult males of Rhode Island were without the right to vote. The Royal charter gave to each town a fixed representation in the Assembly, which must remain the same whatever the changes in population; and the landholding oligarchy prevented the adoption of a Constitution until 1842, the charter granted by King Charles in 1663 remaining the organic law for generations after America had become independent and republican.

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Yet nowhere in America were the principles of democratic government more intelligently and tenaciously held than in Rhode Island.

Ruled by an oligarchy whose control of the State rested securely upon a landed suffrage-qualification and an apportionment utterly regardless of population, the people from time to time demanded a Constitutional convention and manhood suffrage, but demanded in vain. In 1841, the Constitutional agitation culminated in a revolution.

Under the lead of Thomas Wilson Dorr, the people held a Constitutional convention and adopted a republican Constitution, with all attention to due and regular procedure, but without the authority of the government of the oligarchy under the Royal charter. Peacefully the people's government was organized, with Dorr as Governor, the great majority of the people having voted for the Constitution. But upon the request of the charter legislature, President Tyler assured to the old government the support of Federal troops, and immediately the revolutionary government melted away and the bloodless revolution, known in Rhode Island history as the Dorr War, was ended by the submission of the majority to the will of the minority.

Dorr was tried for treason, by a packed jury, and on June 22, 1844, sentenced to imprisonment for life.

On receiving sentence, he said, at the bar of the court: "The sentence which you will pronounce, to the extent of the power of influence which this court can exert, is a condemnation of the doctrines of '76 and a reversal of the great principles which sustain and give vitality to our democratic Republic, and which are regarded by the great body of our fellow-citizens as a portion of the birth-right of a free people. From this sentence of the Court I appeal to the people of our State and of

our country. They shall decide between us. I commit myself, without distrust, to their final award."

Dorr was imprisoned at hard labor for just a year. Then he was unconditionally released by a special act of the legislature, without the form of pardon, in obedience to the voice of the people. Broken in health, he died after ten years of painful illness, the result of his imprisonment.

Shortly before his death the legislature passed an extraordinary act declaring his conviction unconstitutional, null and void, but this act of justice was a little later repealed.

So the tragedy closed.

Dorr is the noblest and grandest character in all the history of a State whose foundations were laid in high idealism and whose annals are full of glory. Among the founders of American commonwealths, Roger Williams and John Clarke are incomparably great. Among the soldiers of the Revolution, Nathaniel Greene, alone stands by the side of Washington. Among statesmen of the period of constitutional development in America, Thomas Wilson Dorr is destined to occupy a place of unique distinction and unrivaled honor; because, being called upon to deal with questions the most fundamental in human government, he was not only equal in ability and integrity to the greatest and purest in his country's career, but suffered more than any other.

He walked no flowery path, he was crowned with no laurel wreath; instead, he drank the bitter draught from the hemlock cup, he accepted a strenuous, difficult, almost hopeless task as a duty to the people from which he must not shrink. Rarely endowed and disciplined for the high walks of the statesman's life, of calm and dignified character, not easily moved by the impulses of passion, he turned from the easy path of social and political success in which his feet were set by the favoring fortune of birth and rearing and environment, and sacrificed and suffered for the cause of the people.

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While the Dorr War was in progress, the charter legislature called a Constitutional convention. Martial law had been declared, but it was suspended during the election of the delegates. Hundreds of the democratic citizens of Rhode Island were, however, in jail under martial law for participation in the Dorr movement, when the delegates were elected. The convention framed the present Constitution of the State and it was adopted by the people in December, 1842, on a

very light vote, the Dorrites abstaining from voting.

This Constitution gave the suffrage in elections for general offices and members of the legislature to the native male citizens, but imposed the old landed qualification upon naturalized citizens. It established a Senate in which each city or town should have one Senator and no more, and it limited the representation of any city or town (meaning Providence, the chief city) to one-sixth of the whole number of the House, to be elected on a general ticket. It gave no veto power to the Governor, and no power of appointment. Under it the judiciary, both the higher and inferior courts, is chosen by the legislature in joint session of both Houses. The sheriffs and many other important officers are chosen in the same manner. The legislature has by statute conferred upon the Governor a power to nominate some officers to the Senate for their confirmation, but with the extraordinary provision, unexampled in the history of free government, that if confirmation does not follow within a few days, the Senate shall proceed to fill the office by election. So that the Senate, the worst rotten borough chamber in the world, has practically all the power of appointment—and on secret ballot—which is not in the hands of both Houses in joint assembly, and also on secret ballot.

In 1888 the landed qualification required of naturalized citizens was abolished by Constitutional amendment, the Republican party perceiving that a considerable proportion of the newer immigrant citizens were not indisposed to the national policies of the Republicans.

Agitation for another Constitutional convention had gone on, but in 1882 the judges of the Supreme Court gave an advisory opinion that it was not Constitutionally possible for Rhode Island to have a Constitutional convention because the Constitution of 1842 contained no provision for such a convention and did provide for amendment on the proposal of the legislature. This opinion is opposed to the well established American doctrine, and is violative of the letter and spirit of the first section of the Constitution of Rhode Island, which is in these words: "In the words of the Father of his Country, we declare that 'the basis of our political systems is the right of the people to make and alter their constitutions of government,' but that the constitution which at any time exists, till changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all."

That was not a judicial decision, however, but merely an advisory opinion. It is well-settled, even

by the Supreme Court of Rhode Island, that such advisory opinions have not the binding force of judicial decisions. Given in 1882, this opinion was before the dangers of judicial usurpation of power were so generally recognized as they are now, but it was deplored and condemned as unsound by some of the best Constitutional lawyers in the country. When the people of Rhode Island get ready to hold a Constitutional convention, they will not be deterred from so doing by this anomalous opinion.

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Believing that this advisory opinion had prevented a convention, the Republican party soon deemed it good party policy to submit an amendment abolishing the landed qualification required of naturalized citizens, and it was submitted and adopted by the requisite three-fifths vote.

With this suffrage extension, however, was coupled a disfranchisement clause. The Constitution required a property (real or personal) qualification for voting for the City Council in Providence and on financial questions in town meetings. Providence was then the only city. In 1888, there were three cities, and now there are six. The suffrage amendment of 1888 extended this property qualification to all cities. The Republicans would not concede the suffrage to foreign born citizens, except upon condition of taking away the full vote from non property-owning citizens in cities; and sons of foreign born fathers voted to ratify the amendment, thus depriving themselves in part of the suffrage in order to put their fathers on an equality with natives.

In 1905, I made a study of the Council vote in Providence for the purpose of seeing how many men in certain skilled trades were disfranchised for lack of the taxpaying qualification. I found that out of a total of 1,609 carpenters, only 359, or 22 per cent were Council voters. Out of 2,299 machinists, only 390, or 17 per cent were Council voters. Out of 252 printers, only 51, or 20 per cent were Council voters. A large majority of the clergymen were not qualified to vote for the Council. That property qualification remains to this day, and in several cities distinctly contributes to corrupt municipal government.

I have called the Rhode Island Senate the worst rotten borough chamber in the world. The Constitution provides: "The Senate shall consist of the Lieutenant-Governor and of one Senator from each town or city in the State." The population of Providence is 225,000. The town of West Greenwich has less than 500 people, yet is equal in the Senate to Providence. There are 38 towns in the

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State. The 20 smallest towns, with their 20 Senators, a majority of the Senate, have less than 8 per cent of the population of the State. The other 18 towns, with more than 92 per cent of the population, have only 18 senators. Of course, the temptation to use bribery, or what is the same thing, a distribution of money among the voters relying upon their good will thus induced, is very great and the practice has become habitual in many of the small towns.

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The House, under the Constitution of 1842, was composed of 72 members. Each town has at least one member, and it was provided that no town should have more than one-sixth of the whole, thus limiting Providence to 12 members, although having more than a third of the population of the State. The members of the House were to be elected on a general ticket, and with the growth of democratic sentiment in Providence and the other large places, it was possible for the popular party to carry the House, although it has seldom happened.

The Republicans have nearly always had a majority in the House, although of late years the Democrats frequently elected the 12 members in Providence. The time was approaching when the Democrats would have been able to carry the House steadily, and possibly a majority on joint ballot. To avert this danger, the Republican legislature submitted a Constitutional amendment, increasing the House to 100 members, giving Providence 25 members, and dividing Providence and every town and city having more than one member into as many districts as it may have members. The representative districts of the Rhode Island cities are now the smallest city districts in the United States—petty compared with all others.

This ultra oligarchic change was adopted in 1909, the Democrats offering a listless opposition, opposing but not fully awake to the nature of the change. Close students of representative government understand the advantage which the small district system gives to the monied party.

At the first election under the district system, in 1910, the Republicans had 66 and the Democrats 34 in the House, and in the Senate the Republicans 27 and the Democrats 11. The Democrats are not without hope, however, of increasing their representation, and even of carrying the House.

It remains to mention the manner in which the Constitution may be amended.

An amendment must be submitted by two successive legislatures, a majority of all the members elected to each house concurring, and then must

be ratified by the people, three-fifths of all the electors voting thereon voting therefor. If a Constitutional convention could be had, a new Constitution could of course be adopted by a majority vote. The power to hold a convention is denied. Yet it exists. The government of Rhode Island is, therefore, a government by the minority. It is an oligarchy, and governs after the manner of oligarchies.

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Entrenched though the oligarchy is, it will be overthrown. But it is necessary, in the first place, to have an aroused and determined public opinion in the State. The people of Rhode Island have been long apathetic, politically. The registration laws throw every obstacle in the way of a full registration, and the registration is always small. It is increasing, and may soon swell to large proportions.

The Initiative and Referendum would soon put Rhode Island in the control of her people. An agitation for the Constitutional initiative has been going on for some years, under the lead of Ex-Gov. Garvin; and in the session of 1911, I introduced in the Senate a Constitutional amendment providing for the full popular Initiative, on Constitution and statutes, after the Oregon model.

The movement is popular and is supported by the Democratic party, although in the next election the intense feeling aroused over the question of the abolition of the property qualification for full suffrage, is likely to prevent the issue from coming squarely on Direct Legislation.

That issue will, however, come rapidly forward; and with the rest of the Union showing the way, the ultra conservatism of Rhode Island may be swept away by the rising tide of public opinion.

There is the other way of a Constitutional convention.

A sagacious opportunism must determine which way will finally be the way of escape. A right public opinion is the first requisite. The remedy will then be found. Where there is a will there is a way. Rhode Island, when free, will better than any commonwealth in America, even in the world, illustrate the glorious possibilities of popular government by an intelligent population almost entirely urban and industrial.

In her present hard case, she is entitled to the sympathy and aid of the friends of popular government throughout the country.

EDWIN C. PIERCE.

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Public improvements increase the value of land, and land only. Then why should not taxes on the value of land pay for public improvements?

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## INCIDENTAL SUGGESTIONS

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### RESTRAINING THE POWER OF FEDERAL COURTS.

Chicago, August 19.

I am much interested in the subject of your editorial, "Powers of the Supreme Court," in the issue of August 18, at page 842; but it seems to me that you have not touched the most vital point of the subject. The provision referred to in Congressman Berger's bill is in conformity with an express provision of the Constitution and with a previous decision of the Supreme Court.

Section 2 of Article III of the Constitution provides that, except in the few cases where the Supreme Court is given original jurisdiction, it "shall have appellate jurisdiction, both as to law and fact, with such exceptions and under such regulations as the Congress shall make." I believe it is generally acknowledged that Congress has power to fix the jurisdiction of the inferior Federal courts which it has established. Consequently it seems that the power lies with Congress to limit the matter upon which the Supreme Court or other Federal courts may pass, except in cases "affecting ambassadors, other public ministers and consuls, and those in which a State shall be a party."

As to the attitude of the Supreme Court in this matter, I am informed that it recognized this power of Congress in a case involving the reconstruction laws, which came up in 1869. Congress had passed an act prohibiting the Supreme Court from passing upon the constitutionality of the reconstruction laws, and that court consequently refused to hear a case involving his point on the ground that it did not have jurisdiction.

It seems that Congressman Berger is better informed upon this point of law than many of the lawyers who have been discussing the "legislative functions" of the courts in the public press, and that this provision in his bill is in entire conformity with the constitutional powers of the Congress. It would seem, too, that much of the complaint that is lodged against the courts for nullifying legislation is misdirected. The remedy, so far as the Federal courts are concerned, lies with Congress, and it is up to that body to see that its own interpretation of the Constitution is not interfered with by any other branch of the government. So long as it acquiesces in the review of its laws by the judiciary, the latter cannot be blamed for exercising that function.

It does not seem to me that the lesser executive officials are in a position to ignore the courts in their execution of the law. Of course, if supported by the President and the army, it would be physically possible for them to ignore a judicial order, but usually they cannot depend upon such support. Actually, the courts are obeyed. Many instances are extant of the interference of Federal courts with the enforcement of State laws, by injunction, as in the case of the railroad-rate acts of South Dakota, Georgia, etc. No doubt similar instances exist where the activities of Federal officials have been restrained by judicial injunction.

The remedy does not appear to lie in the defiance

of the courts by executive officials, but in a limitation of judicial power by act of Congress. For instance, Federal courts should be prohibited from interfering in any State affairs, unless brought to them by appeal after decision in the State courts. The issue of injunctions should be very explicitly limited. And in cases where Congress wishes its decision as to constitutionality to be final, it needs only to insert a clause to that effect, as in the bill for old-age pensions. The latter provision is likely to become increasingly popular.

M. G. LLOYD.

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## NEWS NARRATIVE

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The figures in brackets at the ends of paragraphs refer to volumes and pages of *The Public* for earlier information on the same subject.

Week ending Tuesday, August 22, 1911.

### Adjournment of Congress.

Without division, the Senate voted on the 19th to close the special session of Congress at 3 o'clock on the 22d. The House having adopted this resolution the final adjournment came on the day and at the hour mentioned.

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### The Wool Tariff.

President Taft vetoed the wool tariff bill on the 17th. [See current volume, page 853.]

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The principal point of his veto message is opposition to tariff revision until expert evidence is reported by the tariff board authorized by the existing tariff law.

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On coming before the lower House for action on the 18th, the President's veto was discussed and the vetoed bill put upon its passage. Although it received 227 votes to 129—a majority of 98 against the veto—it lacked 11 of the necessary two-thirds and therefore failed of passage. Voting with the majority against the veto were 22 progressive Republicans.

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The debate had been closed by Speaker Clark. When he left the chair to take the floor, the great political significance of his act was like an inspiration to the Democratic members, and they gave him a tremendous welcome. Their enthusiasm grew as he developed his argument against the veto, and the delight his supporters expressed at the climax of his speech amounted almost to frenzy. They seemed to recognize the Speaker as the Democratic spokesman for the Democratic party against the President, and on the tariff issue, in the approaching Presidential contest.

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**The Farmers' Free List Bill.**

During the week Congress came to an agreement on the "farmers' free list" bill, and sent it to the President, who promptly vetoed it, principally on the same ground of objection he had set up against the wool-tariff bill. The House failed to pass the bill over his veto, the vote being 226 for passage and 127 against—99 majority against the veto, and only 10 short of the necessary two thirds. [See current volume, page 854.]

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**The Cotton Tariff Bill.**

When the cotton tariff bill of the House came up in the Senate on the 17th it was passed with amendments, to which the House agreed on the 21st. The Progressive Republican program had been defeated in the Senate by some understanding of the Democrats with the Standpat Republicans, and the House bill as amended was carried 29 to 24. This vote represented the strength of the Democratic votes in the affirmative, and that of the Progressive Republicans and a few Standpat Republicans, including Senator Root, in the negative. In the House on the 21st the Senate amendments were accepted by a vote of 180 to 107, and on the 22d President Taft vetoed the bill. On motion of the Democratic leader in the lower House the veto was referred to the committee on ways and means a few minutes before adjournment. [See current volume, page 829.]

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**President Taft's Veto of Arizona and New Mexico Statehood.**

President Taft's veto of the bill for the admission of the Territories of Arizona and New Mexico to Statehood in the American Union was delivered to Congress on the 15th. The veto message placed the President's objection on one ground alone. He was satisfied with the admission of New Mexico on the terms conceded by Congress; but his objections to the popular recall of judges were such that he could not consent even to leave that question to a direct vote of the people of the Territory. His argument is long. So far as it relates to his veto action he asserts that at this stage he is himself primarily responsible, and must therefore assert his judgment in no doubtful terms. [See current volume, page 853.]

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Before the veto message came up for action in Congress, the Territories committees of both Houses agreed on the 17th to a compromise bill requiring the people of Arizona, as a condition precedent to admission as a State, to eliminate from their proposed Constitution the Recall so far as it applies to judges. The bill thus modified was passed by the Senate on the 18th by a vote of 53 to 8. Among the Senators voting in the negative

were Bourne, Brandegee, Bristow, Clapp, Cummins and Heyburn (Republicans), and Bailey and Pomerene (Democrats). Of the affirmative vote 26 were Republicans, including Borah and Root, and 27 were Democrats, including Bacon and Kern. The House accepted the Senate bill, and on the 21st the President signed it.

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**Memorial to Michael J. Flaherty.**

A memorial meeting to one of the leading democratic Democrats of New York, ex-Sheriff Michael J. Flaherty, who died recently in his home in Brooklyn, was held by the Brooklyn Central Labor Union at the Labor Lyceum in that city on the 13th, at which Charles Frederick Adams made the principal address. [See vol. viii, p. 834.]

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**Settlement of the British Labor Strike.**

An adjustment of the most formidable labor strike of modern times in Great Britain, was effected on the 19th, by the British ministry under the leadership especially of Lloyd George. [See current volume, page 852.]

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A "reign of terror" was reported on the 15th in Liverpool, and sensational reports of military action came over the cable, climaxing on the 19th in the reported killing of two and wounding of others by a volley fired into a crowd in Wales. Ocean vessels were tied up, traction service was disturbed, railroad service was threatened, the supply of food in cities was running low. The cities affected included Liverpool, London, Manchester, Glasgow, Bradford, Chester, Sheffield, Bristol, Doncaster, Leicester and many others. Business was so generally paralyzed on the 18th that no part of the country was wholly unaffected. Estimates of the number of strikers ranged from 200,000 to 220,000.

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It appeared to be a spontaneous strike from the mass of workers, and not a leaders' strike. But a curious feature of the dispatches was the entire omission of any explanation of the causes. It had burst upon Great Britain over night, and unless facts were suppressed in the dispatches, with no visible cause whatever. Inference, however, lead to the conclusion that the principal cause was the refusal of railroad companies to recognize labor organizations—the old question of organized employers insisting upon treating with workmen only as individuals. The Amalgamated Society of Railway Servants, along with the Society of Locomotive Engineers and Firemen, and the General Railway Workers' Union adopted a resolution unanimously on the 15th declaring a general railway strike throughout the United Kingdom. But the actual

strike was held in abeyance pending negotiations for compromise.

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Conferences were held on the 15th between the Prime Minister and prominent representatives of such industries as shipping, cotton, coal, engineering and railways. Also with representatives of trade unions and other labor organizations. On the 16th the Home Secretary, Winston Churchill, stated in a speech in the Commons that non-unionists were entitled by law to work without molestation and would be protected in the exercise of that right; while Lloyd George, declaring that while the government was determined to protect the railways and the food supply at any cost it would not intervene in the interest of any party. An offer of a Royal commission was refused by the strikers, apparently because representatives of organized labor would have no representation upon it, as such; and at this time there were serious doubts of the possibility of a settlement. Mr. George, however, did not share these doubts, and on the 19th, chiefly through his instrumentality, but with the support of Labor members of Parliament and the pressure of Mr. Asquith upon representatives of the companies, a settlement was effected.

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G. H. Claughton, a director of the London Northwestern Railway, and Sir Guy Granet, general manager of the Midland Railway, had been empowered by the employers to confer with labor representatives and the Government; and at this conference there were present in behalf of the labor organizations James Henry Thomas, M. P., and Messrs Bellamy, Williams, Fox, Lowth and Charlton. Lloyd George, Sir H. L. Smith and G. K. Askwith participated on behalf of the Board of Trade, and Ramsay McDonald, M. P., labor leader was present. Following is the agreement, which was signed by all:

1. The strike to be terminated forthwith and the men's leaders to use their best endeavors to induce the men to return to work at once.
2. All the men involved in the present dispute, either by strike or lockout, including casuals, who present themselves for work within a reasonable time, to be reinstated by the companies at the earliest possible moment, and no one to be subjected to proceedings for breach of contract or otherwise penalized.
3. Conciliation boards to be convened for the purpose of settling forthwith all questions at present in dispute as far as they are within the scope of such boards, provided notice of such questions be given not later than fourteen days from the date of this agreement. If the sectional boards fail to arrive at a settlement, the central board is to meet at once. Any decisions arrived at are to be retroactive as from the date of this agreement. It is agreed for the purpose of this and the following clause that rates of wages include remuneration whether by time or piece work.

4. Steps are to be taken forthwith to effect a settlement of questions now in dispute between the companies and classes of their employes not included within the conciliation scheme of 1907, by means of conferences between representatives of the companies and representatives of the employes who themselves are employed by the same companies, and, failing of an agreement by arbitration, they are to be arranged mutually or by the Board of Trade. The above is to be a temporary arrangement pending a report of the Commission as to the best means for settling disputes.

5. Both parties are to give every assistance to the Special Commission of Inquiry, the immediate appointment of which the Government has announced.

6. Any questions which may arise as to the interpretation of this agreement are to be referred to the Board of Trade.

The Special Commission is to consist of two labor representatives, two employers' representatives and an impartial chairman.

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Labor leaders claim a victory because unionism, the most vital principle at stake, is recognized in the agreement and in the personnel of the Special Commission.

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## NEWS NOTES

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—The corrupt practices act of Congress was signed on the 19th by President Taft. [See current volume, pages 369, 682, 854.]

—At the Saturday Lunch Club, Minneapolis, on the 9th of September, at 12:30, Louis F. Post, editor of The Public, will speak on "The Singletax at Work."

—Plans for a national organization of Negroes are to be considered at a mass meeting of Negro voters at Odd Fellows' Hall, 3335 State street, Chicago, on the 24th.

—Gamaliel Bradford, anti-imperialist and public-spirited citizen of Massachusetts, was struck by a trolley car on the 20th, and died at his son's home near Boston in a few hours. Mr. Bradford was in his eighty-first year.

—The American Federation of Catholic Societies met in annual session at Columbus, Ohio, on the 20th, with about 1,500 delegates in attendance. Speeches of welcome were made by Governor Harmon and Mayor Marshall.

—Professor Frederick Starr, of the University of Chicago, who spoke at Abraham Lincoln Center, on the 20th, on Japan and Korea, is to leave this country on the 25th for an ethnographic tour of Korea. [Current volume, page 585.]

—Reports from Winnipeg of the 10th were to the effect that the Dominion Government had given to Manitoba, Saskatchewan and Alberta, Canadian Provinces, corresponding to American States, their natural resources, which means that the Manitoba and Saskatchewan boundaries are to be extended to

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**Hudson Bay, and makes Alberta one of the richest provinces in Canada, with its vast mineral resources in the Rockies.**

—**Gustav R. Weikert** of Detroit, a democratic Democrat and Singletaxer, who was identified usefully with progressive activities for 25 years, died on the 17th, after a lingering illness which produced starvation of the body without clouding the mental faculties.

—The perfunctory signing of the Lords' veto bill by King George was performed in the House of Lords on the 18th by a Royal Commission. The act was cheered by members of the Commons, a demonstration never before heard in the House of Lords. [See current volume, page 851.]

—An imposing demonstration in Brussels, in favor of unrestricted universal suffrage and obligatory education, came off on the 15th, under the leadership of the Socialists and Liberals, who had gathered at Brussels 200,000 persons from all parts of Belgium for the demonstration. [See vol. xiii, p. 1097.]

—Hon. **Henry George, Jr.**, is to make a transcontinental lecture tour during the months of September and October, under the auspices of the Henry George Lecture Association (room 802, 538 S. Dearborn street, Chicago), which is now arranging the details. Mr. George is to go west from New York by a northern and return by a southern route.

—The Constituent Assembly of Portugal has completed the Constitution of the new Republic, upon which they have been at work all summer, and the instrument was signed at 1:35 o'clock in the early morning of the 19th. Great crowds had been waiting for hours around the Assembly building, and announcement of signature was received with acclaim. [See current volume, page 855.]

—General **Cincinnatus Leconte**, elected last week as President of Hayti, took the oath of office on the 16th. The United States government, it was reported from Washington on the 16th, will not formally recognize the election of President Leconte until it has received assurances that he is not antagonistic to the extensively American interests in the Republic. [See current volume, page 854.]

—A **Tom L. Johnson** memorial meeting for Minneapolis will be held at the residence of the Stockwells (3204 E. 51st Street), Minneapolis, on the 10th of September, at 3 o'clock, at which Louis F. Post, editor of *The Public*, will be the speaker. The meeting will follow a basket lunch. Any one interested will be welcomed by the host, which is the Men's Club of the Unitarian Society of Minneapolis.

—Senator **La Follette** introduced on the 10th in the Senate, a resolution for the ownership of railways, docks and terminals in Alaska by the government of the Territory, these utilities to be in charge of a board of public works appointed by the President. In speaking for this bill in the Senate on the 21st, Senator La Follette advocated the beginning thereby of government ownership. [See current volume, page 802.]

—A bill to define the extent to which "reasonable" restraint of trade shall be permitted under the Sherman anti-trust law was introduced in the Senate on the 10th by Senator La Follette and discussed by

him. His bill specifies that whenever a combination, trust or conspiracy is shown to exist, the burden of proof that the combination is not "unreasonable" shall rest upon "the party who contends that the restraint is reasonable." [See current volume, pages 458, 465.]

—The exiled Shah of Persia, Mohammed Ali Mirza, who has been trying to fight his way back to the throne, was reported on the 8th to have won his first battle, and on the 11th to have reached a point 100 miles north of the capital city, Teheran. On the 15th he was reported to be in full flight after a crushing defeat of his forces by the government troops. Two days later it was rumored that he had been assassinated while fleeing. [See current volume, page 805.]

—Two errors in the Treasury report printed at page 832 of *The Public* of August 11 are called to our attention. The last item under division iii, which reads "Excess of all disbursements over all receipts, \$31,305,823.56," should read, "Excess of all receipts over all disbursements, \$31,305,923.56." Under division iv, the last item in the first line of comparison of deficits and surpluses, should be starred, to indicate a surplus instead of a deficit of \$31.3 in millions for 1911.

—Read **Gordon**, who died at Merriewold Park, N. Y., on the 20th, was well known in New York and New Jersey as a Singletaxer, having come into the movement at about the time of Henry George's first candidacy for Mayor of New York, and participated later in the agitation in connection with Father McGlynn and Hugh O. Pentecost. He was president of the first Merriewold Park organization, and came later into a large interest in the Park. Mr. Gordon's death occurred while he was dictating a business letter, and instantly in the middle of a sentence. He was 66 years old, and had for many years been the proprietor of the famous food-manufacturing house of Gordon and Dilworth, founded by his father.

—A council committee of St. John, New Brunswick, reported on the 7th a recommendation that the government amend the taxation laws by providing that, after the first of January, 1912, the tax on improvements, including all buildings and superstructures, be reduced 25 per cent., and every two years thereafter a further reduction of 25 per cent. on the original value, until the tax on improvements has disappeared altogether; and providing that the tax on land be increased sufficiently, beginning with Jan. 1, 1912, and every two years thereafter, to provide for the revenue lost on account of the decrease of the taxation on improvements; also providing that, after the first of January, 1912, no tax be levied on improvements constructed after that date, and that movable personal property be exempted from taxation ten years after the passing of the amendments. Hopes of abolishing the income tax are held out in the report.

—The international aviation meet which opened at Chicago on the 12th, closed on the 20th with a record of more airships in competition than had ever before been assembled for a public meet. As reported last week, two of the aviators met death on the 15th. The world's passenger carrying record was broken by W. G. Beatty, who remained in

the air with one passenger in a Wright biplane for 3 hours and 42 minutes. His passenger, a Tribune reporter, took abundant photographs while in the air. Records were also made in "bomb" throwing with bags of flour on the outline of a ship's deck, from a height of 150 feet. P. O. Parmelee broke the American record for altitude by rising to a height of 10,837 feet; and Lincoln Beachey broke this record and the world's record by rising in his Curtiss biplane to a height of 11,642 feet. Mr. Beachey intentionally exhausted his last drop of gasoline in rising to his highest point—more than two vertical miles above the earth; and then easily "volplaned" down in eleven minutes. Of this method of return Mr. Beachey says: "I find that I can control my machine fully as well without power coming down, as I can with it." [See current volume, page 855.]

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## PRESS OPINIONS

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### British Opinion on the Lords' Veto.

The London Daily Telegraph (Tory), August 11.—Only 245 Peers, a comparatively small number of the total body, voted in the crucial division on a bill which destroys the powers of their House, as they have existed for centuries. . . . Lord Lansdowne and his 300 Peers abstained, in order to save the House of Lords from the certainty of further ignominy; and though we never thought it possible that we should ever have cause to feel satisfaction at a Government victory on this iniquitous Parliament bill over any section of Unionist Peers, we cannot but rejoice that the House of Lords has contrived—though so narrowly—to escape from the imminent danger of being swamped by a permanent majority of imported hirelings. That danger over, the Unionist party may breathe again, and we trust that the Forwards will now be as good as their word, that they will accept their defeat, return to their old loyalty and their old leaders, and join with Lord Lansdowne and Mr. Balfour in the 'ong, arduous, but far from hopeless struggle that lies ahead.

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The Yorkshire Observer (Liberal), August 11.—The Peers have shown us their true colors. We know that they pass the Parliament bill only in order that they may save all that is salvable of their power to resist the onward march of the democracy. But we have to thank them at least for having shown the progressive forces of England, Scotland, Ireland and Wales of what grit their foremost champion is made. This great and bloodless victory will enable Liberals, and Labor men, and Nationalists to fight hereafter with redoubled courage and with redoubled trust. They have triumphed in common, and they will achieve for the good of the people greater triumphs yet. There are great social causes to be won. But there are also great political battles to be fought. National self-government and electoral equality remain to be won, and the passing of the Parliament bill brings victory in sight.

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The (London) Morning Post (Tory), August 11.—

The fateful and historic division in the House of Lords last night resulted in the defeat of the Peers who have dared to fight out this great battle to the bitter end. The margin was not great; only twenty more men with the courage to act on principle rather than on expediency, and the House of Lords would have been saved from the appearance of acquiescence in their own destruction. . . . The creation of a number of Peers large enough to alter the whole character of the finest Senate in the world was to be apprehended and, indeed, expected from the start. But since in any case the Constitution was to be destroyed a little more or less was of no material consequence. The principle at stake was the same. If success had crowned the efforts of the unflinching opponents of the Parliament bill, and that measure had been rejected with contumely, the invasion of the House of Lords by hundreds of pseudo-Barons would have caused no pang of remorse. Self-stultified, the Government would have lost the support of those who in ignorance and confusion voted for the Radicals at the last election. . . . The country is now at the mercy of a single chamber, dominated by a man whose lifelong ambition and open boast have been the overthrow of the United Kingdom. All the safeguards that stood between this country and the ruin of forcible dismemberment are destroyed. Face to face with an issue so clear and so vital, the electorate will rouse itself from apathy and repudiate the politicians who have deceived it. Unionists may be of good heart. From now onwards they march to assured victory.

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The (London) Times (Tory), August 11.—This country could not continue to hold the position it has held in the eyes of the world, and of the daughter nations and dependencies, if the gross and flaming scandal contemplated by the Government had been consummated, and the Prerogative of the Crown had been prostituted to coerce the Second Chamber for party ends by the creation of hundreds of peers under what Lord Rosebery truly calls "the most degrading franchise." That is the great and lasting evil from which last night's division has saved us; and the men who have played the most courageous, conscientious and patriotic part in the whole "odious" business—to borrow Lord Crewe's most fitting epithet—are those thirty or forty Unionist Peers who voted with the Government in order to avert it, since nothing else would avail. . . . The uncertainty felt with regard to the result has been amply justified. The escape was narrow, and we must not deny the Government credit for having run no imaginary risk. They gain their bill and lose the cry against the House of Lords which has kept their majority together. The Unionists lose much, but much less than they might have done; and among the things they do not lose are the firm hope and prospect of being, in no long time, in a position to retrieve the worst mischief done and substitute a rational Constitution for the caricature set up by His Majesty's present advisers.

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The (London) Morning Leader (Liberal), Aug. 11.—Neither dignity nor courage has characterized

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*the discussions* of the Lords in what was evidently *destined* to be the decisive crisis of their fate. . . . It is *impossible* to feel that even at the last moment the *Lords* yielded to any but a selfish consideration *for what remains* to them of their own interests. . . . This crisis began in 1906, when a Government, *armed with a mandate*, if ever a Government was, to settle the Education question, saw its bill, passed by a majority of nearly 200 in the Commons, wrecked by the *House of Lords*. In both 1907 and 1908 both the *Scottish Land Bills*, with all Scotland at their back, were either destroyed or gravely and insultingly mutilated. In 1908 the Licensing Bill, passed on third reading in the Commons by the overwhelming majority of more than 200, was flung out on second reading with every circumstance of contumely that *ignorance and insolent pride* could suggest; and *warming to their work*, the Peers, blind with the *savage joy*, destruction, laid hands upon the *ark of finance*, tore up the tradition of centuries, and told Britons that they were no longer to be taxed by their representatives, but by their lords. We recite this record, because it has burnt itself in to the very bone of Liberalism. The Lords may not understand it, but it is the root and essence of this struggle. . . . The power of the House of Lords has been exercised since ever popular government threatened to become a reality, for evil. It has been *conserved* long beyond its time by a prudence which succeeded arrogance with the most cynical rapidity. Now it lies broken, and over its ruins we go forward to inaugurate for the countries of the United Kingdom the reign of a new freedom.

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### The Filipinos as "Servants and Neighbors."

Summary of Editorial in El Ideal (Manila, P. I.), June 10.—The judgments of Occidental people relating to Filipinos have always been colored by prejudice and based on superficial observation; consequently their opinions betray a most lamentable ignorance of our characteristics, our aspirations, ideals and customs. Even favorable impressions, arising where some real community of feeling exists, are usually inaccurate. Americans living here in the Philippines, and who have traveled in other parts of the East, often make comparisons between other Oriental peoples and Filipinos. In general those who have observed most widely return with a more favorable opinion of the Filipino than they had previously held. But from what a standpoint they judge all Orientals! "We now prefer the Filipino," *observes a local American paper*, editorially, "with all his faults, to his nearest neighbors, the Chinaman and the Malay; as servant and neighbor we prefer him to the Japanese of the same class; he is considered more intelligent than the Javanese, and more civilized than the inhabitants of the Malay states. As servant and neighbor! This is the only impression produced by eight million Christian people, ambitious, patriotic, and eager to assume the responsibilities of self-government; a people who, both by peaceful methods and in unequal strife have tenaciously defended their independence and the rights and liberties essential to civilized life. Such a narrow estimate reveals deeply rooted prejudice in the minds of foreigners. Should not the Filipino be judged by a higher standard than this? It is not

surprising that Filipinos make good neighbors; they are exceedingly hospitable, peaceable, eager to learn, quick to assimilate, progressive. But it is not only as servant or neighbor that the Filipino deserves consideration. Such prejudice as this is the inevitable result of the mental attitude of Americans in the Philippines. As ex-Commissioner Shuster pointed out at Lake Mohonk, in commenting on the mental deterioration produced by the monotonous heat, the life here has a decided tendency to convert the foreigner to imperialism. This may in part be the effect of governing a so-called inferior race; in part to being one of a few white men among dark millions. The press of Honolulu has also discovered that Filipinos make good day laborers. In a word, it appears that Filipinos are to be commended for whatever qualities they may possess which cater to the needs or desires of Americans—they are peaceable and hospitable, courteous and even humble, docile and diligent as servants, active and cheap as laborers, law abiding, devout, moral. But the Filipino, like the rest of the world, has his faults, and it appears that one of the very worst, necessitating foreign rule, is his inexperience in self-government. These authorities on "inferior races" refuse to admit that in this respect he has any abilities whatever; and maintain that it is therefore necessary to provide for him a paternal government, and to bar him from the administration of public affairs—a mission which a benevolent Providence has entrusted to the American bureaucracy. For this we are expected to be very grateful. They kindly govern us, and, in addition, look upon us as good servants and neighbors.

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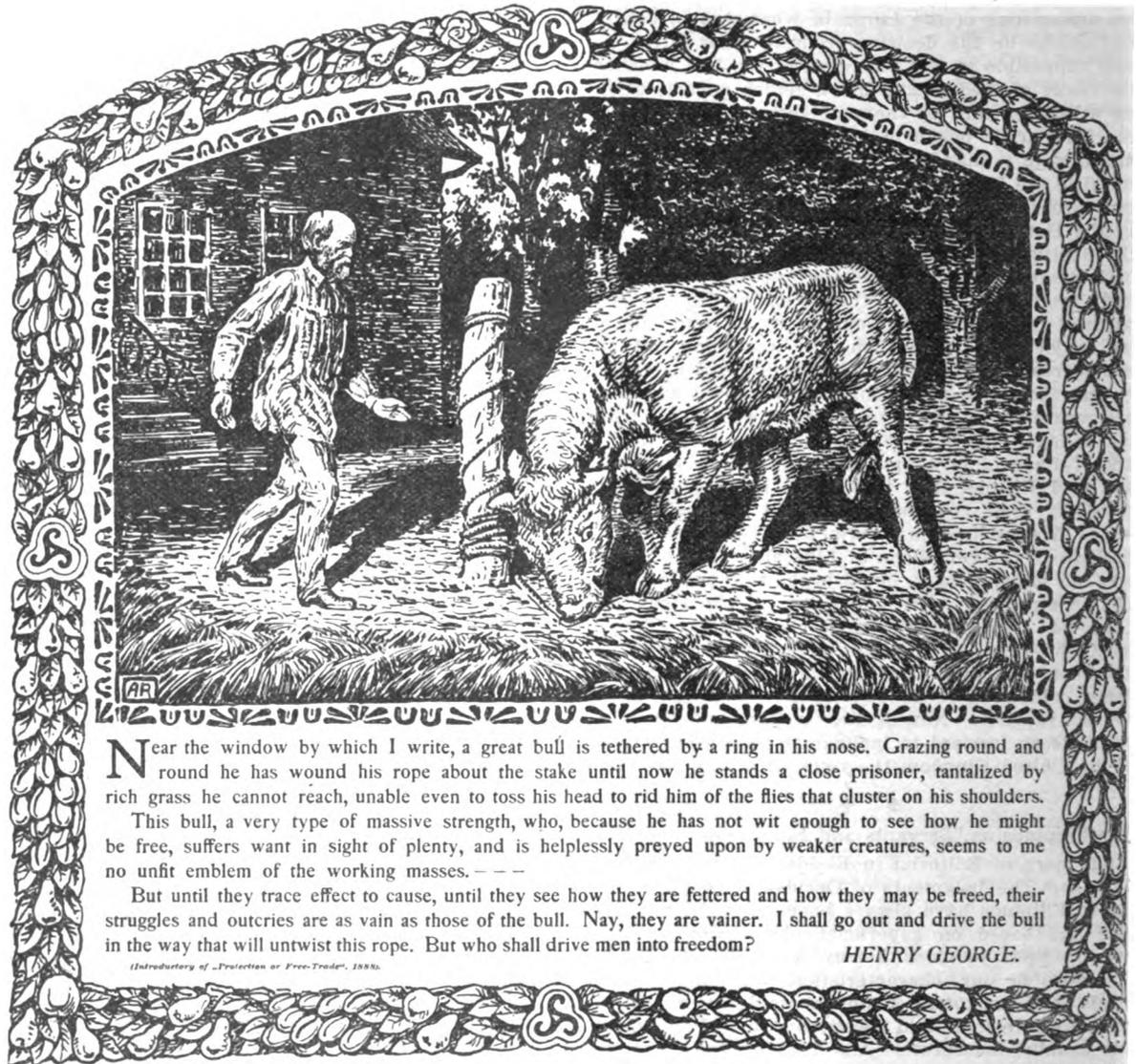
### Hot-Weather Clothing.

The Chicago Record-Herald (Ind. Rep.), August 4.—A New Orleans tailor has taken up in all earnestness the subject of men's hot weather dress. He would do what he can to free the male half of our population from the oppressive and unsuitable garb carried through July and August. After such minor palliations as the banishment of the high tight collar, the padded shoulder and similar vexations, our friend from the South gets down to his real remedy, which is Spanish linen. This fabric, manufactured in Barcelona, comes in all colors and patterns. It looks like worsted. A suit, consisting of trousers and an unlined coat, weighs less than two pounds—little more than a third the weight of the lightest woolen suit. It can be quickly washed and pressed at the end of a week's wear, and then looks as good as new. The fact remains, however, that in the North the hot weather represents not a siege but a raid. It is trying, but soon over. The tendency of most men, therefore, will be to continue to let light woolen serve. Meanwhile Spanish linen is at the door, and another hot summer may help to bring it in.

+ + +

Cap Kidd he made men walk the plank;  
With crimes his name is blotted.  
His public life was pretty rank;  
His private life unspotted.

—Chicago Tribune.



Near the window by which I write, a great bull is tethered by a ring in his nose. Grazing round and round he has wound his rope about the stake until now he stands a close prisoner, tantalized by rich grass he cannot reach, unable even to toss his head to rid him of the flies that cluster on his shoulders.

This bull, a very type of massive strength, who, because he has not wit enough to see how he might be free, suffers want in sight of plenty, and is helplessly preyed upon by weaker creatures, seems to me no unfit emblem of the working masses. — — —

But until they trace effect to cause, until they see how they are fettered and how they may be freed, their struggles and outcries are as vain as those of the bull. Nay, they are vainer. I shall go out and drive the bull in the way that will untwist this rope. But who shall drive men into freedom?

HENRY GEORGE.

(Introductory of "Protection or Free-Trade", 1886.)

Edited by the Periodical „RET”. S. Berthelsen. Hong

Copenhagen 1911

## RELATED THINGS

### CONTRIBUTIONS AND REPRINT

#### THE DESTRUCTION OF PRIVILEGE ESSENTIAL TO THE SURVIVAL OF DEMOCRACY.

A Portion of a Speech Delivered by the Late William Lloyd Garrison in San Francisco, April 27, 1903. From the San Francisco Star.

Special privilege is not a vague term. It is capable of a close definition. As applied to governments, it means a certain advantage conferred by law to part of the people for private ends. In other words, it is legal favoritism. Pro-

tection is a perfect illustration of it. Ostensibly for the general good, a favored few are licensed to tax the many. It is at total variance with the principles of democracy, and has only to be incorporated into law and practice eventually to destroy free government, just as the incorporation of the pro-slavery compromises in the United States Constitution in time disrupted the Union.

Henry George's awakening to the true nature of protective tariffs was unexpected and sudden. Reared to believe in their efficacy, he was astonished to find, in the development of his thought, that they were bottomed on the principle of special privilege which he had set himself to overthrow. With that open mind and candor which distinguished his nature, he at once grappled with the abuse and paused in his exacting work to write his "Protection and Free Trade,"

which stands alone in its lucid exposition and refutation of the abominable, so-called American, system.

Either democracy or privilege—which is another name for arbitrary government—must prevail, but never democracy and privilege, a conjunction as unthinkable as that of slavery and freedom. It has become the vogue to ridicule Jefferson's phrase, "all men are created equal," and the cheap wit that points out the natural inequality of men's endowment is accepted as conclusive. With what ponderous gravity have we heard this refutation of the great Virginia democrat's declaration. That all men are created with equal rights to life, liberty, and the pursuit of happiness—the obvious meaning of the words—is an ethical truism. Any government, therefore, that permits that equal right to be infringed may be a good monarchy or despotism, but never a republic. By that test, all so-called republics are to be judged.

#### Freedom Paramount, Organization Secondary.

Men mistake when they imagine the single tax agitation to aim only at fiscal change, a new method of taxation. Its sole purpose is to secure the larger freedom of the race. It is not the method but the result that is precious. For it is idle to talk of the equal rights of men when the one thing essential to such equality is withheld. The Physiocrats of France grasped the central truth, and saw that freedom of natural opportunity, comprised in the term land, was the foundation-stone of freedom and justice. Had the French Revolution proceeded on their line, it would have had a different ending. The succeeding spectre of Napoleon, devastating Europe and wading through the blood of his sacrificed countrymen to the throne, would not have affrighted mankind. The fruits of liberty would have been gathered. The time was not ripe for the great thought of Quesnay and his far-seeing associates; it was yet to germinate another century. Silenced and hidden by the mighty sweep of events, it bided its time until, in the New World, its blossom of beauty was revealed through the lips of Henry George, a humble instrument, but of the quality Nature chooses for its prophets. Meantime, Jefferson had, by his inspired abstractions, prepared a soil wherein the roots of this latest plant of liberty could flourish after the debris of Negro bondage was removed and the sunshine was allowed to perform its blessed function.

#### Historical Pessimism Resultant From Narrow Vision.

I know the sad conclusion of the historians whose tasks reveal to them a single story through the ages. Oppression, struggle, emancipation, prosperity, wealth, luxury, decay of character, vice, and final subjugation; so runs the story of nations from earliest recorded time. Must we

then conclude that free government in the United States, Time's latest effort toward the ideal state, is to follow the same old path and be submerged in the familiar gulf? Froude, contemplating the history of the Roman Republic, gains the conviction that commonwealths must pass through the recurring stages of growth, transformation and decline; that—

Everything that grows

Holds in perfection but a little moment,  
And this huge state presenteth nought but shows,  
Whereon the stars in silent influence comment.

It remains for those who still cherish possibilities of a nobler civilization than any recorded to remember that the talisman of safety has been wanting in every experiment of human government hitherto attempted. There is no mystery in the wrecks and failures that make the basis of these despairing conclusions. The world is yet young in the art of self-government, and nations, like individuals, "may rise on stepping-stones of their dead selves to higher things." In our day a new morality has been born, a new conscience has been set to work, and with these a clearer vision has been given. We see that if the human race was started afresh in the Garden of Eden, and the privilege of land monopoly recognized, the end could not be other than slavery and degradation for the masses. Understanding why Greece and Rome decayed and fell, we know what enemies of constitutional government to combat.

It is true that we see the same symptoms of corruption and decline mirrored in our civilization that destroyed those elder classic nations. We cannot shut our eyes to the fact that imperial tendencies are seemingly stronger than our love for liberty; that militarism and false glory have the old fatal attraction that lures to death. We see, also, as plainly as did Froude, that free nations cannot govern subject provinces; that "if they are unable or unwilling to admit their dependencies to share their own constitution, the constitution itself will fall in pieces from the mere incompetence for its duties." But we see more than Froude perceived, and our attention is riveted on the heart of privilege, certain that the weapon to reach it has been forged. For privilege is the disease that slew the ancient republics which started with such gorgeous promise to the race.

#### A Macedonian Cry.

I appeal to the men and women of light and learning to come to our assistance and join our ranks. Even wealth is not impervious to generous conviction, since it has given to our cause the shining light of Tom L. Johnson. But above all, I appeal to the sufferers beneath the harrow, the common laboring people, who constitute the majority in these United States. Feeling keenly their oppression, they fail to see clearly

the way to freedom. To them I urge less dependence on counter organizations to battle with privilege. Privilege can afford to scorn tactics in which it has always been, and must be, master as long as it is permitted to masquerade as capital. For honest capital is beneficent and impregnable. Privilege has stolen its good name and wears it as an armor.

As Lowell tells us:

There is more force in names than most men dream of,  
And a lie may keep its throne a whole age longer  
If it lurk behind the shield of some fair-seeming name.

#### An Illustration.

I beg the working man who hears me to think less of restrictive measures, which are but a copy, in form, of protection, and sure in the end to react upon labor, and unite to strike at the cause of their oppression and discontent. Let him take a lesson from the less enlightened Kaffirs of South Africa, who recently brought the proud mine owners to their terms, using neither force nor organization. The Chamber of Mines, in Johannesburg, representing nearly 170 concerns, gold as well as coal, undertook to reduce the wages of the native miners, who had no organization of any kind. The old average rate of wages was fifty shillings a month, and the boys were lodged and fed at the mine compounds. Although able to pay enormous dividends on this expenditure, the greedy mine owners desired to increase them by reducing the laborers' pay to thirty shillings a month, and proceeded on that basis. The effort proved to be vain. No mine could obtain its full complement of workers, and, after months of determined effort, in November last, the Chamber was reluctantly compelled to yield and the old rates were restored. The victory involved no organized strike nor walking delegates.

A correspondent of the Boston Transcript explains the mystery, without a suspicion that he was giving a capital illustration of the theory of Henry George. He writes: "For the natives, the eighteen months' contest has been the easiest win in the history of the industrial world. The native had no trade union to help him in the conflict which the Chamber of Mines had forced upon him. But all South African natives have a little land. A native can easily live out of his mealie patch; and when the powerful Chamber of Mines issued its decree that the native was worth only thirty shillings a month, and determined to fix this as the rate at the mines all over South Africa, the natives called for no meetings, held no demonstrations, nor asked for any sympathetic strike or boycotts. They simply kept to their mealie patches, and while they remained there the mines on the Rand were at a standstill, and thousands of stockholders in England, Germany, and France

were without dividends on their mining securities."

#### What Shall the Answer Be?

The obvious moral is that where land is locked up from the man seeking employment he must work on his employer's terms or starve. With open opportunities to work for himself, no capitalist can oppress him, but must employ him on just and satisfactory terms. Now, as Bliss Carman states it:

There is no man alive, however he may strive,  
Allowed to own the work of his own hands.  
Landlords and waterlords, at all the roads and fords,  
Taking their tolls, imposing their commands.

Not until he is made the lord of his own trade,  
Can any man be glad or strong or free;  
There looms the coming war. Which captain are you for,

The chartered wrong, or Christ and liberty?

When that question is answered deliberately by the people, it will be determined whether democracy is to survive or perish in this land.

♦ ♦ ♦

## THE BASIS OF THE FILIPINO APPEAL.

Manual L. Quezon, Resident Commissioner of the Philippine Islands in the United States, in an Article Written for the Sacramento Bee.

Since it has been my privilege to represent the Filipino people on the floor of the American House of Representatives, I have encountered an apparently very general willingness in this country to permit my people to go ahead and set up a government of their own and proceed to enjoy what your Declaration of Independence calls "the pursuit of happiness," in their own way instead of in somebody else's way; provided, the American people be convinced:

First: That my beloved compatriot, Speaker Osmena, of the Filipino Assembly, and myself, and the rest of the Young Filipino Party, would not at once cut each other's throats in a mad scramble for the offices; and

Second: That if we were given this independence that we are forever pleading for, Japan, Germany or England, or some other power, will not annex the Islands on the first pretext.

The general impression among the American people as to the ability of the Filipinos to institute and maintain a government of their own, is, perhaps, well expressed in the following utterance made in 1900 by one of the statesmen of this country: "To grant self government to Luzon under Aguinaldo would be like granting self government to an Apache reservation under some local chief." If you turn to the famous Senate Document No. 62 there may be found a report by General J. Franklin Bell, since Chief of Staff of

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the United States Army, then a Major on General Merritt's staff, in which General Bell gives pen pictures or character sketches of General Aguinaldo and his leading officers and refers to Aguinaldo as "a sincere patriot and a born leader of men." These notes of General Bell were not "bouquets." They were careful notes by a born fighter as to the calibre of the men with whom collision might come later. As I happen to have been a Major on General Aguinaldo's staff during the late "unpleasantness," I have reasons to know that I can subscribe to the opinion thus expressed.

Honorable George Curry, recently Governor of New Mexico, who commanded one of the troops of Colonel Roosevelt's Regiments in the Santiago campaign, authorized me not long ago to quote him as being of the opinion that there would be no trouble at all about the Filipino people running a decent Government of their own, satisfactory to all concerned. Governor Curry lived among us some eight years, and was Governor of three or four provinces. He knows us as well as any other American does. Judge James H. Blount, who fought against the Filipinos as a Captain of U. S. Volunteers, and later on was Judge of the Court of First Instance for a number of years, by appointment of President Taft, said in some article, which appeared in the "North American Review," in 1907, and which was given wide publicity in the form of reprints distributed at the expense of Mr. Andrew Carnegie, who gave a large sum for that purpose:

*It three strong and able men, familiar with insular conditions and still young enough to undertake the task . . . were told by the President of the United States, by authority of Congress—"go out there and set up a respectable native government in ten years, and then come away"—they could and would do it, and that government would be a success; and one of the greatest moral victories in the annals of free government would have been written by the gentlemen concerned upon the pages of their country's history.*

Honorable William Jennings Bryan, who has visited the Philippines, reprinted Judge Blount's article in "The Commoner" and endorsed its conclusions editorially. President Schurman of Cornell University, who was President of the First Philippine Commission sent by President McKinley, has, some time since, been expressing himself as a firm believer of Filipino ability for self government.

Before the American Government decided to keep the Philippines, Admiral Dewey said that we were better fitted for self government than the Cubans. Those famous words of your famous Admiral, concerning my people, occurred in a letter signed by him and addressed to the Secretary of the Navy under date of August 29, 1898. The letter is one of the documents which

accompanied the treaty of Paris in Senate Document No. 62 of the Session of Congress of the winter 1898 and 1899.

He says:

In a telegram sent to the Department on June 23, I expressed the opinion that "this people are far superior in their intelligence and more capable of self-government than the natives of Cuba, and I am familiar with both races." Further intercourse with them has confirmed me in this opinion.

When that letter was written the Government of the Philippine Republic was "a going concern"—a bona fide, patriotically supported de facto government—all over the Philippine Islands. Honorable John Barrett, now Director-General of the Pan-American Union, formerly United States Minister to Siam, wrote of Aguinaldo, the President of that government, under date of January 16, 1899:

He has organized a government which has been administering the affairs of that great Island (Luzon) since the American occupation in Manila. . . . He has a properly formed cabinet and Congress, the members of which, in appearance and manners, would compare favorably with Japanese statesmen. He has amongst his advisers men of acknowledged ability as international lawyers, while his supporters include most of the prominent educated and wealthy natives.

Of our Congress, Mr. Barrett wrote:

These men, whose sessions I repeatedly attended, conducted themselves with great decorum and showed a knowledge of debate and parliamentary law that would not compare unfavorably with the Japanese Parliament. The executive portion of the Government was made up of a ministry of bright men who seemed to understand their respective positions.

Thus, prominent Americans who are familiar with my people, expressed their opinion as to our capability for self-government.

The independence of the Philippine Archipelago can be protected and guaranteed by a neutralization treaty whereby the signatory powers would all promise the United States and each other not to grab the Islands.

Belgium and Switzerland have long been protected by just such neutralization treaties. Some people brush aside the suggestion by saying that such a treaty would be respected only until some one of the signatory Powers should "need the Philippines in its business," and that then, such Power would unblushingly annex them. But there is where the mutual jealousy of the Powers would be the sure salvation of my country. During the Franco-Prussian war there was some talk, both in France and Germany, of seizing Belgium. But both these nations being, as Great Britain also was, parties to a treaty under which it had been agreed that Belgium should forever remain neutral territory, Great Britain notified both parties to the conflict, that if either should

violate the territorial integrity of Belgium she would at once take sides with the other. If "balance of power" consideration in Europe has preserved the integrity of Turkey up to the present time, without a neutralization treaty, why will not a treaty actually signed by all the great Powers making the Philippines neutral territory forever, be respected by the several nations signing it, since the one great subject ever held under jealous surveillance by the statesmen both of Europe and Japan, as well as of the United States, is the "balance of power" in the Pacific? Neutralization has long been recognized by the advanced thought of America as the key to the way out of the Philippine Islands.

So far as I can learn, I do not see why the great Powers will not welcome a treaty for the neutralization of the Philippine Islands; besides other reasons, because it would forever reduce by that much the possible area of war. The sincerity of the leading nations in their plea for peace will be found out in their answer to the question, "Will you consent to the neutralization of the Philippine Islands?"

To sum up, I assert: That

If the Philippine Islands were protected by a neutralization treaty whereby the signatory Powers would all promise the United States and each other not to seize the Islands, after they have been declared independent, an agreement the signing and faithful keeping of which the mutual jealousy of the Powers will most happily insure, my people can set up, at any time, and maintain forever a respectable government of their own, amply adequate for the protection of life and property and capable of fulfilling all international obligations.

\* \* \*

### GLOUCESTER.

From the Gloucester Fishermen's Institute Annual Report.

Maker of men, when men are worth  
The highest price the times can hoard;  
She tosses heroes on the deep,  
As hands toss dice across a board.

To run the trawl, to fight the storm,  
To face no peril, though he can,  
To rate his life like frozen bait;  
He asks no more—our fisherman.

He hurls upon the brutal gale  
The spirit of his pioneer;  
There is no alphabet in him  
That halts to spell the pale word, fear.

Give us the sailor soul that dares,  
Nor counts the cost, whate'er it be;  
Give us the patience of the coast,  
That weeps—a woman—by the sea.

## BOOKS

### AN AFTERMATH OF THE CIVIL WAR.

Reminiscences of the Geneva Tribunal. By Frank Warren Hackett. Houghton, Mifflin & Co. 1911.

This is a very readable account by an actor in it, of one of the most interesting international arbitrations that ever took place. Those of us old enough to remember the contention between Great Britain and the United States concerning the so-called "Alabama Claims," realize, as others cannot perhaps, how near the terrible calamity of a war between the two countries, the resentment of Americans and the pride of Englishmen brought us. Happily, the false sentiments concerning "national honor," which are a cheap substitute for true patriotism, did not bring about what at different stages in the controversy seemed imminent.

The greater credit for averting the danger and securing the inestimably valuable example of the two high-spirited nations settling by arbitration a grave dispute which had brought them to the brink of war, was due not to the arbitrators or to the counsel for the respective nations at Geneva, but to the Joint High Commission appointed by the two governments in 1871 which framed the Treaty of Washington providing for the Tribunal.

The gratitude owed to them impels me to recall their names. England was represented by the Marquis of Ripon, Sir Stafford Northcote, Sir Edward Thornton, Montague Bernard and Sir John MacDonald. The first two were prominent statesmen of Great Britain of opposite political opinions. Thornton was the British Minister to the United States, Bernard Professor of International Law at Oxford and MacDonald Premier of Canada. The Commissioners of the United States were Secretary of State Fish, General Schenck (Minister of the United States to Great Britain), Mr. Justice Nelson of the Supreme Court of the United States, Judge Hoar (then the Attorney General) and Senator George F. Williams of Oregon. These Commissioners approached their work in a spirit of mutual concession and good will, much at variance with the prevailing spirit on this side of the Atlantic at least. The treaty they negotiated provided for a tribunal of arbitration on "the Alabama Claims," and laid down for its governance three rules of international law concerning the duty of neutrals, which it may be noted were subsequently made also by Parliament a part of the local law of Great Britain.

But the great merit of the Treaty, after all, was that in skillfully chosen and dignified language it contained an apology by Great Britain, neither unbecoming in her to make nor in the United States

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to receive. Mr. Sackett well says: "It was a manly thing for the British Commissioners to do, and the record stands for all time as a credit to a manly race."

With the signing and ratification of the treaty one great danger was passed. But another afterward developed.

After the Tribunal provided for had been created and had met, contention arose over the interpretation of the language which defined the claims to be submitted to it. The protocols for the Treaty had recited that there were involved claims, already presented, for the destruction of private property by the Confederate cruisers which England had allowed to escape, to the amount of fourteen million dollars, and that "in the hope of an amicable settlement no estimate was made of the indirect losses, without prejudice to the right of indemnification on their account in the event of no such settlement being made." These "indirect" claims were understood to be the cost of the United States as a nation of the prolongation of the war and of the pursuit of the cruisers, and to individuals of the enhanced marine insurance premiums and of the transference of the merchant marine of the United States to Great Britain.

The representatives of Great Britain before the Tribunal naturally interpreted the language of the protocols to be a waiver of the indirect claims in any peaceful solution that might be found; the Americans professed to believe the waiver had reference only to the contingency that the Treaty itself, instead of providing a tribunal of arbitration, should, as originally suggested, name a gross sum to be paid in satisfaction of the demands of the United States.

There was perhaps a misunderstanding between the Commissioners. But one familiar with the course of the negotiations and proceedings can hardly escape an uncomfortable feeling that the action of the American Agent, Bancroft Davis, and of the American Counsel, approached very closely the danger line of unjustifiably sharp practice in pressing on the Tribunal at the beginning of the hearings all the "indirect claims."

Mr. Hackett, extremely loyal to Mr. Davis and to Caleb Cushing, whose Secretary he was, will not hear of this, and in these "Reminiscences," not for the first time, enters into a vigorous defense of them and their colleagues in the conduct of the arbitration. Space is lacking to go into the question. Mr. Hackett treats it fairly, vigorously and entertainingly, if not quite convincingly, in this book.

The course taken by the Agent and Counsel for the United States at all events came near wrecking the arbitration in part, and rendering this method of settling disputes with the United States one to be avoided rather than attempted by other nations. But happily great sanity, good sense and dignity, characterized the attempts of the responsible home

administrators of both governments to save the treaty and the arbitration, and the suggestion of the American arbitrator, Charles Francis Adams, that the Tribunal declare that it was of the unanimous opinion that even if such "indirect claims" came within the provision of the Treaty and were insisted on by the United States, they could not be held by the Tribunal to constitute in public law good foundation for an award of compensation, finally saved the situation. The Counsel of the United States then declared that in the face of this statement they would not insist on the indirect claims and that they might be excluded from consideration.

The story of this crisis through which the Arbitration passed and its happy result, is perhaps the most important part of Mr. Hackett's book; but very far from lacking interest are the more personal reminiscences and pictures of the arbitrators and their characteristics, especially those of the most notable and probably the ablest member of the Tribunal, not excepting even Mr. Adams—Lord Chief Justice Cockburn. The other members of the Tribunal, Count Sclopis of Turin, ex-President Staempfli of the Swiss Republic, and Baron d'Itajuba of Brazil, despite the favorable opinion of them expressed by Mr. Hackett, may not have been, perhaps, too severely characterized by Lord Tenterden, the Secretary of the Joint High Commission and the Agent of Great Britain before the Tribunal, as "commonplace people," but they certainly did not deserve Cockburn's description of one of them as "ignorant," of another as "vapid," and of the third as "indolent."

Whatever they were, however, their memory is deserving of the high regard of all civilized peoples, for in the apt language of Mr. Davis in his "Report of the Arbitration" to the Secretary of State—language which he applied to President Grant—they "assisted in presenting to the nations of the world the most conspicuous example of the settlement of international disputes by peaceful arbitration."

EDWARD OSGOOD BROWN.

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## SATIRE IN FICTION.

**Nonsense Novels.** By Stephen Leacock, author of "Literary Lapses." Published by John Lane, Bodley Head, London, and John Lane Company, New York.

Professor Leacock is the man to fill that long-felt want for a Comic Economics. He is professor of political economy at McGill University, Montreal, which qualifies him on the technical side, and his "Nonsense Novels" prove his competency for the comic part. One might say that any attempt at satirizing economic text books would be in the nature of an anti-climax, since so many satirize themselves; but if in these "Nonsense Novels" Professor Leacock's humor rises, with comical-

ities of its own, above the unintentional comicalities of the kind of fiction he makes fun of, why could it not perform like service for political economy "as she is taught"? Here are ten stories, each in the character of a different type of novel, and each satirizing a type as unintentionally funny in itself as any book on political economy, when you once get Professor Leacock's point of view; yet each gives you from half a dozen to a dozen special laughs, over and above the unified fun of the whole.

## BOOKS RECEIVED

—Reciprocity with Canada. Publications of the Western Economic Society. Proceedings, Volume I, Part 1. Published by the University of Chicago Press, Chicago.

—Laws of the State of Illinois enacted by the Forty-seventh General Assembly, January 4 to June 1, 1911. Printed by the Illinois State Journal Co., Springfield, Ill. Published by James A. Rose, Secretary of State.

—Ohio Politics During the Civil War Period. By George H. Porter. Studies in History, Economics and Public Law. Whole Number 105. Published by Columbia University, Longmans, Green & Co., Agents, New York. Price, \$1.75.

—The Territorial Basis of Government Under the State Constitutions. Local Divisions and Rules for Legislative Apportionment. By Alfred Zant-zinger Reed. Studies in History, Economics and Public Law. Whole Number 106. Published by Co-

lumbia University, Longmans, Green & Co., Agents, New York. Price, \$1.75.

## PERIODICALS

### Discontinuance of "Conservatism."

With the August number, "American Conservation" will be discontinued. Gifford Pinchot, the editor, writes that this action is taken "not because it has failed to meet the expectations of its founders for it has not failed—but because it absorbs time and energy needed for the practical constructive work of the National Conservation Association" within the last year become far more pressing and more hopeful than ever before. Many Americans will miss this handsomely printed magazine with its beautiful pictures seen through editorial field-glasses that sweep the continent. For this periodical by its clear, brief articles—this month's account of the Alaska salmon slaughter, for example—has inspired that personal interest which rouses to saving action.

✦ ✦ ✦

Professor Jenkins was deep in a philosophical discussion with a visiting classmate, when his neighbor, Mrs. Ely, knocked on his study door, and then opened it without further ceremony.

"Oh, professor," she gasped, from the threshold, "your house is on fire!"

"Thank you," the professor responded, with smiling courtesy. As Mrs. Ely turned away he added: "Would you mind mentioning it to Mrs. Jenkins as you go out?"

Mrs. Ely giggled hysterically. "But I can't find Mrs. Jenkins! She is not in the house."

"Not in the house?" The professor was momen-

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## Gerrit Smith on Land Monopoly

with Introduction by Wm. Lloyd Garrison, the younger.

*May we not regard the age as not distant when land monopoly, which numbers far more victims than any other evil, and which is, moreover, the most prolific parent of evil, shall disappear from the whole earth, and shall leave the whole earth to illustrate, as it never can whilst under the curse of land monopoly, the fatherhood of God and the brotherhood of man?*

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tarly dazed. Then his countenance brightened and he visibly threw off all anxiety. "But she must have made some arrangements before going out. She always does. I am sure cook or Martha knows what she would wish done in such unusual circumstances."

Just then the fire department dashed up to the back door, and with it Mrs. Jenkins. She soon appeared in the study.

"It's all right, Theodore," she assured her husband. "We shall be able to confine the fire to the laundry; you won't be disturbed."

As she went out, gently closing the door after

her, the professor remarked that Mrs. Ely was a good neighbor and a charming woman, but slightly impetuous.

"She ought to know by this time," said he, "that there is absolutely no necessity for me to meddle with household affairs. Dorothea is entirely capable."—Youth's Companion.

\* \* \*

The little Chicago girl had returned from her first vacation.

"You see lots of funny things when you're in the

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country," she said. "Out there when it's dark the sky's got a great white streak across it they call the milky way."—Chicago Tribune.

+ + +

Maud Muller had just refused the Judge. "Marry a fellow who may lose his job any moment on the recall?" she sniffed. "Not much." Herewith she smiled on a farmer instead.—New York Sun.

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