

sound, we should like to know the least offensive term or terms that would explicitly characterize the act of the bankers who did divert the funds of their stockholders to the uses of the employers' union.

There is some satisfaction in being able to acknowledge some good in the tendencies of the Chicago business classes, even if it must be considered that it also is inspired by class interest rather than public interest. At any rate business class sensitiveness here has become sufficiently acute to produce a cry of pain under the pressure of tariff protection. Protection has steadily worked out some of its natural results, and has done it so thoroughly that "the commercial interests of Chicago," at luncheon assembled, acknowledge that "we are face to face with a hostile and retaliating attitude on the part of some of the great commercial nations of the world, and that this attitude especially threatens and endangers the prosperity and welfare of the agricultural interests of our country." The obvious remedy for that condition is free trade. If we didn't provoke other nations they wouldn't retaliate. But free trade has a bitter taste to men who have swallowed protection so long and accustomed themselves to call it sweet. World-wide "reciprocity" is therefore the word. Well, world-wide reciprocity or world-wide freetrade—what's the difference? There's nothing in a name, except to persons who think with their feet.

In advocating Federal licenses as a remedy for trusts, William J. Bryan draws a distinction with reference to Federal incorporation. The distinction is a true one, and completely meets the objection to centralization. We quote him:

The license adds a Federal remedy to existing State remedies without depriving the State of any remedy it now has. Federal incorporation would interfere with State regulation or control, and for that reason is desired by the trusts.

This is correct. National corpo-

rations would end in the total destruction of local government. By absorbing the business of the country, they would make practically all business interests superior to local legislation and local adjudication. The States would be powerless to control a corporate creature of the Federal government. But if no State corporation were allowed to do business outside the State of its creation without a Federal license, as Mr. Bryan proposes, and not then if the invaded State objected, the license would amount to no more than permission to cross State lines, which is really the only authority the Federal government ought to have over domestic commerce. Whether or not the Federal licenses would destroy trusts, is another question. The first consideration is whether they would destroy home rule. Mr. Bryan shows in seven lines that Federal licenses would not destroy home rule, and that Federal incorporation would.

An English tourist of the name of Henry Simpson is reported to have become very indignant when, after landing in this country and going upon a visit to friends in Canada, he was compelled to pay the United States a head tax of \$2 for permission to come again under the shadow of our starry flag of freedom. Mr. Simpson is quoted as exclaiming: "I tell you, sir, a nation putting such iniquitous laws into practice ought to belong to the class of a sixth-rate country of the civilized peoples!" Mr. Simpson spoke with moderation. The truth is that a nation with such laws does not belong, so far as those laws concern her, in any class at all of civilized peoples. It is other things and not this barbarous head money law, that puts us in a civilized class.

"CORPORATION LAWYERS."

New conditions breed new epithets. When new epithets come into use, they excite protests, and in these protests there is usually a degree of justice. An instance in point is the opprobrium which

has recently attached in the United States to the term "corporation lawyer."

To speak opprobriously of "the corporation lawyer" is to make many honorable members of the legal profession feel that the epithet is unjustly used. They may very well protest that at a time when corporations have so largely displaced partnerships in business, every lawyer of much practice is more or less a corporation lawyer necessarily. This protest would be good if the epithet alluded merely to legitimate professional service for corporations.

But as an opprobrious term, "corporation lawyer" implies something more than that the lawyer to whom it attaches is a corporation practitioner. It implies, whether justly or not in the given case, that he is a certain kind of scamp; and this, not because he devotes himself to corporation practice, but because he lends his talents to inventing and promoting the success of corporateascalities.

The distinction may be illustrated by reference to the term "criminal lawyer," which has long been an opprobrious epithet.

There is really nothing essentially dishonorable in the practice of the criminal law, not even as an exclusive specialty. On the contrary, there is no higher moral level in the legal profession than that which able and conscientious lawyers have aspired to and sometimes reached in the defense of innocent persons charged with crime. And though the accused be guilty, his right to the safeguards of the law, and the rights of innocence to have those safeguards maintained, even for the protection of guilt, lest the innocent suffer by their abrogation,—the preservation of these rights makes legitimate practice in the criminal courts a more honorable pursuit essentially than the engineering of litigation over dollars and times.

It would, therefore, be unjust to denounce criminal practitioners opprobriously as "criminal lawyers," if specialty practice in the criminal courts really consisted in protecting the innocent and maintaining the integrity of the criminal law. Unfortunately, how-

ever, the specialist in criminal law has seldom been governed by motives so high. Instead of devoting himself conscientiously as an officer of the court to the maintenance of the law for the protection of his clients' rights, he has usually fallen into the habit of devoting himself to the perversion of the law in the interest of his clients' wishes. In other words, he has been pretty apt to become a legal lackey for criminals.

Largely for this reason, sensitive lawyers have shunned the criminal law as a specialty, and have inclined to avoid participation even occasionally in criminal cases. They shrink from being stigmatized as "criminal lawyers."

It is for similar reasons that "corporation lawyer" has become an opprobrious epithet. Opprobrious it certainly is, or there would be no protests from lawyers. No body protests against epithets that are complimentary; but lawyers with a corporation practice do object to being called "corporation lawyers." It is certain, however, that the public mind, though it may not consciously analyze as we are here trying to do, does not intend to stigmatize lawyers for legitimately protecting corporations in their rights under the law. What it does intend to stigmatize is their perversion of the law in the interest of corporate aggression.

Precisely, therefore, as "criminal lawyer" means a legal lackey for vulgar criminals, "corporation lawyer" means a legal lackey for crime-breeding corporations.

The lawyer of this type is not a genuine professional man. The true professional man in the legal profession holds himself a trustee, not only of his clients' rights but of the public interest as well. He realizes that it is for that purpose that he is a sworn public official, and as a professional man he is faithful to his oath of office whether his clients like it or not. From this high professional estate the "corporation lawyer" has fallen. He has become a mere "business man" with a legal education. Within the limits of business ethics, he is ethical, but no farther; somewhat as the "criminal lawyer" is ethical within the

scope of "criminal ethics." To lawyers of this class, "corporation lawyer" in its most opprobrious sense is a justly applied epithet.

They are the lawyers who advise corporations how to evade the law with safety, how to violate it with impunity, and how to enforce against others the very laws they evade or violate themselves.

They are the lawyers who "cover" corporations in the distribution of bribes, who pull the wires of legislation to secure corporate privileges, and who by touching elbows with weak or venal judges get for corporations valuable favors from the bench.

They never stop with asking what the law is; they govern themselves by what the corporations they serve want it to be.

With them, law is not a method of protecting rights and preserving order, to be at all times executed with a due regard for its purpose; it is a vindictive god to be placated by liberal blood sacrifice when great corporations demand it, and an obsolete fetish to be tumbled from its pedestal if it stands in the pathway of their aggressions.

Lawyers of this type—and most specialists in corporation practice either are of this type or hope to be,—are worse than criminals, no matter how suave their manner, how generous their gifts, or how pretentious their assertions of civic virtue.

It is they and such as they that are in the public mind when the "corporation lawyer" is denounced.

And, indeed, no denunciation could possibly be too severe. The "corporation lawyer," considered as a corporation lackey with a legal education, and distinguished from the conscientious professional man whose clientage includes corporations, which would be turned out of his office if they demanded of him any but legitimate professional service—the "corporation lawyer" so distinguished, is dangerous and despicable in the ratio of his natural ability, his legal acquirements, and his success at his satanic trade.

At the bar, he has degraded the legal profession; in legislatures, whether as member or lobbyist, he has corrupted the sources of the law; sitting on the bench, he

has perverted the principles of jurisprudence. Of all the types produced by a period of gross materialism, now happily passing away, the "corporation lawyer" is at once the worst and the meanest.

EDITORIAL CORRESPONDENCE

Fruitvale, Cal., May 2.—The great topic of the day in labor circles on the Pacific coast, and notably in San Francisco, is the Japanese "invasion of the labor market." Thanks to the extent and completeness of labor organization at this time, and the consequent facilities for bringing labor sentiment to bear upon public opinion and conduct by regular and usual means, we have not the noisy sand-lot meetings nor the spectacular exhibitions of mob violence which characterized the anti-Chinese agitation of the Kearney period. But the same intense feeling and zealous activity are reproduced in the renewed struggle against unrestricted Asiatic immigration which now has for its object the exclusion of the Japanese.

The labor unions of San Francisco, led by the Building Trades Council, inaugurated the movement some six months ago, and pushed it so effectively as to procure the passage of resolutions by the American Federation of Labor convention, held here in November, declaring the influx of Japanese to be "much more threatening in its possibilities than the menace of Chinese labor now greatly allayed by the passage and enforcement of the Chinese exclusion act," and asking of Congress an enlargement of the provisions of that act so as to "permanently exclude from the United States and its insular territory all classes of Japanese and Coreans other than those exempted by the present terms of that act."

Besides the active assistance of labor leaders and journals throughout the Coast region, the movement has had much support from the press generally, and was placed well to the front among public topics, by the San Francisco Daily Chronicle, an influential Republican journal, which began the latter part of February to make a specialty of exposing the extent and dangers of the Japanese invasion at length and in detail in both its editorial and correspondence columns. Immediately following this stand on the part of the Chronicle, joint resolutions were unanimously passed by the legislatures of California and Nevada setting forth the facts of the situation and calling upon the Pacific coast Congressional delegation to use their influence towards action without delay,