On Picket Duty.

"The Rag-Picker of Paris" will be continued in the next issue of Liberty, the omission from this issue of the usual instalment being unavoidable.

Referring to men's instinctive aversion to change, Arnold Toynbee aptly observed: "It is well that the beaten ways of the world get trodden into mud; we are thus forced to seek new paths and pick out new lines of life."

"Thinkers," says Schopenhauer, "and especially men of true genius, without any exception, find noise inapplicable. This is no question of habit. I have ever been of the opinion that the amount of noise one can support with equanimity is in inverse proportion to his mental powers. This may be taken as a measure of intellect generally. I have noticed that the noisiest reformers are invariably also the most empty-headed.

A man in Maryland has been punished at the whipping post for beating his wife. He was lashed on the bare back with a leather thong until he was black and blue. And now it is to be supposed, of course, that he and his wife will "live happily ever after." If I ever again love threats to desert them, the memory of that whipping post will arise and kindle their flame afresh. Poor little Cupid! What queer ways people do take to control him!

Because Mr. Pentecest declines to dignify that in a view of the hypocrite George who claims God as a single-tax man, says that he does not think Mr. Pentecest "is in the frame of mind or has sufficiently considered such matters to publicly pass upon them." While intelligent men are coming to the conclusion that George is a traitor, he is evidently making up his mind that the respect of the wise is of less advantage than the admiration of the fools and the goodwill of the powerful.

At the conclusion of a reply to an attack by George, Mr. Pentecest, after convicting the former of unfaithfulness, hypocrisy, and demagoguery, says: "I have no but the kindest of feelings for Mr. George, but it would be inexusable hypocrisy for me to conceal that I have not the same lofty regard for his personal character nor the same confidence in him as a social regenerator that I had until quite recently." This is rather mild, but it is a step in the right direction. I hope the kind feelings will at no distant day give place to unqualified disgust.

State Socialists criticise derris, not being able to comprehend, Liberty's logic in associating the idea of free competition with the principle of cooperation. They do not know, in the first place, that competition, when carried on in its natural and indirect form of cooperation, as Ruskin and Andrews have admirably shown; and, in the next place, they cannot distinguish between a society in which men freely organize formal cooperative associations for whatever objects they may wish, while retaining the liberty of action in all other things and a society of States who are forbidden by majority-made law to enter into any sort of competition with one another.

A woman in Chicago, city of easy divorces, charged her husband with a revolting crime, of which he was convicted. When he found that there was no escape from the penalty, he attempted to kill himself, and almost succeeded. Then she became penitent and confessed that she had falsely accused him in order that she might escape the charge. The judge offered her no other escape from the bonds of which she had grown tired. Yet marriage is a holy thing, the bond that holds society together, that can be broken only with God's permission. But it doesn't appear to have had a very saving influence in this woman's case.

T. L. McCreary expresses his "hearty sympathy" with certain declarations of the Chicago "Mutual Bank Propaganda," and thinks that "the assumption, by a little body of politicians, of the authority to regulate the issue of money . . . is about as amazing a piece of impudence as can be found on earth today." But he does not conceal that in his opinion some of the ideas of the "Mutual Bank Propaganda" about finance are "altogether wrong." As Mr. McCreary has shown that, when he has something to say, he can say it very clearly and ably, we who believe in free money and share the financial opinions of the Chicago association will be extremely grateful to learn what his ideas about finance are and wherein, and why, he differs from us.

Correspondents of various reform papers have been pressing lately the believers in "voluntary cooperation without compulsory government" to adapt themselves to the "misleading" name of Anarchism, which is to the general public signifies nothing but disorder. But our friends should remember that we do not address ourselves to the general public, but to the most advanced and intelligent portions of the community, who hardly need to be told that, outside of the insane asylums, it is impossible to imagine a movement in favor of restoring the reign of brute force. That Anarchism is an appropriate scientific description of our end is concluded, I think, by all sociologists like Spencer, Ward, and Thompson choose to describe their ideal of the future society.

If the reader is as delighted with the beautiful paragraphs on morality and Anarchism appearing in this issue and credited to Mr. Pentecest as I am and.think for more of this kind of reading, he will do well to hasten to procure a copy of "The Theories of Law and of Anarchy: A Midnight Debate," a little book recently published in London. It is a remarkable volume in my discovery of it as was unexpected as it is welcome. The author discusses Communist Anarchism with much sympathy and fairness, but declines to admit the desirability and wisdom of making it the exclusive form of social organization. In the interest of individuality, he insists on the greatest possible variety in the modes of life and conduct in the future state of liberty.

In the "Indiana Tribune" Mr. Phil. Ruppert recently pointed out that "the present condition of the country was being decisively leaning towards State Socialism. However true this may have been of the early numbers of Mr. Pentecest's paper, it is true no longer. With the association of Mr. McCreary in the axis, the "Twentieth Century" was on the way to the era of liberty. Both Georgians and State Socialism were laid on the shelf, and now it makes a sure thing doubly sure, Mr. Pentecest, as will be seen by the extract from his latest address published elsewhere, has defined his position on the land question in the distinctly Anarchistic sense. All this is of course very gratifying to Liberty, and furnishes another instance of the truth of the observation in Fust that a good man, grown in the dark as he may, is sure to reach the right path at last.

The Senate Committee on Indian Affairs who have been investigating Alaska have learned that in Sitka, a town of a thousand inhabitants, Indians and whites, and including many 'sough' representatives of both races, nobody owns any land in fee simple. A man simply builds his house on the best unoccupied lot he can find, and lives there as long as he likes. If he wants to move and can find anyone who likes his place, he gives a bill of sale for his houses and improvements, moves out, and the other man moves in. And they expect one another's rights just as much as if there were a file of deeds going clear back to Adam. They are prosperous and happy and well-behaved. The Senate Committee on Indian Affairs, and all the good people who are accustomed to sneer at the possibility of civilized men living in that way, are recommended to think about this case.

Pentecostal Inspiration.

[Twentieth Century.]

I have been studying the social problem for years. It has been growing clearer and clearer to me all along. I have been searching for the root of the trouble. I have been hunting for the truth that can be put in few words, and that everybody can be made to understand at once. I believe I have found the root of the trouble.

It is not the private ownership of land.

It is not the ownership (i.e., public or private) of recent land.

I think I have found the remedy.

It is not the common ownership of land.

It is not the abolition of private property in land.

It is not the Single-tax.

It is the abolition of the ownership or control of vacant land.

Vacant land must be unconditionally free for use by anybody who wishes to use it.

This, I believe, is the key that will unlock the next door that should be opened in the Palace of liberty.

The New Philosophy.

(H. Newcomer.)

Anarchism attempts to meet the demand expressed in this phrase of Emerson: "The philosophy we want is one of mobility and expansion." Intellectually Anarchists remain in possession of separate and irredentable truths; the great synthesis is denied, and with it idealism.

Morally they must content themselves with the various in-junctions of wisdom and with distinct, independent ideas. Something beyond them is indeed recognized; but, whereas we were accustomed to place it in the obligatory character of certain preconditions, we are now told to understand it as a personal warning against all preconceptions. Men who feel this naturally will not be out of harmony with the main principles of our government, which suppose one supreme power to be the will of the sovereign or that of the majority. And what is more, the very way in which, so to speak, the bricks are laid together from one end to another of the social fabric will often afford the necessary combination.

They are not exclusive and partial enough in their ideas to accept the creed of any political party. The same immanent principle operates: the sense of the general value of the silent interest, that prevents them from swarming up divers truths into one supreme one, runs all through their temperament and teaches them from that feeling of complete reality inseparable from one oath, which is the craftman's strength. Their nature is repugnant to classes as it is to dogmas.

Vol. VI.—No. 20. BOSTON, MASS., SATURDAY, SEPTEMBER 7, 1889. Whole No. 150.
FREE POLITICAL INSTITUTIONS:
THEIR NATURE, ESSENCE, AND MAINTENANCE.

AN ABBREVIATION AND REARRANGEMENT OF

Lysander Spooner's "Trial by Jury."

Edited by Victor Yarros.

Continued from No. 149.

III.

TRIAL BY JURY AS DEFINED BY MAGNA CARTA.—AUTHORITY OF MAGNA CARTA.

For more than six hundred years—that is, since Magna Carta in 1215—there has been no clearer principle of English or American constitutional law than that in criminal cases it is not only the right and duty of juries to judge what are the facts, but that such facts can be determined only by them, and that both the judge and jury have also their right and their primary and paramount duty to judge of the justice of the law, and to hold all laws invalid that are in their opinion unjust or oppressive, and all judges bound to decide according to such laws. Of course, in all cases, all judges are also bound to hold that the same is true of the judge and jury also.

Probably no political compact between king and people was ever entered into in a manner to so much authoritatively confirm the fundamental law of a nation as that contained in Magna Carta. Probably no people were ever more united and resolved to demand from their king a definite and unambiguous acknowledgment of their rights and liberties, and then completely stript of all power to maintain his throne and at the same time restrict the demands of his people than was John on the 15th day of June, 1215. Probably no more a practical and exact instrument was ever used to hold the monarch to specific and enumerated limitations upon his power than did John when he put his seal to the Great Charter of the liberties of England. And if any politicalcompact containing a similar plan and commandments “was in practice” to people or to limit the power of the crown, that compact is now to be found in Magna Carta.

To give all the evidence of the authority of Magna Carta, it would be necessary to give the constitutional history of England since the year 1215. The history would show that Magna Carta was constantly violated and recovered, and acknowledged as law by the government, and was held up by the people as the great standard and proof of their rights and liberties. It would show that the judicial power and the tribunals, the mere tools of kings and parliaments, would resort to the same artifices of invention and pretension to evade the requirements of Magna Carta, and to make as little of all its power as possible; that this power, when recovered, was restored by American courts to accomplish the same work on our American constitutions.

I take it for granted, therefore, that even if the authority of Magna Carta had rested solely on the fact that it was a compact between king and people, that it had been forever binding upon the king in his legislative, judicial, and executive character; and that there was no constitutional possibility of its escaping from its binding effect, it would freely demand the respect of the people.

But the authority of Magna Carta does not rest, either wholly or mainly, upon its judicial character. For centuries before the charter was granted, its main principles constituted the “law of the land,” the fundamental law, and the constitution of the kingdom; by the king himself, of what the constitutional law of the kingdom was which his coronation oath bound him to observe.

For the constitution in the law rested mainly in precedents, customs, and memories of the people. And if the king could but make one innovation upon this law without arousing resistance and being compelled to retreat from it, he could secure that it was in the usage of the people in which the law was of the same kind; next, assert a custom; and finally raise a controversy as to what the law was actually. The great object of the barons and people in demanding from the king a written description and acknowledgment of the law of the land was to put an end to all disputes of this kind, and to put it out of the power of the monarch to make laws in disregard of the constitution of the kingdom. And the charter no doubt accomplished much very in this way. After Magna Carta it required much more audacity, cunning, or strength on the part of the king, before he could change the laws in which the people were used to living, than what they may now be in the mind of the judges. Magna Carta, like all other written constitutions, proved inadequate to the full accomplishment of its purposes; for when did a parliament ever have power to retrain a government that had ever come to its own policies, or to overcome those who attempted its defence? The work of usurpation, therefore, though not so sudden and decided, went on to a great extent until the King's power was interfered with by the people, and the executive and judicial officers were merely his servants appointed by him and removable at his pleasure. Judges were abject servants of the king. Parliament, so far as acts of government were concerned, was a great, impotent thing, and the power of the law was not only at the pleasure of the king, but only during his pleasure, and had no power beyond that of simply advising the king. There was no House of Commons at that time, but there were councils.

The king was, therefore, constitutionally the government, and the only legal limitation upon his power was the custom called the “law of the land,” which he bound himself to maintain. This law of the land seems not to have been regarded as at all by many of the kings, except so far as it was convenient to them, or to their temporary interests. The word “custom,” as used by the people, meant the “law of the land,” which was binding, and that custom had as few of arousing resistance. But as all people are slow in making resistance, oppression, and usurpation often reached a great height; and in the case of John they had become so intolerable as to entail the nation, almost universally against him, and he was reduced to the necessity of complying with any terms the barons saw fit to place upon him. It was under these circumstances that the Great Charter of English Liberties was granted. The barons of Eng, and, sustained by the common people, having the king in their power, compelled him at the price of his throne to judge himself that he would punish no freeman for a violation of any of his laws except with the consent of his peers—that is, the barons.

The question here arises whether the barons and people intended that those peers, the judge, should be mere puppets in the hands of the king, exercising no opinion of their own as to the justness of the accusations they should try, or the justice of the laws they should be called on to enforce; whether those violateous barons, when they had plundered the king at their feet, gave back to him his throne with full power to enact a tyrannical law he might please, conferring only to a jury the contemptible and servile privilege of ascertaining the simple form of the acts that had been committed without any pretension to full legal exceptions which they, when they had the power, placed upon the tyranny of a king whose oppressions they had arisen in arms to resist? Was it to obtain such a charter as that both the nation had united to demand that they, their peers? Was it on such a charter that they intended to rely for all future time for the security of their liberties? No. They were engaged in no such senseless work as this. They were not in the contrary, when they gave power to a judge to punish any freeman except by the consent of his peers, they intended those peers, the council of twenty-five, to have for their right to determine what was or was not an act of arbitrary legislation or judicial authority on the part of the king. In this way they took the liberties of each individual entirely out of the hands of the king, and out of the hands of his laws, as their constitutions of themselves. And this it was that made the trial by jury the palladium of their liberties.

The trial by jury, be it observed, was the only real barrier interposed by them against absolute despotism. Could this trial, then, have been such an entire force as it necessarily must have been, if the jury had no power to judge of the justice of the laws the people were required to obey? Did it not rather imply that the jury were to judge independently and fearlessly as to everything involved in the charge, and especially as to its intrinsic justice, and thereon give their decision with the same power as if they had been the judges? No less than the historical celebrity of the events as securing the liberties of the people, the and the veneration with which the trial by jury has continued to be regarded, notwithstanding the occasional and vitiating departures from it in practice, would settle the question, if other evidence had left the matter in doubt.

Besides, if his laws were to be authoritative with the jury, why should John indignant at the refusal, as at the first, be authorized to demand that he had deprived him of all power and left him only the name of a king? He evidently thought that the juries were to veto his laws and paralyze his power at discretion, by their verdict; so that his offenses they were to try and the laws they were to be called on to enforce; and that the king of the people and that something substantial had been done for the security of their liberties.

IV.

OBSERVATIONS ANSWERED.

The following objections will be made to the doctrines and the evidence presented in the preceding chapters.

1. It is a maxim of law that the judges respond to the question of law and juries only to the question of fact.

The answer to this objection is that since Magna Carta judges have had more than a millennium in which to become used to the maxims to suit themselves, and this is one of them. Instead of expressing the law, it expresses nothing but the ambitious and lawless will of the judges themselves and of those by them appointed.

2. It will be asked: "Of what use are the justices, if the judges judge both of law and fact?"

The answer is that they are of use, 1. To assist and enlighten the jurors, if they can, by their advice and information; such advice and information to be relevant to the issues of the jury.

2. To do anything that may be necessary in regard to granting appeals and new trials.

3. It is said that it would be absurd that twelve ignorant men should have power to judge of the law, while justices learned in the law should be compelled to sit by at the decision made erroneously.

One answer to this objection is that the powers of the justices are not granted to them on the supposition that they know the law better than the justices, but on the supposition that they know the law better than the jury. Whether it be to the bar or to the people, are exposed to none of these temptations. They are not liable to a corrupting influence from the parties until they come into the jury box. They can rarely gain either personal profit or enjoyment from their decisions, for two reasons: one, they are not to be sold for the equal of the wives, but are allowed to all the rights of the people unrestrainedly into the hands of the legislators to be disposed of at its pleasure. Legislators and judges are necessarily exposed to all the temptations of money, fame, and power to induce them to disregard justice in disputes and sell the rights, and violate the liberties, of the people. Judges, on the other hand, are exposed to none of these temptations. They are not liable to corrupting influence from the parties until they come into the jury box. They can rarely gain either personal profit or enjoyment from their decisions, for two reasons: one, they are not to be sold for the equal of the wives, but are allowed to all the rights of the people unrestrainedly into the hands of the legislatures to be disposed of at its pleasure.

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4. It is alleged that, if juries are allowed to judge of the law, they decide the law absolutely; that their decision might be wrong; and that this power of absolute decision would be dangerous in their hands by reason of their ignorance of the law.

One answer is that this power which judges have of judging of the law is not a
power of absolute discretion in all cases. For example, it is a power to declare in effect that a man's property, liberty or life is not to be taken from him; but it is a power too, to declare that he shall be taken from him, if it shall be taken, as a man's good rights, or right, or person, thereof.

A judgment of the peers may be reviewed and invalidated, and a new trial granted to the prisoner; but the sentence of a jury may not be so reviewed or reversed, and a new trial granted, if they have only an absolute veto upon their being taken by the government. The government is not bound to do anything that a jury may advise, but is bound to obey a jury's verdict. In the latter case, it is not the fact that a jury may say that it is the will of the people; but it is the fact that the people have expressed their will through their own representatives, and they cannot be bound to do anything else.

No juror, therefore, should be called to give an answer to the question of the jurors. It cannot be said, that an erroneous judgment of a jury should be overturned by another on a new trial, unless it is convicted of that jury.

But a judgment of the peers may be reviewed and invalidated, and a new trial granted, if they have only an absolute veto upon their being taken by the government. The government is not bound to do anything that a jury may advise, but is bound to obey a jury's verdict. In the latter case, it is not the fact that a jury may say that it is the will of the people; but it is the fact that the people have expressed their will through their own representatives, and they cannot be bound to do anything else.

Therefore, if a judgment of a jury be reviewed and overturned, it may be said, that it was not the will of the people; but it was the will of the jury, and that it was a mistake of the people in electing such a jury.

But if a jury's verdict be reviewed and overturned, it may be said, that it was not the will of the jury; but it was the will of the people, and that it was a mistake of the people in electing such a jury.

The people, therefore, must necessarily confine themselves to the conduct of such a jury as may be elected by themselves, and which may have the confidence and respect of the people.

A case is perhaps possible; but it is impossible, that a new trial can be granted in such a case. The people have the power to elect such a jury as may be elected by themselves, and which may have the confidence and respect of the people.

If a case is possible, it is certain, that a new trial can be granted in such a case. The people have the power to elect such a jury as may be elected by themselves, and which may have the confidence and respect of the people.

The principles of the trial by jury, then, are these:

1. That, in criminal cases, the accused is presumed innocent.
2. That, in civil cases, possession is presumptive of property.
3. That presumptions shall be overcome in a court of justice only by evidence of such weight, and by law, that the judge and jury are satisfied with the case.

These are the bases on which the trial by jury places the rights and liberties of every person.

But some one will say: "If these are the principles of the trial by jury, it is plain that justice must often fail to be done." Admitting, for the sake of the argument, that such things as are necessary, and things that may be carried into effect, are not done, for the end is to prevent unnecessary obstacles to the doing of justice; Men of different minds may very likely answer this question differently, according as they have more or less reliance on the diligence of judges, and the intelligence of juries. This much, however, may be said in favor of these proceedings; that the history of the past, as well as our present case, is an evidence of the wisdom and prudence of the system, and of the good results which may be expected from it.

We can determine the former point because the system is in full operation; but we cannot determine how much justice would fail to be done under the latter system, because we have, in modern times, had no experience of the use of the precautions themselves. In ancient times, when they were nominally in force, such was the tyranny of kings, and such the poverty, ignorance, and the inability of the people, that there was no possibility of the laws being fairly operated. Nevertheless, under all these disadvantages, it improved upon the understandings and imbedded itself in the hearts of the people so as no other system of civil liberty has ever done.

But this view of the two systems compared only the injustice done, and the justice done, but not the interest. The one system is more likely to do good than the other, and it is more likely to do evil. By the one system, the weight of the two systems against each other gives no true idea of their comparative merits or demerits. It may be, that in the one system, there is more injustice, but in the other, there is more justice, and that, on the whole, the advantage is on the side of the one system. But the question is, whether the advantages of the one system are worth more than the disadvantages of the other, and, if they be not, whether the advantages of the other system are worth more than the disadvantages of the one.
Right and Social Utility.

Replying to my strictures, the editor of the Denver "Individuallist" avows his surprise that Liberty and the "Workmen's Advocate," which are supposed to be ideologically opposed to each other in doctrine, find common cause against their anxiety concerning him. But there is really not the least occasion for surprise in this fact. The fundamental differences existing among Anarchists and Socialists do not prevent their being united on certain important questions of principle and fact. Modern thinkers are generally agnostics in religion and utilitarians in ethics; and from these standpoints natural right is seen to be a fiction and a delusion.

The "Individuallist" protests that it uses the term natural right in a sense altogether distinct from that of the old French believers in a code of nature. Does it, then, endorse my position that civilization creates the rights of man? Is it prepared to subscribe to the following statement of the editor of Liberty, namely, that "the chief influence in narrowing the sphere of authority is not so much the increasing exactness of knowledge of what constitutes aggression as the growing conception that aggression is an evil to be avoided and that liberty is the condition of progress," that "the moment one abandons the idea that he was born to discover what is right and enforce it upon the rest of the world, he begins the work of increasing dis unity and organizing men to fight for the settlement of all doubtful cases"? Obviously the "Individuallist" does not view things in this light, for it boasts of a "scientific yardstick" for the settlement of all disputes regarding man's right and obligations. Is there anything more modern or scientific in concept of natural right, and in perfect good faith advises State Socialists to study "Social Statutes" for the purpose of acquiring knowledge on the subject? Are there no scientific yardsticks and none to be hoped for, but the absence of it cannot interfere with the sure and steady progress of liberty. And as to the conception of natural right promulgated in "Social Statutes," there is nothing modern or scientific about it: to say nothing of the teleological assumptions which vitiate the entire argument, the exclusively deductive method employed is unreliable and unscientific. Those who value rightly Spencer's "System of Philosophy" be assured that its author has not made it all his life a point of conscience in being solidly based on the sciences of observation and induction, cannot consent to be held responsible for the exception to this rule which his early students may not without the slightest inconsistency swear by.

Says Professor Huxley: "The higher the state of civilization, the more completely do the actions of one member of the social body influence all the rest, and the less possible is it for any one to do a wrong thing without interfering more or less with the freedom of all." Hence eternal vigilance is the price of social equilibrium. But what is a "wrong thing"? Suppose we all agree to the justice of the "principle," while entirely at variance with respect to the definition of "wrong," each proposing his own line of demarcation between liberty and invasion. Each wishes to interdict certain acts which he deems injurious to freedom, while others regard the same action as a thing proper and prescribe conduct which in his eyes is justifiable. Assertions and counter-assertions are made without any hope of settling the dispute. The "principle" furnishes no light, much less guidance. It neither defines authoritatively what constitutes a wrong nor provide a method of deciding between conflicting definitions. Unless the "Individuallist" supplies these deficiencies, its banner will mean next to nothing.

In the case of the Natural Man, then, Liberty adopts a motto which for lucidity, beauty, strength, and wholeness will ever remain unrivaled. A "principle," not the daughter, but the mother, of order. The "principle" presents a brilliant formula which sums up the whole philosophy of Individualism. It is fatal to authoritarianism, and...
contains all the truth that sociological study has so far established. It teaches the great lesson that regulation and repression are to be avoided under any but the most extreme circumstances, and that it is wiser and safer and better for each and all to influence conduct than to reform it from without.

Zeal, confidence, and enthusiasm are characteristic of new converts, and the exhibition of these admirable qualities by our contemporaries is delightful and inspiri-

But it should learn to profit by the experience of nations. A frivolous and panicky disposition of mind is inexcusable. The year 1850, with its disasters, is not to be undergone in the same spirit of self-confidence and self-reliance; and should remember that what appear to it now and splendid discoveries may be to its seniors familiar and stale truths of so particular merit or consequence.

W. William Douglass O'Connor, of Massa-

The man who, in 1860, magnificently signed himself "William Douglass O'Connor, of Massachusetts," at the foot of a defence of Walt Whitman that will live immortal in literary and human history, died, in May last, at Washington, with scarcely a ripple of general mention—an acuating figure of one whom this aberrant world, turned grey in its adoration of political "freedom," must be missed. To the immortality of his own time, duty record and highly valued and revered. It seems imposed upon us to prophesy that the race cannot let such a man disappear into permanents. Our age is prolific of great statesmanship,—of magnified piety, of great service of humanity, of the very social equality of human beings. But these are not the glory—these are the shame—of our public life; they are excesses indicative of social bad blood, and significant of the need, as they are of the necessity, of radical purification. We but have gone sick at heart from the contemplation of our "public" life—the life of govern-

ment and of men who acquire governmental honors; powers acquired and sustained, as too often is known and frreighted, on the back of merit, of modest worth and ungrudging, though obscure, value.

Think of how O'Connor contrasts with all this. Think of his long labor in the life-saving service—an acknowledged fidelity in which he took a broad and liberal pride. Think of his entrance upon such a career from a foregroud of great literary acquisition and promise, and his halting not in one muscle under the burdens imposed. Think of his literary courage itself—his heroic battle for Whitman against odds however formidable, of his rich and noble knowledge, always so sacredly maintained and utilized; his power of speech, too remarkable to be de-

scribed to anyone who has failed his actual bodily presence. There was no expression of speech as power of life; every word of his vast information breathing aromas of a new civilization. Picture, if you can, such a man, with a pen never trifling in its brilliance, and an impassibility never mistaken in its aim, with the divine gift of absolute crowning all else, lost on the soudering shores of our modern world! A doctor, a writer, a man of science, an artist,—any of these, even if of an average calibre,—serves an apprentice-

ship of hard labor before he can rise to the place in the line of defense. How long the tutelage of a political "leader"? His fame is but the rishlight of an hour,

—yet, while it burns, is sworn to as sun of sons, and when extinguished, the place of its disappearance is but a dimmer center of his generation. But such a force as O'Connor's is not waste: swept up on spiritual desert shores, by and by, in the light of more liberal knowledge and of keener men, this sea-
gift out of the vast must be revealed and cherished. Some must at last come to the heart's recognition. He took the telephone, monopoly, and endeavors to show that only under State management can the evils of this ser-

vice be remedied, giving at the same time certain rea-
sons why the government must have the whole held and controlled by itself. He distinguishes between private monopoly and public monopoly, and says of the former:

On the one hand, monopoly attempts to prevent unjust legislation by abundant use of money, and indirectly by the ballot of money at the polls. On the other hand, it passes on opportunities to buy stock, or present of stock, freight rebates, etc. On the other hand, unscrupulous legis-

lators bring in bills attacking corporations purposely to be bought off, so that otherwise upright men are almost forced to use money improperly to protect themselves and their property. Between these two lines of political life be-

comes demoralized, as is well known; and the chief cause is the private monopoly. Corruption inheres in its very nature, natural result of the system. This is a thing which states maintain in part of its busi-

ness, a corruption bureau to manipulate or purchase legisla-

tures! Do not street car companies perpetually interfere in the public interest, but pay off competitors! It is the result of both Republican and Democratic members of the council are nominated by a private street car company? Do not bribes supervene on corporations steel bills from the House and Senate files?

Now, I would naturally have supposed that all these evils resulted, not from private monopoly primarily, but from government. Why all this bribery and cor-

ruption? For the purpose of buying off competi-

tors and obtaining special privileges? If the telephone was a natural monopoly, there would be no need of buying the "public servants." Why does the street car company concern itself in nominating members of the council, if not simply because these members, when elected, grant them charters and have the power to shut out competitors and rivals? Why was Blaine given stocks "to put where they would do most good?" if not for lobbying services?

I must spend some time on the chartered monopolies in buying off what Professor Ely calls unjust legislation is exceedingly small compared with the amount which they spend in corrupting legislation. Did not Jay Gould say that "it is better to buy a new legis-

lature than to buy an obsolete one?"

If private monopoly is bad, how much worse must be the creators of these monopolies? Then why not get rid of the legislators who sit in the halls of monopo-


Social Laws.

Monopoly and Legislation.

Professor Ely, in the "North American Review,"

indirectly attempts to answer the question which Lib-

ertarians are constantly asking: "Why does the tele-

goat monopoly, and endeavors to show that only under State management can the evils of this serv-

ice be remedied, giving at the same time certain rea-
sons why the government must have the whole held and controlled by itself. He distinguishes between private monopoly and public monopoly, and says of the former:

On the one hand, monopoly attempts to prevent unjust legislation by abundant use of money, and indirectly by the ballot of money at the polls. On the other hand, it passes on opportunities to buy stock, or present of stock, freight rebates, etc. On the other hand, unscrupulous legis-

lators bring in bills attacking corporations purposely to be bought off, so that otherwise upright men are almost forced to use money improperly to protect themselves and those property. Between these two lines of political life be-

comes demoralized, as is well known; and the chief cause is the private monopoly. Corruption inheres in its very nature, natural result of the system. This is a thing which states maintain in part of its busi-

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An Anarchistic King.

There died lately in a small town called Flattsboro, situated in the state of Maine, a king named Chilson. He was born in Columbia county, New York, about the year 1849, and some ten years later his father moved his family to Ohio, and thence, in 1858, to Flattsboro, Iowa, where he settled down for the remainder of his life. Thomas was the oldest of a family of six children. He received the common school education of the time, and at the age of fifteen was apprenticed to a blacksmith. As a young man, he was remarkable for his strength and agility, and although he is described as having been somewhat hot-tempered, he nevertheless possessed such self-control and so keen a sense of justice that he never made an enemy. Murrying early and working hard at his trade, he soon established a reputation for forty miles around, and in 1881, after being the owner of a good house when he was thirty years old. Soon after happenings a signal misfortune. One Thanksgiving day, while engaged in his housework, he fell down the cellar steps and was thrown back, and, striking against an iron post, received so severe an injury to his spine that he was unable to walk a step thereafter. This, of course, was a serious blow to his chance of making an honest living, and yet it proved in the event to be a blessing to his neighbors, and through them to him.

Out of pity and friendship, the crippled blacksmith was elected shortly to such town and county offices as were available, and in this way he came to be known as an official personage. Moreover, he had discharged these duties as well as his fellow-townsmen and the farmers around were led to employ him in a more important capacity. Gradually it became evident that the community respected  and expected to see the decision of Thomas Chilson. Little by little the community dis- covered him to be a man of wonderful penetration and judgment, and as time went on, they discovered that they had long been assured. Consequently, instead of going to law, they went to Chilson, the process being a great deal cheaper and quicker than anything, and the result being much more satisfactory.

It is stated that for many years prior to his death it was not in the least suspected by the front of the modest dwelling occupied by the former blacksmith that rotary collection of vehicles which is a familiar spectacle in the vicinity of a rural Court House. Inside, gathered around the crib-like chair, were the blacksmith’s own and the reception and many curious spectators as were able to get within hearing distance. At a certain man in this situation, without rules of evidence to guide him, would have jangled by pensive testimony and unasserted assertions, but Chilson had that intuitive knowledge of human nature (attention) and production by experience which enables it to discover on the soul’s disposition to deceive whether or not a witness is speaking the truth. His judgments were almost invariably beclouded, and, although they were not always as accurate as they might have been had they been performed with more gravity; she may feel more in communion with those who kneel around her. Better still, she may have more good company in the place where she should work with more spirit; be more cheerful and obliging.

Possibly, too, some young man may resolve, on closing the book, to set before himself the grandeur of a life of love and duty; he may like himself and, indirectly, his neigh- bors also, all the better for his good intentions. I see in both these men the wis- dom aroused to live up to a decency and standard, and a certain sympathy renewed for the commonly accepted ideal of the community.

But what working power is there in these good resolu- tions? How long will they last? We know that half-hearted resolutions are worse than none, for they give us a false sense of satisfaction that we believe in till we are caught in one of the strollers that roll men as drops of water in their statistical tides. There are no doubters in the particular persons whose instincts and destinies find in the accepted ideal a proper flower of expression. And if they looked upon it as a goal to be reached, it would be impossible to have such a goal. But they see it in the root of their virtues; and by education, by profession, by law, they seek to enforce it upon us all. The fact that the individual is greatly influenced by the setting of a proper standard of achievement and that others can be brought to that state in which the individual is raised cannot be denied. It is not possible to attempt to publish anything that is above the comparative terms, and the habit has become world-wide of calling those things that benefit more than they injure right and good, and those that injure more than they benefit wrong and evil. When the moralist speaks of right he means, whether he is conscious of it or not, that which, in his opinion, is morally good is not just, and the idea of most pleasure.

The Moralists’ Fatal Error.

In all the attempts of moralists, I see this fatal error: a belief in the superior worth of some one state of mind in which we are not supposed to be already in.
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it is obviously absurd for anybody to claim any right of performing them.

If, however, we suspend the word "create" somewhat, Mr. Millet, I wish to point out that "create" does not necessarily mean to produce something out of nothing, but may mean to give form, shape, completeness, and definitiveness to something previously incomplete. In the sense of "create", men, as well as animals, have a number of functions, the darwinian view, it is by virtue of a higher development of those that man occupies his exalted position in the animal world.

State Socialist Absurdities.

The issue is one of the "Socialist's Advocate" and a scholarly gentleman, usually shows some information in dealing with subjects of current interest. Therefore it is a disappointment to discover that, prior to the appearance of a short article of mine on "Anarchist Socialism" in the "Twentieth Century," such notions of Anarchism as he had were gathered from the factual misstatements of it in the "Socialist's Advocate." In his issue of August 17, he announces my "remarkable conversion" and "unconditional surrender" to the Socialism of his own party, referring to the following assertions in the aforesaid article: "The Anarchists are emphatically in favor of association and cooperation, and liberty, though a good end in itself, is from the economic standpoint only a means to an end, that end being association and combination. They are fully aware that the greater part of the blessings are due to cooperation, and that the coming social system will have "association" for its watchword." Certainly no one at all familiar with Anarchism, and especially no one who has followed Liberty's efforts, will see in the passage anything new. It is the same old stuff in a familiar truth, a truth already emphasized and never lost sight of by any Anarchist that I know of. I will, if called upon, prove that every issue of Liberty contained statements of a similar import and significance. But this is identical with the claim of the Collectivists, we are told. State Socialism is an invention of my own, and the charge that our opponents seek to establish a politico-industrial despotism is false. I am too sorry to express the editor's ignorance of facts in the "Twentieth Century," and it is easy to show that facts belie his words. Was not "Looking Backward" the Nationalists' Bible, officially recommended as a faithful picture of the "cooperative commonwealth" which the Socialists work for? Do the Collectivists claim that the Nationalists are Socialists in everything but the name? To these questions affirmative answers can hardly fail to be given. But if so, our accusation is fully sustained. For I take it that none save sentimental imbeciles, who, in the words of the post, are so empty that, if ever there be in nature found the least vacuity, will be in them, can deny that Bellamy's "national organization" would be a more intolerable "a-political-industrial despotism in which all individual action, initiative, spirit, inclination, and originality will be suppressed." And in this opinion I am not the only one. Since William Morris and Hubert Bland, the ablest Socialist writers and editors in England, openly confessed their strong aversion to the pseudo-socialism of that mediocre novelist.

Mr. A. Cahan writes a long letter to the "Socialist's Advocate" in which he advances a new criticism of my "Question," but does not succeed in making a single new point. He simply reiterates his conviction that State Socialists are right to an absolute monopoly in the supply of salvation medicine, because, as he neatly says, they have discovered the sole remedy for society. They are justified in demanding "unrestricted play" and dutiful submission of those who cannot share their faith and hope, why not sincerely Catholics compel us to go for our religion to the pope, or prohibitionists and vegetarians control our diet? Nothing of preposterous and pompous talk will blind people to the fact that Socialists are ordinary mortals, not specially insured against blunders, errors, and follies: and the more loudly they break up their own virtues and proclaim their "scientific" rights to rule others, the more loss the world will receive and the stronger will the suspicion of incompetency become against them. In justice to the Socialists, however, it must be stated that many of them are emancipating themselves from the narrow orthodoxy of Mr. Cahan. What he impatiently disapproves as utterly absurd and impossible, another State Socialist, Zeno, holds to be perfectly possible and desirable. Not only does he deny my question "fair," but assures us that "most Socialists would like to see the State compete with corporations and simply assume its duties and ignore competition." He even adds that "the platform should not be set on fire to demand that corporations be forbidden to continue when the State takes up one of its proper functions." And Kikp, in his "Inquiry," explicitly denies that there is any ground for Mr. Cahan's "assumption that Socialism must demand a rigid and arbitrary adherence to the type," and affirms that "in any future order there will and should be many variations of that type." And further, to further reveal Mr. Cahan's weakness, he adds: It has long been my opinion that nothing is more certain to open the eyes of a State Socialists and cure him of his superstitions than a diligent study of the work of the other State Socialists. I would advise Mr. Cahan to read Zeno and Kikp, his in "Inquiry." The prescription may be distasteful, but it is wholesome.

Another Famous Anarchist.

The State is the name of the individual. How was the municipal structure of Prussia purchased? By the absorption of the individual into the political and geographical unit. The head of the State must be abolished. In a revolution that would bring about so desirable a consummation, I should gladly take part. Undermine the idea of the commonwealth, set up spontaneously and spiritedly a new order of things, and destroy the State in a union, and there will be attained the beginning of a freedom that is of some value. Changes in the form of government are nothing else than differences in the exercise of power. As it would be easy to exalt the former, so it would be easy to exalt the latter. Not moral conceptions nor art forms have an eternity before them. To how much, after all, is our duty to hold fast? Who will vouch for me that two years from now, I make five years on jeton? What is really needed is a revolt in the "Twentieth Century.

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I stand a wise flower one day, and, wondering at its beauty and perfection in every part, cried: "This lovely flower, then, and myriads of others, bloom unregarded, often unseen, by human eyes." I seemed to hear the flower reply: "Then fool! thinkest thou I bloom in order to be seen? I bloom for myself, not for others, though I please me. Wherein, therefore, I exist, is my joy a sentiment of value.

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