On Picket Duty.

"Life" contains the following colloquy: "I wonder how it is that men succeed who mind only their own business." "Because there is no little competition." Excellent with but non-case now the best. The greater the number of men who strive to excel each other in minding each his own business, the greater the success and prosperity of each and all.

In Cook county, Illinois, a judge recently issued an injunction restraining election commissioners from recounting certain ballots. Another judge, and several able attorneys, advised violation of this order, on the ground that equity had no jurisdiction over political cases. The commissioners followed this advice, and the supreme court has sustained their course. Here is a hint for labor. Are flagrantly unconstitutional and tyrannical objections binding up any one? Disobey them first, and let the question be thrashed out afterward in contempt proceedings. Make the other side "do the walking."

A few weeks ago I visited the Manhattan Liberal Club to hear what proved to be a very interesting address by Mr. Louis Stuyvesant Chanler on criminal law and criminal lawyers, and the fact of my presence compelled me to listen to some remarks from that errant hanger, Hugo O. Pencieux, in which he offered sundry reasons for his course in devoting himself to the criminal law and exclusively to the defense of alleged criminals. The herring was fragrant, but it could not throw off the trail those who knew and have not forgotten (it being a matter of conjecture, but of record) that Pencieux's course was determined by one all-sufficient and compelling reason,—namely, his failure to get from the people through Tammany Hall a salary for devoting himself, as assistant district attorney, exclusively to the prosecution of alleged criminals.

in an otherwise admirable and appreciative tribute to the late Sidney H. Morse, appearing in the "Conservative," Horace Traubel says: "In politics he is anti-governmental. In economics he is communistic. In religion he is comparative." Had Traubel been trying, he could scarcely have done a graver injustice to the object of his eulogy. I know that Morse was anti-governmental in politics, and I am willing to believe that he was comparative in religion, though I should as readily have believed him positive or superstitious; but I indignantly deny that he was communistic in economics. On the contrary, he was a firm believer in private property, and what first drew him to Josiah Warren was Warren's intense aversion to communism. Morse was compelled by his libertarian philosophy to oppose enforced communism, and by his individualistic temperament to dislike voluntary communism. In matters economic Traubel does not see very clearly himself, and this afflicts him for accurate appreciation of the economics of others.

The New York "Journal of Commerce" wonders whether labor is not too prosperous in the United States. It cannot account for these annoying strikes except on the theory that American workmen are spoiled and demoralized by over-abundance. Must labor be driven back into dependence and subjection (say slavery, and save space) to carry on the productive industries of the world? It asks. The candor of this utterance deserves commendation. Let us see: what is the average weekly wage rate in this paradise of labor? Ten dollars, or eleven? A few years ago it was seven. When ordinary people wax so fat as this rate indicates, kicking is most natural. But how will the plutocrats drive labor back into slavery? Will they prohibit strikes, suppress unions as conspiracies, and fix wages by law? They will have to begin by disfranchising the workman, for, so long as he has his vote, the politician will pander to him. And, if by fraud and violence they should succeed it, the governmental weapons away from the workman, how would they overcome the far greater difficulties of passive resistance, which labor is slowly learning to put in its way? Troops can put down mobs; they are powerless against peaceable men who stay at home and do nothing. A little intelligence on the part of labor, and the knell of plutocracy would sound.

The anti-merger decision, which may be good law under a strict construction of the Sherman anti-trust act, marks a stage in the tyrant's progress. Not only are agreements in restraint of trade and competition, even if harmless and reasonable, unlawful; but agreements, plans, and arrangements that confer power or afford opportunity to restrain trade and competition are likewise unlawful. Apply this to the criminal law. Murder is a crime; the possession of weapons confers power to commit murder; the use or possession of weapons should be prohibited. Labor is criminal; ability to write gives one power to utter libellous statements; writing should be forbidden or abolished. If labor were the slightest less efficient in these anti-trust laws, libertarians would cordially thank the public humbugs in power for reducing the Sherman act to absurdity. As a matter of fact, though even reasonable restraint of trade is sternly prohibited, monopoly is more triumphant and flourishing than ever. Legislation, judicious, Rooseveltian legislation—all this is empty fulmination. The anti-trust legislation may hurt labor organizations; they will never affect monopoly. No doubt Wall street dislikes Roosevelt, but not for his acts, which amount to less than nothing. What it objects to is his talk, which to the lords of the new feudalism sounds insubordinate. Roosevelt, if they but knew it, is the very man who want in the White House. As for those who hate monopoly and have not learned how to combat it, the extreme decisions should open their eyes. The only remedy is freedom, for no combination can be injurious which is able to dispense with artificial aid. This remedy, even in such cases as the democratic tariff reformers favor, Roosevelt declines to treat seriously. Really! too much the better for the remedy. The approval of certain people makes one wonder whether he has not lost his faculties. We all remember the question of the orator surprised at applause: "Have I said anything foolish?"

A Pennsylvanian Rubaiyat.

They say the Papers and their Artists keep
The Courts perplexed with Problems dark and deep;
And Pennypacker, that besotted Ass,
Stamps in his Rage (whence we need not weep).

I sometimes think there never was such Fool
As he who lives 'neath Pennsylvania's Rule;
That every Sindicatur Rigor there
Knows in his Heart that he is but Quay's Tool.

A Hair, perhaps, divides the False and True;
Yea, but they did not publish half they knew,
And, if some calling Patson's Aye Amors
Get into print, why should it worry you?

You know, my Friends, with what intense Distrust
Jay always looked on Freedom of the Press;
Well, barren reason seems to still prevail,
For this new Cig Law brings him no Redress.

And fear not lest those versed in legal Lore
May jail both Sible and Linmer by the Score;
Man's inward Sense of Justice shall, I weep,
Through that damned Statute drive a Coach-and- Four.

Frederic W. Mitchell.
Liberty.

In any case, the “Evening Post” cannot reconcile its urgent recommendation of boycotting as an anti-brigade weapon without abandoning its opposition to the use of the boycott by the union workmen against the “sweat.” If it had a little more logic, it would perceive the inconsistency between these two positions, and, if it had a sounder conception of liberty, it would defend all forms of boycotting—crude as well as subtle, primary as well as secondary.

Judge Elmer B. Adams, who issued that outrageous injunction against the officers of the railway brotherhoods, has, strangely enough, propounded rational and advanced doctrines with regard to combinations and so-called conspiracies. Thus he lays down the proposition ignorantly denied by so many judges that “what one may do all may do,” and not severely merely, but jointly and under a distinct agreement. “What they [workmen] may lawfully do singly or together,” he declares, “they may organize and combine to accomplish.” Excellent; but what does Judge Adams mean when in the next paragraph, he asserts that the right to strike is a weapon for offence and protection, but not for offence or attack? May not a man, or a group of men, strike to secure positive gains, as well as to escape threatened losses? If Judge Adams uses the term “attack” not in a figurative, economic sense, but in the literal, physical sense, his expression fails to convey his idea. Where a strike is accompanied by violence, it is not the strike which is the weapon of attack, but the violence; and the objection is not to using the right to strike as a method of attack, but to transferring the attack itself from an economic to a physical plane.

Again, Judge Adams, in drawing a “clear line of demarcation” between proper and improper strikes, says that the former kind “must not be attended by violence to or destruction of property, nor by coercive measures intended to prevent the employer from securing other employees or otherwise carrying on his business, according to his own judgment.” This intention of either confusion of thought or loose habits of writing. Strikes may be accompanied by “coercive measures intended to prevent the employer from securing other employees,” etc., provided the coercion is moral and passive—boycotting, for example. If the term coercive were generally used in legal arguments, opinions of courts, and newspaper writing, as synonymous with aggression, Judge Adams’s statement would be entirely sound, but boycotting, picketing, and even mere advice involving “injury” are generally denounced as coercion. It is therefore important to insist upon the distinction between such “coercion” and insidious coercion.

Reference to Judge Adams’s opinion brings to mind the approval by such pseudo-individualists as the New York “Sun,” “Tribune,” and “Evening Post” of the Wabash injunction which he had improperly issued on false representations and perjured testimony. The grounds on which the injunction was dissolved were fully known to these slender organisms of sham individualism when it was granted. They were well aware that the Wabash men had not “maliciously conspired” to obstruct interstate commerce and the mail service, but had simply voted and agreed to quit work. They knew that the law made no distinction between strikes against railroad companies and strikes against corporations not engaged in the business of common-carrying. They knew that the Wabash employees had a perfect right to authorize the officers of their brotherhoods to negotiate with the company, and, in the event of failure to obtain concessions, to issue a call for a strike. Yet they swallowed the temporary injunction without a grimace, and went so far as to assert that it was regular, natural, and in accord with settled doctrines of individual liberty.

And how did they reconcile this position with their libertarian professions? One of the organs named argued that, after all, there was little difference between a malicious conspiracy to obstruct commerce and the mails and concerted action the inevitable result of which is suspension of rail service and traffic! Another pointed out that the injunction was not permanent (eternal?), and that the object of the court was merely to prevent rash action and to insure a careful consideration of the proposed grave step—the strike. The implied distinction between rash strikes and deliberate strikes is a striking contribution to political science. Our notions have to be substantially modified. Men have a right to strike, says Judge Adams. No, says the plutocratic individualist; they have a right to strike only after long and enforced deliberation; if they propose to strike rashly, the courts may enjoin them. Liberty is the reward of patience and self-restraint; the rash have no rights the judiciary is bound to respect.

Finally, scores of newsapers found great comfort in the reflection that the injunction did not forbid the Wabash men to strike, but only prohibited certain third parties from advising or persuading them to strike. It is not illegal to strike, but it is illegal to advise a strike! It is a crime to advise men to exercise their rights! Marvellous logic, indeed!

Are these childish misconceptions the product of honest stupidity or of bias and fanaticalism? It is a significant fact that the plutocrats can argue rationally and sanely enough about individual liberty and rights when their interests are threathed. When they have to defend a truant agreement or a blacklist, they know how to deduce the needful conclusions from the first principles of individualism. I have read pro-trust and pro-blacklist briefs that were worthy of publication in Liberty. It must be admitted, however, that the pseudo-individualistic editor is more consistently and uniformly wrong than the plutocratic attorneys. And equal liberty is crucified between those two heresies.

S.R.

Is Boycotting Criminal?

To the Editor of Liberty:

According to my judgment, my last letter contained the answer to at least three of your questions, and one I left unanswerd because I thought you would not press it for obvious reasons. But I see I was mistaken. Here is my reply.

Before doing so,
I wish to reiterate that a boycott does not merely consist, as you seem to think, in the refusal of an individual to deal or associate with certain persons, but in the use of efforts inducing everybody else to do so. (1) In order that you may not again misunderstand my position, I shall not set you right here that I would draw the line at the publication of a boycott order, including the giving of information that some boycotter to anyone not seeking this information. I see no reason why this should not be treated as on a par with libel. (2)

That any person has a right to threaten what he has a right to execute I have never denied. (3)

My condemnation of organized boycotts because of their effects on the rate of wages that would prevail, had we free competition in a boycott order, not now do not have free competition, do not constitute a contradiction; for I claim that whatever would be wrong, had we free competition, cannot now be right. (4)

I do not attempt to "show why, if the boycott is invasive because it tends to change the rate of wages from that due to free competition, the Catholic church would be equally invasive were it to change the rate of wages by adding to its list of holidays." For the simple reason that it is not true. I do not believe that the Catholic church has an effect of changing the rate of wages. The burden of proof for your assertion being on your side, I cannot, of course, reply to the line of thought that gives you that impression, any briefly as I can give you the reasoning that is convincing to me. Under free competition the tendency of wages would be to equalize the value produced by labor. At present the right of exchange is taxed so that a portion of the product of labor is diverted into the possession of money-lenders and capitalists. Holidays cannot affect the taxes on exchange called interest, and cannot therefore, affect the rate of wages. The reduction in a week's wages would be due to reduced production. Every increase of wages by the act of increasing the value of the product of labor in the same proportion; hence strikes may increase the wages of one set of workmen at the expense of the others, without more than temporarily affecting the rate of exchange or price. (5)

I have admitted that individual boycotts, if you insist on calling them boycotts, are a proper factor in competition, but emphatically deny the same regarding the boycott proper.

Your criticism of what I had said would be to the point, if I had commented the individual boycott. You fail to take into account the difference between this and the boycott proper. A Great te a storekeeper. "You anything to do with knock on your being, business, by one who has the power to carry this threat into execution is not generally different from a threat of burning his store. (6) In the case of the thousands have obeyed the boycott order against your will, for fear of the vengeance of a set of dreaded tyrants. (7) The existence of coercion and despotism cannot be denied, and cessation is the antithesis of freedom.

You admit that boycotts are sometimes cruel, sometimes malicious, sometimes short-sighted, sometimes silly. Can you quote instances in which declare boycotts were otherwise? (8) I doubt it. and therefore fail to understand your rage that Gompers threw away an opportunity to strike a blow for liberty and the right of combination to make fools of themselves, when their folly was being criticized. (9)

Hugo Blackham.

(1) In common sense and in common speech a boycott is a deliberate refusal, or threat of refusal, of intercourse. It may be exercised by an individual, or by a combination of individuals, and with or without efforts to induce other individuals to join the combination; in any of these ways, a boycott. Nevertheless it is immaterial to me whether Mr. Bilgram agrees with me in this definition. He may restrict the term boycott as best suits his individual fancy. The main point is that I am defending a right which he denies, whatever the term that may be used to describe it, and that I found my defense of this right on another right which he admits,—the right of an individual to refuse to deal or associate with certain persons. I may note, however, in passing, that Mr. Bilgram's own definition of the boycott does not agree. He tells me that a boycott does not merely consist in the refusal of an individual to deal or associate with certain persons, but in the use of efforts inducing everybody else to do so. I suppose that the words "everybody else" are not to be taken literally; else no boycott ever existed. Mr. Bilgram presumably means the use of efforts inducing "others" to do so. But he says, in the present issue of Liberty, that "the refusal of any number of people to have any dealings with certain other people is not called a boycott, until efforts are made to involve interested persons in the quarrel." Under the first definition the officers of a haters' union printing in a newspaper a circular addressed to the union's members informing them that a certain storekeeper is selling hats not bearing the union label are carrying on a boycott. Under the second definition such an act is not a boycott, but the issue of a similar circular to persons outside the union, and in no way interested in the efforts of haters to maintain their wages is a boycott. I point out this inconsistency simply to exhibit Mr. Bilgram's loose thinking.

(2) In the matter of libel Mr. Bilgram seems to be imbued with the ideas of the political boss of his State, Mr. Matthew Quay. Except in Pennsylvania and in a few other similarly backward regions, where prevails the maxim: "the greater the truth the greater the libel." It is permissible to make true statements of fact about any individual, and base on these statements counsel to others to follow with regard to him any course of action that they have a right to follow. If I say to my neighbors: "Brown is a horse thief; therefore do not trade with him," Brown can secure damages, unless I can prove him to be a horse thief. But, if I do so prove him, then, outside of the limited regions referred to, I am at liberty to continue my counsel to the neighbors. And if, Brown being a horse thief, I have a right to say so, and base a boycott on the statement. then similarly, Brown being a Presbyterian, I have a right to say so, and base a boycott on that statement. A boycott is a threat followed or not by execution, and, as long as the act threatened is in itself a permissible one, the boycott is not properly punishable; the statements on which the threat is based, if false and libellous, are punishable, but these statements do not constitute the boycott. There is no analogy between the punishment of libel and the punishment of boycotting.

(3) If Mr. Bilgram is distinguishing here between private threatening and public threatening, my previous paragraph (9) answers him. But, if he means to say that he has never denied that any person has a right to publicly threaten what he has a right to execute, I dispute the statement plain bulk. He certainly will admit my right to withdraw my patronage from my neighbor who is malum in se, but as certainly his refusal to allow me to make public announcement that I will withdraw my patronage from this neighbor unless he shall cease his dealings with my enemy, a denial of my right to publicly threaten the very thing which he undoubtedly admits my right to execute.

(4) Mr. Bilgram's original statement was this: "it is evident that any effort to change the rate of wages from that due to free competition belongs to the province of invasion." As he was discussing the present boycotts, the statement as made could mean only that he held the existing rate of wages to be the result of free competition,—in contradiction of another statement in a later paragraph. His explanation exposes the contradiction, but involves him in a new error. If he meant to say that under free competition efforts to change the rate of wages would be wrong because of the existence of free competition, then it does not follow that such efforts are wrong to-day when we have not free competition. If, on the other hand, he now means to say that all efforts to change the rate of wages are wrong, no matter whether we have free competition or not, he abandons his original contention that the boycott is invasive because it affects, or would affect, the results of free competition, and must find some other ground on which to rest his charge that the boycott is invasive.

(5) The reduced earnings of those who take extra holidays were not contemplated by me in my illustration. Reduced earnings do not, as a matter of necessity, have any connection with the rate of wages. My illustration was based on the indisputable fact that extra holidays, by decreasing the supply of labor without decreasing the demand for it in the same proportion, tend to increase (not reduce) the rate of wages. It makes no difference, for the purpose of the present argument, whether such increase would be permanent or temporary, universal or partial, equal or unequal. If it is criminal to affect the rate of wages for a year, it is criminal to affect it for a day. Therefore Mr. Bilgram still leaves intact my argument that, if he insists on jailing boycotters for interfering with the rate of wages, he is bound in logic to jail also the authorities of the Catholic church for similar interference by methods equally non-invasive.

(6) Here we find the real reason why Mr. Bilgram does not like the boycott. He does not like it, because it is effective. He is perfectly willing that people should threaten, if they have no power to execute their threats. It反感 me of the contention of some Communists that only those are our enemies who are too weak to resist successfully. But let us consider the instance which Mr. Bilgram cites. Call the stockbroker Jones. I am a large man: factor, using in my business something that Jones sells. For years I have been buying it from Jones, and these sales have constituted more than half of Jones's business. If I withdraw my patronage from Jones, his business is ruined. I take a dislike to Smith, one of Jones's customers, and I say to Jones: "You shall not sell anything to Smith on pain of having your business ruined by the withdrawal of my patronage." Is it possible that Mr. Bilgram could say that I have no more right to say this to Jones than I would have to say to him: "You shall not sell anything to Smith on pain of having your store burned down by my interven-
diary hand’? If he does so contend, it means simply that he, Mr. Bilgram, chimes the right to decide where I shall buy the articles that I use in my manufacturing business. Or else it means—yes, that he denies my right to threaten which he admits my right to execute. But, if he does not so contend, then the statement and threat to withdraw my patronage do not impair my right of withdrawal, and must also admit that “the power to carry their threat into execution” does not impair the right of a thousand patrons to threaten the ruin of Jones’s business by withdrawing their patronage in concert.

(7) Any one in the evil region or elsewhere who has obeyed what Mr. Bilgram calls a “boycott order” because “dreaded tyrants” have threatened to burn his store or his house or commit some other act of invasion may ask and secure the imprisonment of these “dreaded tyrants” without a word of protest from Liberty. But, if he assumes to imprison his “dreaded tyrants” simply because they refuse to intercede with him, Liberty will brand him an invader of the most impudent type. (8) When I say that boycotts are sometimes cruel, I mean that they are sometimes cruel in a degree entirely incomensurate with the importance of the end to be achieved or with their power to achieve it—in other words, needlessly pain-inflicting. One could easily cite hundreds of boycotts not cruel in this sense, or malicious, or short-sighted, or silly. To satisfy Mr. Bilgram’s request for only one, I name the first boycott ever known as such—the ostracism of Captain Boycott himself. (9) Without admitting that the workmen who boycott thereby make fools of themselves, I may point out, that the right of freedom of the press includes, and in a way depends upon, the right of writers to make fools of themselves, and I should esteem him a most timorous champion of the cause of liberty whom should defend Mr. Bilgram against any who might endeavor to strike his pen from his hand on the ground that in the present controversy he was not making precisely a Solomon of himself.

Mr. Bilgram’s Test of Invasion.

To the Editor of Liberty:

You have asked me to carefully consider S. R. It’s article, “Logic and Liberty.” As I see in it much that is illogical, I do not understand the object of your request.

According to this writer, freedom that does not embrace the freedom to inflict injury upon others, if this can be done by implied intimidation (intensified only occasionally with actual personal assaults, in order to make the implied intimidation effective), is not freedom.

The concerted cessation of work by a number of workmen is never termed a strike, until efforts are made to coerce unwilling co-workers to do the same and to prevent their former employers from filling the vacant places. The threat of any number of people to have any dealings with certain other people is not called a boycott, until efforts are made to involve unwanted people in the quarrels. These efforts constitute the invasion, and it is folly to tell the opponents of strikes and boycotts that every man has a right to stop work, or to refuse dealing with certain men, or that any number of men have the right to do so conjointly. This right is not in question. I understand “invasion” to be a synonym for “breach of equal freedom.” Herbert Spencer endeavored to find the conditions tending to make a people most happy and contented, and arrived at the conclusion that this aim can be attained by allowing everybody the freedom to do as he chooses, provided that he does not infringe the equal freedom of others. If my conception of “invasion” is correct, any dispute as to whether a certain act, or combination of acts, is or is not invasive can be reduced to the question as to whether it is conducive to, or destructive of, happiness.

According to this test, all attempts to pry into the private affairs of others for finding means for inflicting loss or for exerting coercion are invasive. Pickets are posted only to be engaged by the employer, and to “inform” them that a strike is in progress. The object and effect is pecuniary injury to the employer and intimidation to the applicant, for it is well known that free workmen accepting such employment are frequently the victims of cowardly assaults. The information given or the picket is an implied threat of bodily harm, tending to frighten the informed into refusing the offered employment. And, even if it were not, the picket is imposing his nose into other people’s business for the purpose of inflicting loss. This is invasion.

The defenders of pickets and boycotts play with technicalities, when they argue that a combination of acts so invasion makes it, individually considered, is not. Even murder could be defended by such argument. The murderer using a pistol for his deed performs a number of acts, such as buying the pistol, loading it, pointing it at his victim, and pulling the trigger of which acts, individually considered, is non-invasion, in combination they constitute murder. A combination of acts must be judged, not by each one, but by the intention and result of all.

Instead of producing happiness, peace, and contentment, —the fundamental premise in the derivation of the law of equal freedom,—strikes and boycotts lead to intense class hatred between organized and free workmen, to unreasonable intolerance, to cowardly personal assaults, to pecuniary losses, in short, to a condition hardly second to a state of war, without any redeeming feature. The law of equal freedom cannot legitimately be used in defense of those measures.

I gladly avail myself of the opportunity the editor of Liberty has afforded me, and proceed, very briefly, to deal with Mr. Bilgram’s amazing—and amusing—fallacies. He finds in my article much that is illogical, but I disclaim all responsibility for his discoveries. My conclusion, I grant, does not follow from his premises, —that is, from the meaning he chooses to put into mine, but I respectfully decline his gratuitous enumerations.

Yes, freedom that does not include the right to inflict injury—of non-invasive kinds—is not freedom, according to this writer, and every other consistent libertarian. But, for the intimation that I justify implied intimidation interpersed occasionally with actual personal assaults, my article furnishes not the slendest foundation. Mr. Bilgram must really learn to read without prejudice. Invasion is necessarily injurious in some degree; but injury is not always invasive. Equal liberty precludes invasive injuries, and no other. It may injure my feelings to know that Mr. Bilgram considers my argument illogical, but I have no ground for complaint. It may injure a thief to be called a thief, but that is no invasion either. I may injure an employer by suddenly quitting his service, or a servant by refusing to serve, or a patron by closing his store from him, or a saloon-keeper by opening a saloon next door to his, but in none of these cases is there invasion. And, when I defend threats and intimidation, the context makes it clear that, with Liberty, I merely reserve the right to threaten that which one has the right to execute.

Where has Mr. Bilgram picked up his peculiar definition? The cessation of work, he says, is “never termed a strike,” until coercion by force is employed to prevent the filling of the vacant places. The statement is notoriously contrary to fact. Many of us, including judges and juridical writers, term the mere cessation of work a strike, and recognize that violence and invasion are accidental concomitants of strikes. At any rate, I defend cessation of work, not coercion of those who take the strikers’ places; and, as to the “folly” of such defense, I beg leave to differ.

Mr. Bilgram admits the right to withhold patronage from people, but he tells us that this is not what is called boycotting. Boycotting begins when “efforts are made to involve unwanted people,” and “these efforts constitute the invasion.” Mr. Bilgram is greatly mistaken as regards what people call boycotting. Even the Gray commission found itself constrained to make a distinction between primary boycotting and secondary. It did not occur to that illogical body to deny that the withholding of patronage from “invited parties” was boycotting.

But, passing over the original definition, I deny that efforts to involve unwanted people constitute invasion. Everything depends on the nature of the efforts. They are invasive when they are invasive. If I involve the whole world in a boycott by merely notifying those who do not join with me, I am still within the limits of equal liberty. But I have already dealt with the absurd distinction between primary boycotts and secondary.

Finally, Mr. Bilgram is right in using “invasion” as equivalent to “breach of equal freedom,” and in averring that equal liberty is a condition of contentment and happiness and advocated by reason of that relation. But it does not follow by any manner of means that “any dispute as to whether a certain act or combination of acts is or is not invasive can be reduced to the question as to whether it is conducive to, or destructive of, happiness and contentment.” Suppose a man needs five dollars to live, and he begs of me, and I refuse to accommodate him. That refusal is not conducive to his happiness, yet Mr. Bilgram will hardly claim that I have invaded the beggar’s rights. Again, no man can be happy without some neighborly, friendly, or social relations. Am I bound to think well of any man whose contentment is not complete without my good opinion?

Mr. Bilgram’s fallacy is easily detected. Equal liberty is the chief, but not the only, condition of happiness. We are not bound to consider the question of happiness at all; if we were, several other things besides respect for equal liberty would be enjoined upon us. Equal liberty may be enforced; other conditions of happiness are left to our discretion and will. The reason for this distinction cannot be elaborately set forth here. Suffice it to say that to enforce the conditions—called by Spencer positive and negative beneicence—is
to violate and destroy the first and essential condition, equal liberty.

The facts of blackmailing, boycotting, etc., destroy some people's peace and contentment is wholly irrelevant and immaterial. Some people are unhappy when they laugh at their religion, politics, or economies; is that an argument against free speech and candid criticism?

All of Mr. Bilgram's errors proceed from a common source—confusion on the fundamental question of the nature and test of invasion. He should overhaul his notion of equal liberty.

Characteristically Governmental.

The watchful reader of Liberty will observe that in the present issue appears what no previous issue since the resumption of publication has contained—the magic formula, "Entered as second-class matter," which enables the paper to pass through the mails at the ruinously low rate (ruinous to the government, I mean) of one cent a pound, instead of the ruinously high rate (ruinous to the publisher, I mean) of sixteen cents a pound. And thereby hangs a tale.

About the first of last December, I applied to the post-office department at Washington, through the postmaster of New York, for the re-entry of Liberty as second-class matter, such application being required of revising periodicals. Several times before, during this paper's fitful, stormy, and checkered career of twenty-two years relieved by sundry interims of suspended animation, I had made similar applications, occasioned by suspensions, renewals, and changes in periodicity, all of which had been granted with no more serious trouble than is always caused in these cases by the postmaster-general's habit of hanging such applications on a hook for a month or two before considering them. But this time a new experience was in store for me. Since the last suspension the Madden régime had set in, with its marvelous devices for lessening the business of the post-office department—devices adopted for the three-fold purpose of checking the deficit occasioned by the congressional policy of robbing Peter Letter-writer to pay Paul—Newspaper-reader, discouraging the establishment of new publications that might endanger the prosperity of older organs seriously enlisted in the cause of privilege, and exercising an indirect press-censorship over papers like Liberty, that serve to keep alive the spirit of rebellion in the "dangerous classes" and cause the heads of kings and postmaster-generals to be uneasy.

On presenting my application at the postoffice, I was received by the young man in charge of the second-class matter division, who, bland and polite, but serious and firm,—the usual mask worn for these solemn humbuggeries,—asked for a copy of Liberty's subscription list. No such demand had ever been made on me before, but, having heard something of the new régime, I had come provided. So I produced a printed copy of the list, and handed it over. The official cast his eye down the columns of addresses, and put the next question:

"What proof have you to offer that this is a bona fide list of paying subscribers? Can you produce the letters in which your subscribers ordered the paper, enclosing remittances?"

I explained that in the lapse of years since the last publication I had moved my office several times, and in the moving had gotten rid of much rubbish, includingnumious files of business letters.

"That is unfortunate," he murmured; "but from what, then, is this list made up?"

"From the last correct proofs furnished years ago by the mailing agency that I previously patronized, on the margins of which proofs I have noted from time to time such changes as have been ordered."

"Have you this old list?"

"No," I answered. "It was cut up to make a copy for my new printer, and, on completion of the work, the copy was destroyed."

After remarking again upon the lamentable character of these successive catastrophes, he suggested:

"Well, the only thing you can do is to accompany your application with a letter to the postmaster-general describing your predicament, which letter we will forward. But I doubt very much if Washington will find it satisfactory."

The next day I brought the letter, and received a temporary permit to mail through second-class channels on condition of depositing postage-money at the third-class rate (amounted, in the case of a small paper like Liberty, to about sixteen cents a pound), the difference between this and the second-class rate to be refunded in the event of a granting of the re-entry.

A month passed. Then, early in January, I received notice from the postmaster that the department had decided to deny the application, unless he, the postmaster, could certify, on evidence satisfactory to himself, that Liberty's subscription list was genuine. As the postmaster's assistant, the young man before referred to, remarked at our succeeding interview, relaxing a little from his more sombre mood: "Washington has done what it never did before in such a case; it has put it up to us, and we must put it up to you."

Then he added: "We have carefully compared your New York city list with the directory, and find that some of your subscribers' names are not in the directory at all, while others are credited with addresses in no respect like those on your list."

Now, members of the unprivileged classes, from whom, of course, a paper like Liberty recruits a portion of its subscribers, are not uncommonly weary wanderers over the face of the earth, not remaining in any one place long enough to get into the directory. Liberty's subscribers, too, are like government officials in the single particular that they rarely resign, but not infrequently die; and, in a city like New York, few of them owning mansions on Fifth avenue, they are apt to flit from one quarter to another several times in the course of two years. When I reminded the young man of these possibilities and their effects on the subscription list of a paper after two years' suspension, the reminder seemed to strike him forcibly, for he had nothing further to say on this phase of the subject. Instead, he renewed his old question: "What proof can you offer us?"

"What, indeed?" said I; "you certainly don't expect me to write to each of my subscribers and procure an affidavit?"

"I'm not for us to say what you shall do," was the inexcusable answer, "but the proofs must be forthcoming."

"Well, now, let me suggest," said I, "and may the godless of good manners, if there is one, forgive me for abetting such impudent processes?—let me suggest that the department select from the list, at random, as many names as it chooses, and communicate with the parties for its own satisfaction."

"Oh! the department doesn't do that sort of thing," he answered.

"I have been informed that it does," said I.

"Oh! it may have done something of the sort in one or two cases, but it isn't in that business."

My suggestion, however, was not fruitless, for, seeing that there was nothing else to be done, he agreed to forward a letter from me to the department, making this proposal. "And when you bring me the letter," he added, "you might bring also any letters received during the last month relating to new subscriptions and renewals."

The following day I appeared at his desk, bringing a considerable package of such letters. Many of them were from subscribers who are also my acquaintances and friends, and naturally a large portion of what they had written related to private matters. But he read them from end to end, in my presence, as calmly as if the procedure were the most natural and commonplace in the world. He had the grace, however, to refrain from comment on the private passages, but concerning the rest he made searching inquiry. One from an old friend of the paper, began: "I send you three dollars for a year's subscription."

"How is this?" he asked; "three dollars is not the subscription price."

"The gentleman sent an excess," said I, "desiring to contribute to the paper's growth."

Plump came the next question: "And what did you do with the money?"

"I placed it with the paper's receipts."

"You did not appropriate it to the sending of copies of the paper to other individuals."

"Not in special; all the receipts are used in paying the general expenses."

And so this petty examination continued to the end. Finally, leaving the letters, I took my departure. Remember, this occurred early in January.

I heard nothing more till toward the middle of February. Then I began to receive from subscribers in different parts of the country elaborate and regularly-printed blanks which had been sent to them from Washington by the department, asking them a set series of about a dozen questions concerning their subscription to Liberty, how much they paid it, whether any extra inducements were held out to secure their subscriptions, etc., etc., etc. I thought this rather remarkable, seeing that the department wasn't in that business; and I perceived that the lessening of the second-class deficit was to provide salaries for the extra and useless clerical work thus created. I imagined,
too, that some of these blanks must have brought peculiar answers that will remain care-
fully hidden in the department's archives. The blanks were dated February 5, the postal
authorities having delayed another month be-
fore acting on my suggestion. But at least,
thought I, the department will now get the evi-
dence that it desires, or rather that it does not
desire, and I shall get a decision speedily,
one way or the other. But again I was disap-
pointed. Month after month elapsed, and still
no word from Washington. Toward the end of
April, my patience becoming exhausted, I sent
the department a vigorous letter of protest, as a
result of which, early in May, five months after
the date of my application, I was notified by the
postmaster that Washington had directed him to
enter Liberty a second-class matter, it hav-
ing been found that the manner of its publica-
tion was in conformity with the requirements of
the law. But the terrible Malden could not
refrain from sending me, through the post-
master, a message of warning as to what would
happen to me, should I do this, or that, or the
other.

Well, at last Liberty is re-entered, and I am
again in possession of the extra monies that I
have had to deposit to secure its passage through
the mails. Meanwhile scarcely a day of these
five months but has brought forth its column in the
dailies regarding the scandals and in-
vestigations rife in the post-office department
at Washington. Evidently the authorities there
are so absorbed in the contemplation of their
own rottenness that they have no time for their
regular duties.

I am well aware that, in publishing these
facts, I am not "making myself sold" with
the department. If it were not sure before, it is
perfectly sure now that this paper will be sub-
jected henceforth to constant and careful
scrutiny, in search of technical excuse for its
exclusion from the second-class privilege.

Nevertheless, the satisfaction of telling the
story in my readers is worth all that it may cost.

Searchlights on Government.

Each man should continually bring home to
himself the truth that he is still governed.
Not by a king, but nevertheless he is governed.
People are soothed with the idea that they
choose their governors. In fact, a majority
goes through the form of choosing governors,
but in fact this majority is only the instru-
ment of politicians, and in fact the supposed
majority is often a real minority. Thus it
often happens that by corrupt tactics the
minority governs. A tree is judged by its
fruits. What are the fruits of this so-called
popular government? The current press
reports: the mayor of Minneapolis a wholesale
bribe-taker,—first a fugitive from justice, now
pleading insanity. The lieutenant-governor
of Missouri a bribe-taker and bribe-giver.
The legislature of Missouri a mere racket to
give away valuable franchises. The city
council of St. Louis a mere tool in the hands
of the franchise-selling Boss Butler and his
angels. One man paid the gang a quarter of a
million for a street-railway franchise, and sold
the franchise within a week for a million dol-
lar's net profit. The legislature of Illinois
in an uproar, because the speaker and his
hackers forced through graft laws. The city
council of Chicago has for years been as
notorious a house of "graft" as the city
council of New York, and even now it is a
question if franchises will not be extended in
defiance of the popular will, as is the case
here also in New York, where the L'Homme-
du bill and the gas-grab bill passed in
defiance of popular protest. Three-cent
car-fares and a limitation on the great
municipal franchise, they still refuse to be
defeated thus far, and the Ohio legislature, the
obedient tool of the bosses, passed laws to make
reform ineffective and to deprive cities of local
self-government. These are not the occasional
cases; they are the constant practice. Reform
is the exceptional and spasmodic condition. Tweed
stands for the regular course, Croker for the
general practice. The daily press notes that the
district attorney of New York will try to break
shameful leases of valuable city water-front,
made to favorites for corrupt and nominal prices
and for long terms. These things are not local.
They are found in Boston, New York, Phila-
delphia, Baltimore, New Orleans, Chicago, San
Francisco. Wherever property of money value,
such as water-fronts or franchises, is in the hands
of the governors (called representatives), there
will corruption and a betrayal of trust be found.
There is no exception. No city so small but that
its government is used for plunder. Instead of
seeing that the machine which produces such
results is a failure, the people go on ever crying
"Reform," ever hoping for that which in the
nature of things is impossible. The people as a
mass will never be interested in government.
Those who can use government for personal
profit always will be interested in govern-
ment. And that is the history of government the world over
and in all times. It is the engine which serves
the purges of the scheming few.

C. E. S. Wooul.

The indefatigable J. T. Small, in a letter to the "Boston Courier" answering that journal's contention that all anarchists are insane, meant to say: "If Jefferson was right in his assertion that 'that government is best which governs the
least,' why is it taken for granted that a man who declares that 'that government is best which
would not at all' is likely to land in an insane asylum?" But the same editor of the "Courier" made him say: "If Jefferson was right in his assertion that 'that government is best which governs the heart,' why is it taken for granted that a man who declares that 'that government is lost which governs not at all' is likely to land in an insane asylum?" Had Mr. Flying Don fallen upon this issue of the "Courier," perhaps he would have concluded that in
the columns of Liberty he is fortunate in his
insane editor, after all.

In a number of recent injunctions hundreds
of men were named as defendants. This is
a successful trick at present, but may it not
prove a boomerang? Labor is submissive,
law-abiding, and superstitious in relation to the
courts; but suppose it takes it into its head
one fine day to disregard these ominous in-
junctions and defy the judges and their writ-

An Uninteresting Victim.

Always in favor of freedom of the press, yet un-
moved by the shrieks arising from the application
of the thumper to those organs of respectable
venality which claim a monopoly of the right to defy
the law, I was about to write an article for Liberty
expressive of the conflicting emotions aroused
within me by the enactment of Pennsylvania's new libel law,
when the following editorial from the New York
"Truth Seeker" came under my eye; and, being
straightway convinced that I could write nothing on the
subject half as good, I determined to transfer it to these columns as a most satisfactory statement of my
position:

Smattering under the section cut by the Pennsy-
vania legislature of a bill to muzzle the press—ref-
to which has been made in these columns several
times—the daily press has broken out in
rebellion and become lawless and anarchistic, advo-
cating defiance of the law and disobedience of it, and
expressing an intention to disregard it and fight it
and procure its repeal, and to defeat every man for
office who voted for it. These insurgent sheets now talk about "artificial crimes" as though such
statutes were something other than a violent, lawless, anarchistic, rebellious lot, commit-
ting blasphemy against the State, and other crimes
which heretofore they have advocated punishing, too
numerous to mention. Infamous is the mildest
plet they apply to the bill.

The bill certainly is all that they say it is. It
makes it a crime to print a paper without placing at
the head of its editorial columns the name of the
responsible editor and owner. This the newspapers call the "artificial crime." It allows damages for
alleged physical and mental suffering following the publication of facts detrimental to the reputations
of men, and does not permit the publisher to plead the truth of the alleged libel as justification. In
other words, if Mr. Quay used the funds of the State,
and some publisher printed the fact, Mr. Quay could
nutlet him in damages, because using State funds
for private purposes, even though they are replaced,
is one form of stealing. Neglect in the asser-
timent of facts is also made the basis for damage suits.
And, if libelous matter has been made specially
prominent by the use of pictures or cartoons, the
jury shall have the right to award damages.

The bill is really aimed at the cartoonists. Sen-
ator Quay has suffered at their hands, and so has
Governor Pennypacker. In the memorandum which the latter filed with the bill when he signed it he
said:

A cartoon in a daily journal of May 2 defines the
question with entire precision. An ugly little dwarf
representing the governor stands on a

The stool is subordinate to and placed alongside of a huge printing-press with wheels as large as
those of an ox team, and all are so arranged as to
drive the idea that, when the press starts, the stool
and its occupant will be thrown to the ground.
THE ATTITUDE OF ANARCHISM TOWARD INDUSTRIAL COMBINATIONS.

By BENJ. R. TUCKER.

An address delivered in Central Music Hall, Chicago, on September 14, 1899, before the Conference on Trusts held under the auspices of the Civic Federation.

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October, 1900

JAMES GSPER, Professor of Romance Languages in the University of Boston

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**UNIVERSAL ALPHABET**

In this table, the rows representing the odd-class sounds, that is, the sounds produced without closure of the vocal passages, are occupied by vowels, while rows occupied by semi-vowels are occupied by consonants.

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