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The following articles are among those that will appear in future issues of the **NEW REVIEW**:

The Presidential Election in France, by Paul Louis, of Paris; The Sunny South and Poverty, by Mary White Ovington; Socialism in Canada, by W. E. Hardenburg; The New Labor Law in New York, by Paul Kennaday; State Socialism and the Individual, by William English Walling; Social Classes in the United States, by Isaac Halevy; The International Co-operative Alliance, by Albert Sonnichsen; Strike Tactics, by Phillips Russell; The Exhalation, A Short Story, by Allan Updegraff.

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THE SIXTEENTH AMENDMENT

Article XVI. "The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration."

Such is the wording of the income tax amendment to the Constitution of the United States that has now been ratified by the requisite three-fourths of the states, and its ratification may, in one sense, be said to sum up twenty years of American history.

It was in the Presidential election of 1892 that the Populist party polled more than a million votes and sent five Senators and ten Representatives to Congress. The new party was essentially a political movement of the middle class and predominantly agrarian in character, although it also attracted to itself a considerable number of radicals and trade unionists in the cities, some of whom, at any rate, really believed that it represented the specific "American" form of Socialism. For a time the old party leaders viewed the appearance of the new party with alarm and dismay, for it disorganized all their customary calculations. They no longer could be sure of their usual majorities. In the states of the Middle West, where the Republicans were in majority, the Republicans were the principal losers to the new party, and in the states of the South, where the Democrats were in control, the Democrats were the chief losers. This was in perfect and complete accord with the essential nature of the new party. Being a

middle class party, it was not revolutionary but insurrectionary, and as such its first object was to punish the party in office, although the latter differed in no essential respect from the party out of office. As the event showed, the Democratic party easily devoured the Populists and, as with the lean and ill-favored kine of Pharaoh's dream, it could not be known that it had swallowed them, for it remained as lean and ill-favored as before.

But that occurred in 1896 and after. In 1892 no one could have predicted with absolute certainty the final destiny of the new party. It raised high hopes in some quarters and caused tremors of fear in others. The income tax bill of 1894, which became a law without President Cleveland's signature, was the old party politicians' concession to this fear. And when in the following year the Supreme Court of the United States declared the law invalid because unconstitutional, in spite of previous declarations to the contrary, a storm of indignation burst forth over the country. A good part of the force of the Bryan campaign of 1896 was due, not so much to the craze for the free coinage of silver, as to this indignation over the income tax decision and also over the novel use of the injunction as a weapon against strikes and strikers. If the income tax decision caused profound resentment in the ranks of the middle class, the Pullman strike foreshadowed to the workers the fate that awaited them in the further course of American capitalist development.

The political battle of 1896 sealed the economic and political doom of the middle class of America. That battle was won by the plutocracy through the employment of all the economic means of terrorism at its disposal, besides a vast corruption fund. And no sooner was the battle won than it proceeded to appropriate the fruits of its victory. The consolidation and trustification of all sorts of enterprises was pushed forward on an unexampled scale, and the policy of imperialism was definitely embarked on, beginning with the war for the "liberation of Cuba" and ending with the forcible subjugation of the Filipinos and the dismemberment of the republic of Colombia. Nor can all the alleged trust dissolutions of the Taft Administration and all the tall talk of Democratic platforms about Philippine independence undo the work of those years. The middle class may still give occasional trouble to the real masters of the country, it may compel them to proceed at a slower pace, but it no longer strives or hopes for a position

of dominancy. All it ventures to claim nowadays is a share of the spoils. The new situation is fitly symbolized by Woodrow Wilson's taking the place and playing the role of a Bryan.

The fitness of things further expresses itself in the almost synchronous ratification of the income tax amendment and the inauguration of a Democratic administration at Washington. No one expects anything really startling or radical to come from the latter, nor will the income tax have now that radical or, at least, innovating effect which it might have had twenty years ago. The element of time is a factor not to be ignored in any consideration of the importance attaching to a new departure. Thus, for example, the establishment of a normal working day for the women and children of England in the first half of the Nineteenth Century was an epoch-making event, while the adoption, after the expenditure of infinite pain and trouble, of a similar law in some of the states of Twentieth Century America serves only to emphasize the backwardness of our social and political development. Similarly with the income tax. Even twenty years ago it was advocated by economists like Professor Seligman, whom no one would accuse of being revolutionary. To-day its adoption will hardly produce a ripple on the surface of our national life. Whatever social significance might once have attached to it, nowadays it denotes nothing more than a fiscal change.

And yet there are latent possibilities in the principle of the income tax, just as there are latent possibilities in the principle of factory legislation. If the latter signifies that the capitalist is not absolute master in his own factory and that society as a whole has the ultimate and supreme power over the processes of production, the former signifies not only that the capitalist is no longer able to throw the entire burden of the cost of government upon the shoulders of those least able to pay, but also that his possessions may be levied upon by society, to any extent that it may deem necessary, in order to obtain the means for effecting great and profound transformations. With a self-conscious, revolutionary working class in control of the national government, both of these principles will undoubtedly be invoked and utilized to the utmost in order to effect a radical change at the very base of the social order. A stringent and rapidly progressive taxation of large incomes will then serve the double purpose of expropriating the capitalists and at the same time furnishing the working class

government with the necessary means for carrying out the great social and economic reforms that will serve as transitional steps to the Socialist or Communist order of society. But just now nothing more need be expected than a possible lightening of the burden of indirect taxation, whether of customs duties or of internal revenue. Moreover, the greater part of the new source of revenue thus put at the disposal of the government will be swallowed up by the same wasteful, extravagant and unproductive expenditures, chiefly on the army and navy, as characterize all bourgeois governments in this age of international competition, colonial rivalry, and imperialism.

But the final adoption of the income tax amendment also serves to fix our attention upon the peculiar political institution that is the potent cause of our backwardness as compared with the great nations of Western Europe. It is owing to the veto power exercised by our courts that so obvious, so necessary and, under present conditions, so harmless a measure of mere fiscal reform has been delayed for twenty years, more than a century after its adoption by England as an integral part of her fiscal policy. A nation that can be forced, by the veto of five elderly gentlemen in Washington, to abstain from adjusting its political institutions to the underlying economic and social changes, is bound some day to pay a fearful price for its tame submissiveness. The Civil War was the fearful price we paid for adhering to the antiquated doctrine of "state rights" in an age of great national development, and for maintaining the institution of chattel slavery and submitting to a Dred Scott decision centuries after the abolition of slavery in Europe. We are now paying a fearful price for the lack of a national system of labor legislation, such as all other advanced capitalist countries now possess, with the killing of tens of thousands and the maiming of hundreds of thousands every year. Were it not for the fact that, owing to our boundless natural resources, we are able to draw upon the labor supply of the whole world, the working class of this country would by this time have sunk into a state of utter misery and degeneracy. And yet we find that even the most ordinary measure of relief, such as a woman and child labor law or a workmen's compensation law, encounters the most stubborn opposition, not only on the part of the short-sighted exploiters immediately concerned, but even on the part of the real and ultimate law makers—the courts. The New

York *World* boasts that the ratification of the income tax amendment follows a campaign vigorously waged by that paper "for thirty years." The *Evening Post* says that the ratification "puts an end to the notion that the Constitution of the United States is virtually unamendable. . . . The truth about the procuring of amendments to the Constitution of the United States is that it is hard to do it unless the settled sentiment of the country is very clearly and earnestly in favor of the change proposed, but that when this condition is satisfied there is no peculiar difficulty in the matter." Likewise, no doubt, are all the respectable organs of public opinion throughout the country congratulating themselves and us upon the fact that we are not utterly doomed to the old Chinese immobility. But in sober truth, what they are saying means only this and nothing more, than when conditions become utterly intolerable we manage somehow to get rid of them, whether through a Civil War, in things great, or a constitutional amendment, in things small, but that so long as it is possible to endure existing evils and survive, we are without any remedy. They do not realize that this is nothing less than a direct invitation to violent overturn and civil war. It was a French king that said it, but "After us—the deluge" appears to be still the main-spring of the policy of all rulers and ruling classes, particularly when they are rapidly approaching total bankruptcy.

H. S.

A PRECURSOR OF PROGRESSIVISM*

BY ROBERT RIVIS LA MONTE.

Dr. J. Rosett, of Baltimore, has just celebrated the drowning struggles of the sinking middle class in a drama † which amply atones for its lack of technique by its deep psychological and sociological insight.

He shows us a class which, even though it may be growing as rapidly as Bernstein and Kropotkin would have us believe, has lost its economic *raison d'être*, which no longer has any useful social function to subserve, in short a class whose very existence has become a lie.

*Henry Demarest Lloyd. A Biography. By Caro Lloyd. G. P. Putnam's Sons, New York, 1912. 2 Vols., 698 pages.

†The Middle Class: A Play, J. Rosett, M.D., Baltimore, 1912.

What a far step is this from the virile independent Middle Class from whose loins sprang Henry Demarest Lloyd! Lloyd's life (1847-1903) was a sustained and magnificent protest against the moral deterioration and growing impotence of his class. In him were fused the scorching wrath and indignation of a John the Baptist or Jeremiah, with the simplicity and tender sympathy of a St. Francis of Assisi, and the prophetic vision of a modern Isaiah.

Throughout his life he was the valiant champion of a Lost Cause. He ever fought magnificently a losing battle. He was foredoomed to defeat. And yet he fought so unflinchingly that every defeat was transmuted into a moral victory, and so faithfully and lovingly has this story of inevitable and repeated failure been recorded by Miss Caro Lloyd that she may well be said to have given us a noble Epic of a Successful Life.

Henry Lloyd was the incarnation of all the best and most heroic qualities of the American middle class, whose best traditions he inherited. But along with these he received also some fragments, as it were, of incipient proletarian aspiration. His grandfather, John Lloyd, a country tailor and lawyer, was wont to compose and post on the village trees anonymous posters such as this:

"The Second Epistle of the Workingmen to Their Brethren
in All the Land."

" * * * Brother, union is thy antidote, then let union be thy motto, and say to thy brethren in all the land under that sacred name the cause of justice will triumph and the workingmen obtain their rights. * * * "

Miss Lloyd goes far toward enabling us to understand the extreme sensitiveness of her brother's conscience, when she tells us that his Uncle Henry was "so absolutely honest that for fifty years, as cashier of the Manhattan Gas Company, it was his custom to carry two pencils, one of the Company's and one of his own, reserving each for its proper use." Reared in such an atmosphere, Henry naturally became an expert assayer of moral ores.

He very early in life developed an interest in economic problems and when he graduated from Columbia College (in 1867) he appears to have already worked out for himself what is now called the theory of Economic Determinism. In his commencement "oration" on "Soda and Society" he said:

"Exploring expeditions and missionary stations cost money and British gold generally comes to the assistance of British benevolence only on the specie basis of a safe return of five per cent. When the materials for soap making were found to be exhausted in England and known to be abundant in Africa, then, when Capital saw profit in African civilization, it invested largely in African missions, it paid and equipped such noble men as Livingstone to go forth and explore the country in the double character of missionaries and commercial agents, with a Bible in one hand and a contract for fat in the other."

Like most talented young men of the privileged classes, he began life with a firm belief in what we may call the "two-clay theory" of humanity—that the "leaders" are made of one clay, and the "common people" of another. While he was casting about for a profession to which to devote himself he wrote to his intimate friend, Henry Keenan: "I want power, I must have power, I could not live if I did not think that I was in some way to be lifted above and upon the insensate masses who flood the stage of life in their passage to oblivion."

But unlike the majority of young men of his class Lloyd in time assimilated the spirit of Democracy, and thus learned to strive not to rise *upon* "the insensate masses," but to help "the insensate masses" themselves to rise, and by their rise to save Humanity. Seventeen years later we find his wife writing to a friend, "We have given up all social and worldly ambitions, I really believe."

During the late seventies of the last century Lloyd was writing the money editorials of the *Chicago Tribune*, and it is of interest to note that he was one of the first to point out the economic effects of the demonetisation of silver. During the "hard times" of 1878 he wrote: "In 1873-74, as it was two years later discovered, the coinage of this silver dollar was forbidden and silver dollars were demonetised by law. This act was done secretly and stealthily to the profound ignorance of those who voted for it, and of the President who approved it. * * * Under cover of darkness it abolished the constitutional dollar, and to the immense injury of the people, added heavily to every form of indebtedness, public and private."

By 1880 he had entered upon his real life work—the exposition of the effects upon the people, and especially upon the

middle class, of the growth of monopoly. His first sketch of the rise of the Standard Oil monopoly appeared in the *Atlantic Monthly* for March, 1881. William Dean Howells was the editor who was brave enough to accept it. In those days Pujo committees were undreamed of, and the facts marshalled by Lloyd had all the power of stark novelty. The article made a real sensation. "Seven editions of the *Atlantic Monthly* were exhausted before the demand ceased—a thing entirely unprecedented." In this article, his style was at its best. The pages bristled with such vivid epigrams as "Only the rich can get justice, only the poor cannot escape it."

Throughout life Lloyd retained the narrowness and spiritual arrogance of the Puritan. In 1885 he attended a Socialist meeting in London and, among others, heard William Morris speak. It would appear that Morris touched on the relations of the sexes and said some things that were novel to Lloyd, but, however different from Lloyd's "purity" was Morris' "purity," we may be quite sure both were equally "pure." Of this experience Lloyd wrote (in a private letter): "It is a curious thing to note, that just as at the time of the French Revolution, so here the broadest ideas of free love are going hand in hand with the other anarchies. I was positively startled to hear Morris enunciate doctrines which would reduce love to the miscellaneous intercourse that would keep mankind on the level of a herd of wild dogs."

But if Lloyd had the narrowness of the Puritan, he also had the supreme moral courage of the Puritan. After the Hay-market bomb explosion in Chicago, when all of Lloyd's class in Chicago were howling for the blood of the "anarchists," Lloyd was visiting the condemned men in their cells, and preparing an application to Governor Oglesby for executive clemency. It was at this time that Mr. Medill, who was associated with Mr. Bross, Lloyd's father-in-law, in the ownership of the *Chicago Tribune*, came to Mrs. Lloyd to warn her against her husband's course. "He pictured her father's extreme displeasure, and even predicted that it would result in her being disinherited."

"Do you suppose that any such consideration will stop Henry Lloyd from doing what he believes is right?" was the noble reply of that noble woman. She was right. It did not stop Henry Lloyd. He did appear before Governor Oglesby with the result

that the sentences of Fielden and Schwab were commuted to life imprisonment, and so they were saved for the subsequent pardon by Governor Altgeld. In explaining his course to his father, a clergyman, he wrote:

"If it were possible to do everything I would attempt to rescue the victims of all injustice. I undertook this because the condemned were connected with the agitation of the great social question of our day, of which you know I have been a student. I am on the side of the under dog. The agitators on that side make mistakes, commit crimes, no doubt, but for all that theirs is the right side. I will try to avoid the mistakes and the crimes, but I will stay by the cause."

Mr. Medill's prophecy proved correct. Mr. Bross declared that Mr. Lloyd had disgraced the family. "The ample fortune was entailed to the grandchildren, and Mr. and Mrs. Lloyd were not entrusted with the guardianship nor the care of the property of their children, a sting even more keen than the financial loss."

Lloyd's noble and disinterested course recalls the similar conduct of the old German Socialist philosopher, Josef Dietzgen, who, when the "anarchists" were arrested in May, 1886, offered to serve, during their imprisonment, as editor of their paper, the *Chicago Arbeiter-Zeitung*. His offer was accepted. His course raised a storm of protest. Loud among the protestants were the official leaders of the Socialist Labor Party. Referring to this in a letter written in 1896, he said:

"For my part, I lay little stress on the distinction, whether a man is an Anarchist or a Socialist, because it seems to me that too much weight is attributed to this difference. While the Anarchists may have mad and brainless individualists in their ranks, the Socialists have an abundance of cowards."

Henry Demarest Lloyd was no coward, and while it is doubtless true that the Socialists still "have an abundance of cowards," Lloyd has had many worthy successors in our day who have risked social obloquy to demand justice for Ettore and Giovannitti and others.

Lloyd hailed the advent of the People's party with joy, but his long experience as financial editor of the *Chicago Tribune* had given him too close a grasp on reality to permit him to cherish illusions of salvation through politics. In 1895 he wrote to a friend: "You know, and I know, that there is not one chance

in ten thousand millions that this crisis will have a political solution. The political motives of our people are as rotten with selfishness and greed as their industrial morals, and the reform parties seem to be deeper in decomposition than the Grand Old Parties."

When the People's party was swallowed by the Democracy in St. Louis in 1896, he was almost heart-broken. To Professor Ely he wrote: "The possibility of peaceful reform, or of any reform, is greatly hindered by such an issue of this attempt to get a remedy by political action." With insight remarkable in one who had been in the thick of the struggle, he wrote (Oct. 10, 1896) of the People's party convention: "It was in the main a splendid body of men, but withal, there was lacking in them that grasp of fundamental principle which alone keeps parties together. No party can cohere unless its members have some common article of faith so completely engrained in the very texture of their minds that they spontaneously and without the necessity of conference will take practically the same views of the same questions. The People's party is a fortuitous collection of the dissatisfied. If it had been organized around a clear-cut *principle*, of which its practical proposals were merely external expressions, it could never have been seduced into fusion, nor induced even to consider the nomination of a man like Bryan who rejects its bottom doctrine."

Naturally he now turned toward a party founded on such "a clear-cut principle." "After the People's party took up Bryan" he writes in another letter, "I voted the Socialist Labor party ticket, and I shall probably be compelled by my attitude towards its fundamental doctrine to continue doing so, at least until some other organization is formed under more representatively American leadership to advocate the same principles."

The depth of Lloyd's insight is best attested by his immunity from infantile faith in the omnipotence of votes, of pure-and-simple politics, a malady which is usually epidemic among reformers of the upper classes. After the collapse of the People's party, "I journeyed to Winnetka to see Henry (Lloyd)," Victor Berger tells us. "I implored him to gather the scattered forces, and to lead in organizing a new Socialist party, for we had little faith in the old Socialist Labor party; but he said he was unfitted for that kind of work. He was in a despondent mood.

'What is the use in voting?' he said. 'They will do the counting. And we can't shoot. They own all the guns.' I left him in great disappointment."

This clear insight showed him that government ownership did not at all necessarily mean Democratic Socialism. "The least democratic countries in the world," he wrote, "have state coal mines and state railroads, but they have no ownership by the people. The Socialism of a kingly state is kingly still; of a plutocratic state, plutocratic. We mean to transform at the same moment we transfer."

"He had already reached the conviction, which grew with the years," his sister tells us, "that when ownership came some substitute would have to be made for party 'politics.'" He wrote to his father that he was "turning more and more to believe that for operating democracy we shall have to substitute some other form of institutions. It seems to me that politics is breaking politics down. The same opinions are being formed, I notice, in England among some of the most advanced reformers there, men who believe thoroughly in the rule of the people and in government only which is a government of, by and for all, but who cannot help seeing that the ordinary political means of voting and campaigning make it impossible for the real will and the real interests of the people to come forth as a result."

No modern Twentieth Century Syndicalist has seen more clearly than Lloyd the essential unfitness of the political state to administer the business of an industrial democracy. "One of the greatest disasters the world has even seen," he wrote (in *Newest England*, pp. 295-6), "awaits the people who attempt to administer enterprise on Socialistic principles through present parliamentary methods. It would break down as no other civilization has broken down before. All that a co-operative society is, parliamentary government is not in the administration of business. * * * Banks, railroads, mines, insurance, manufacturing, 'state theatres,' 'municipal restaurants,' cannot be run by mass meetings, stump speakers, caucuses and ministerial pull—no more than private banks and business can be so run. What we know as 'politics' and Socialism are incompatible."

This belief that government ownership alone was no cure-all he retained to the end. Only two years before his death he wrote to Prof. Bemis:

"I don't regard our situation as so simple as to be settled by

our 'government ownership' of monopolies. * * * These men have become the *masters* of us. If we buy them out, we but worsen our position, for then we become their slaves as bondsmen. No reform will be a real reform that does not destroy the *present predominance* of this property and its owners. * * * I know all that can be said as to this not being now 'a practical question.' I say in reply that anything short of this will also like all our half reforms prove still less 'practical.'"

It was this realization of the inadequacy of pure and simple politics that led Lloyd to take a deep interest in all co-operative experiments. In 1897 he visited England especially to study the co-operative movement there. The results of this trip he gave the public in a slender volume, "Labor Co-partnership," the most interesting chapters in which described the successes of co-operative farming in Ireland.

His point of view is shown in such sentences as these: "We cannot carry political Socialism very much farther unless we develop in the body of the people a co-operative habit. You cannot make a co-operative commonwealth out of non-co-operative citizens."

Yet, enthusiastic as he was for co-operation, he had the saving common sense to distrust the large-scale plans so dear to the hearts of American promoters. In 1898 he wrote to a correspondent: "Men competent to co-operate have been selected in England by much hard work and bitter experience. It will be necessary to follow the same path to success in America. Successful co-operation will march only from the body of the common people by the survival of little groups, doing little things in little ways, and great only because unselfish. I think the tendency of the American mind runs too much to believe that success can be organized on a large scale. This is absolutely impossible."

In 1899 Lloyd went to New Zealand "to make a study of Antipodal democracy on the spot." The results of this trip were published in two books, "A Country Without Strikes," and "Newest England."

It cannot be denied, as Mr. Tregear, the New Zealand Secretary for Labor, confessed to me, that Mr. Lloyd saw everything in New Zealand *couleur de rose*. But in spite of this bias Lloyd realized that a policy that could only be carried on by continuously increasing the public debt was fraught with peril. In 1902, in a letter to James W. Scott of Seattle, he said: "Switzerland

and New Zealand, for instance, are leading the world in political and economic reforms, but in neither of them is there even a glimmer of any solution of this problem of money, and unless they can move forward to this point they are certain, sooner or later, to see their whole structure collapse."

So strongly did he feel on this subject that he was optimistic enough to send to Premier Seddon of New Zealand a copy of Owen's pamphlet on "The Guernsey Market House Plan of Payments," with a letter urging the adoption of some such method of paying for public improvements in New Zealand. Of course Seddon, who was temperamentally an opportunist not given to borrowing trouble, paid no heed. It may be of interest to add that Mr. Tregear told me he had furnished every member of the New Zealand Cabinet with a pamphlet by himself urging precisely the same thing, and that not one of them ever so much as spoke to him on the subject.

"My fears for New Zealand," wrote Lloyd to his father, "are on quite a different basis from yours. I am afraid she may fail because she has not gone far enough. Her financial and currency system leaves her still tied tight to the purse strings of Lombard street."

He came back from New Zealand a convinced and ardent advocate of compulsory arbitration. It was natural for one who did not believe in the class struggle, and did not realize the necessary class character of the State, to be swept off his feet with enthusiasm for Wm. Pember Reeves' clever device to realize his utopian vision of industrial peace. It is well to bear in mind that in his note-book of 1902-03, Lloyd wrote: "The doctrine of the Karl Marxites that the Labor movement, the Social-Democratic revolution, is a class movement is wrong."

It was undoubtedly his interest in compulsory arbitration which led him to take such an active and noble part in the settlement of the anthracite coal strike in 1902. It was during these dark days that President Eliot of Harvard delivered his eulogy of the scab as "a good type of American hero." This drew forth a spirited but restrained reply from Lloyd, opening thus: "The strike breaker or scab is in our day precisely the same kind of 'good type of American hero' as the New England loyalist was in his day when he did his best to ruin the struggle of his fellow-colonists for independence."

The coal strike gave him an opportunity to form a very definite opinion of the character of Roosevelt. In March, 1903, he wrote to his wife: "The key-note to Roosevelt is a boundless ambition. He is physically brave; morally, as ambitious men always must be, weak."

While I have called him "A Precursor of Progressivism," it is very unlikely that, had he lived, he would have been found in the progressive camp. For he was too clear-headed to believe it possible to help raise the downtrodden without injuring the beneficiaries of special privilege. This is shown by the letter to his wife from which we have just quoted: "In four distinct cases," he continues, "I have learned he (Roosevelt) has flinched, has not played the strenuous part—the tariff, the franchise tax law, the civil service, and the trusts. He has unquestionably surrendered to the great monopolies on that question. His saying about pulling all up, instead of a few down, means, don't attack the Bad Wealth, but give the people some generalities of reform. We cannot pull all up without pulling down the few who are in the way, *e. g.*, George III, the slave holders, and *ancien regime*, etc. Is it not so? Let us say: Pull down the few bad men in the way, then pull all up, including the bad men we pulled down. How do you like that?"

No, we cannot think that Lloyd himself would ever have landed in the Bull Moose camp, but there can be but little doubt that the middle class ethical revolt which found its best expression in his "Wealth Against Commonwealth" and "Newest England" has become one of the most valuable assets of the Progressive party.

His own ripest thought is thus expressed in his note-book:

"Socialism comes with the grandest message of enfranchisement ever heard on earth. It says to the poorest man, to the most cruelly neglected child—you should be a man. You are owner with all your brothers and sisters of this great civilization, this magnificent heritage of liberties and properties and aspirations and memories. These streets are *your* streets; these wonderful achievements exist because your estate gives them protection and stimulus. It is you who are of this royal family of real rulers. It is this democracy which strikes from the poor and the weak the many shackles of poverty, ignorance, monopoly, and opens to every man the closed door of opportunity to be all that he may be,

which proclaims that everything is the property of everybody, that each is the steward for his brother and his neighbor of all that he is and has, that without money and without price, by just being born into the ruling family of all the people each one can have this salvation; it is this democracy which proclaims the dignity of manhood and womanhood, and it is the same democracy which enlightened the world of the Jews, and the Greeks and Romans, and Dutch and English and American in their days of liberty, but [is] now taking another great step forward into a new liberty—the liberty of labor."

His premature death was caused by his strenuous work in the battle for municipal ownership of the Chicago traction system in September, 1903. On his death bed he said: "It was the last two speeches that did it, *but I'd do it again!*"

The battle was lost, The people were defeated. The "interests" won. But the spirit of "I'd do it again" is an unconquerable spirit that will inspire countless soldiers of the Common Good. Lloyd, beaten, still fights—and will fight till the People's victory is won!

For he was truly and literally

One who never turned his back but marched breast forward,
Never doubted clouds would break,
Never dreamed, though right were worsted, wrong would triumph,
Held we fall to rise, are baffled to fight better, sleep to wake.

A SAMPLE OF THE JUDICIAL MIND

BY FREDERICK HALLER

The poverty of thought and paucity of ideas in the judicial mind is from time to time revealed when the occupants of the bench come down and, *ex cathedra*, break a lance in defence of their holy institution.

The Lawyers' Club of Buffalo recently gave a banquet in honor of Judge Albert Haight upon the occasion of the termination of his services on the Court of Appeals of the State of New York. Judge Haight was there and so was Judge Werner, and both of them made speeches. The occasion was utilized to make reply to the critics of the present judicial system and present jurisprudence. I desire herewith to present for comment the "pearls" that fell from the lips of the "learned," as they were reported in the public press.

Judge Haight, in defending his court in the matter of the law's delays—which, by the way, is not the principal cause of the great and bitter dissatisfaction with the courts—confined himself to criminal cases involving death sentences, and said:

"An appeal operated as a stay to the executing of the sentence, and attorneys for defendants regarded it as their right and privilege in representing the accused to prevent his execution as long as possible and thus prolong his life. The legislature, however, last winter discovered a remedy. It, consequently, gave us chapter 262 of the laws of this year, which amends the code of criminal procedure by providing that no compensation shall be allowed to counsel on an appeal from a judgment of death, for service in prosecuting the appeal, unless he shall have brought it on for argument within a specified time prescribed by the act."

The screaming farce hidden in this lauded legislation, which Judge Haight, presumably because of his forty years on the bench, did not see, is that the statute is aimed at the poor man who, when charged with a capital offense, is compelled to take a lawyer assigned by the court to defend him at the expense of the county. In such cases the lawyer's pay is such as the court sees fit to award, not exceeding five hundred dollars and disbursements. This lawyer is now denied his biscuit if he does not hurry his poor client's case through court. The man with plenty of money to pay his own lawyer is not by this "reform" subjected to the hazard of a short shrift. Lest the reader think "short shrift" a malformed product of my imagination, I will say here that under the "court rules" the defendant's lawyer is required to prepare and have printed twenty-five copies of an appeal book of octavo size consisting of hundreds, sometimes thousands of pages. The appeal book in the Patrick case consisted of 4,125 pages and took twenty-five months to prepare and print, and in a recent ordinary capital case, *People vs. Cunsoli*, the appeal book consisted of 1,256 pages. These books must contain a careful and complete history of the case and of all that was said and done by the judge, attorneys and witnesses at the trial.

Judge Haight, from his experience of forty years on the bench, expressed himself as unalterably opposed to a review by the people of judicial decisions. He urged that it would be impossible for voters to study the mass of matter presented for consideration in each case. It evidently never occurred to Judge Haight that the electors could without any difficulty whatever vote on concrete propositions, such as "Shall a young girl have the right to prevent an advertising concern from using her pic-

ture without her consent for advertising purposes?" The Court of Appeals in the case of Miss Roberson, decided in 1902, stood four to three in saying that she had no redress whatever. Judge Haight was one of the three. Nor did it occur to Judge Haight that it would be no difficult matter to have a vote on the question whether the Wainwright bill was constitutional or not. Such propositions could be stated in one easily comprehended sentence.

Judge Haight also said that judges are but human, and that sometimes because of more mature reflection subsequently had in the light of additional experience, they change their views when later cases come before them. He cited the famous case of Sarah Knisly in which the Court of Appeals in 1896 decided that Miss Knisly was not entitled to any compensation for injuries received from having her hand and arm caught between the unguarded cog-wheels of a machine that she was operating, although the legislature had passed a law that such cog-wheels must be guarded. For sixteen years Judge Haight "kept hammering" in the Court of Appeals to have the doctrine of the Knisly case upset. It was claimed by him that the Court of Appeals did upset it in a recent case. Judge Haight claimed and was given credit by his associate, Judge Werner, for having alone and unaided at last bored into the minds of his brother judges. Neither the scathing public denunciations of the court for such decisions nor the passage by the legislature in 1902 of another so-called Employers' Liability Act was credited with having done aught to obtain this crumb. Judge Haight alone was the hero who had pulled his associates over to the side of justice.

There is another joke right here, and that is that the one member of the present Court of Appeals who helped to render the decision in the Knisly case sixteen years ago did not see the new light that Judge Haight caused to come over the court in October last. This one member remained of the same opinion still. His six associates in the opinion of 1896 were succeeded by six others before Judge Haight's "triumph" in October last. Sarah Knisly and her many other brothers and sisters in toil who received bodily injuries in like manner during the weary years intervening whilst the personnel of the Court of Appeals has been undergoing a change, have been without redress.

Judge Werner came to the defense of the Court of Appeals

in the Ives case in which the Wainwright measure, so-called, was declared unconstitutional. Judge Werner, as reported in the *Buffalo Express*, said: "Our decision, if it did no other good, resulted in the great public service of provoking a widespread discussion and the development of new thoughts and a more complete understanding of the whole situation." Fully as much might with equal justice be said for small pox, diphtheria, broken bones and appendicitis. Without these afflictions we should not now have the benefit of "new thoughts, and a more complete understanding" of medicine and surgery.

THE PANAMA CANAL—ITS DIPLOMATIC HISTORY *(Concluded)*

By M. PAVLOVITCH (PARIS)

III.

AMERICAN CONTROL OF PANAMA

European agitation over the way France had handled the Panama situation during the twenty years since de Lesseps' plans were first formulated, had aroused the interest of the American public. The press of the United States heralded it louder and louder that the canal must be an American one. The old clap-trap about making the canal neutral, international and what not, was forgotten.

On April 27th, 1898, the United States began military operations against Spain in Cuba, the key to the isthmus of Panama. By a strange coincidence, on the same day France was enacting the last act in her control of Panama by trying the case of Quesnay de Beaurepaire, the Procureur of the Republic, in the Court of Cassation. The Cuban war resulted in the expulsion of the Spaniards from Cuba and the passing of the island practically into American control. Porto Rico was also annexed and the Philippines conquered. America's position on the Gulf of Mexico and the Carribean Sea was strengthened to an extraordinary degree. After that the Panama Canal question became a topic of daily discussion in the American press.

In his message of Dec. 7, 1898, McKinley declared that the

construction of the inter-ocean canal had become more necessary than ever to establish rapid communication between the two coasts of America and that the annexation of the Hawaiian Islands and the prospect of increasing American commerce and influence in the Pacific Ocean logically demanded American supremacy over the canal. Such statements were radically opposed to the spirit of the Clayton-Bulwer treaty of 1850, which declared against the control of the canal by any one country. This alarmed the English press and Great Britain asked an explanation of the United States.

The reply was given that the president did not intend to repudiate the Clayton-Bulwer convention and would loyally observe its terms, which bound both Great Britain and the United States to the neutrality of the future canal. Both countries had pledged themselves never to seek exclusive control of the canal, and to prevent any breach of faith they both pledged themselves to erect no fortifications along the canal or in its vicinity; not to occupy nor to subject to their dominion the territories of Nicaragua, Costa Rica, the Mosquito Coast or any part of Central America; to establish no protectorate nor to contract any alliance in violation of this treaty. This was designed to put an end to the attempts of any single power to monopolize the great international water route.

It was, however, already evident that the Clayton-Bulwer convention had outlived its usefulness, that some fine day the United States would monopolize the canal. Not only had the strategic position of the great republic become one of great strength on the isthmus, but the economic might of the United States, its role in the world's economy, had increased to an extraordinary degree. In 1870 there were in the United States 808 steel foundries and iron-mills, with an annual output amounting to \$207,000,000. In 1900 there were but seven hundred of these mills, but the output had increased to \$800,000,000, i.e., had quadrupled. In 1900, the United States alone produced twenty per cent of the wheat consumed in the entire world, seventy-five per cent of the corn, eighty-five per cent of the cotton, thirty per cent of the coal, thirty-four per cent of the cast iron, thirty-seven per cent of the steel. In the opinion of American imperialists a country which is at the same time the granary, the iron and coal store, and the cotton warehouse of the world could not

and should not remain indifferent to what is going on in the rest of the world. The American nation could no longer shut itself up in the old boundaries. The imperialists were not satisfied with the inclusion of the whole American continent in the Monroe doctrine. Circumstances favored the American imperialists to an extraordinary degree. In 1899 the Boer war broke out. Great Britain saw herself completely isolated at that moment. Relations with Russia and France were far from friendly, and very strained with Germany. The United States availed itself of this favorable opportunity to propose certain modifications of the Clayton-Bulwer treaty. England consented to enter into negotiations. Concessions were made by her which resulted in the signing of the Hay-Pauncefote Treaty, Nov. 18, 1901. This provided that the canal, while remaining nominally neutral, should pass under the exclusive protectorate and complete disposal of the United States. The numerical strength of the English garrisons on the West Indies was to be reduced. In a word, Great Britain acknowledged American supremacy in this zone.

This result gained, the United States began negotiations with the Panama Company and purchased all its rights and claims for \$40,000,000. Then it remained but to overcome the opposition on the part of the Republic of Colombia, through whose territory the Panama Canal was to run. The Colombian senate did not recognize the agreement signed by the United States with the Panama Company and on August 12, 1903, rejected the claims. In view of this the United States government determined to foment revolution in Colombia, thereby bringing about the secession of the province of Panama. Beginning in September there began to appear in American newspapers articles to the effect that something was "doing" in Panama, that the whole district was in a ferment. On Nov. 6 a revolution broke out in Panama. It was headed by the French engineer Bunau-Varilla, who decided to offer his services to the United States government after his unsuccessful effort to save the canal with Russia's aid. The executive committee appointed Bunau-Varilla to act as its plenipotentiary to the United States. Under threat of intervention by the United States, the troops of Colombia were not allowed to resort to arms in suppressing the revolt. On Nov. 18, 1903, the adventurer Bunau-Varilla, in the name of the provisional government of the newly created Republic of Panama, signed a treaty under which

the United States assumed full ownership of the canal. This was to include both its outlets, on the Atlantic and Pacific, and a strip of land about ten miles wide, adjoining the canal. Colombia, thus deprived of its property, proposed to its masterful neighbor that the question be submitted to the Hague tribunal for arbitration. Secretary Hay indignantly rejected this proposal. Thus at last was fulfilled the desire of President Grant, the father of American imperialism, "An American canal owned by the American people and situated in American territory."

The treaty signed by the United States with the new republic of Panama, which fell completely under the ascendancy of its creator, is the last big episode in the diplomatic history of the Panama canal and at the same time marks a new stage in the development of American imperialism. On Feb. 27, 1911, Congress adopted a resolution as to the necessity of fortifying the Panama canal and voted an appropriation of \$5,000,000 for the preliminary work of erecting defensive fortifications. Thus the imperialist policy of the United States was brought to a logical conclusion.

In a speech delivered before the Pennsylvania Society of New York on Jan. 21, 1911, the peace-loving President Taft, loth to be outdistanced by Roosevelt, criticized the proposal to neutralize the canal by means of international agreements, and raised the question whether having spent \$500,000,000 for defense, the United States ought to renounce half the military value of the canal by conferring advantages upon nations that at any time might become hostile to it. Mr. Taft said he yielded to no one in love of peace. He was ready for treaties that should make peace more likely than it had ever been before, but withal he could not help admitting the possibility of war. The time, he thought, had not yet come when we could count upon settling all international disputes by arbitration. Therefore, the canal must be fortified. President Taft's energetic agitation in behalf of fortifying the canal was crowned with success. Congress determined that a casual \$19,500,000 would be required to make the fortifications. Six forts were to be built, two on the Atlantic coast in the vicinity of the city of Panama, and four on the Pacific coast in the vicinity of Colon. The garrison of the canal zone was to consist of eighteen companies of artillery, fourteen regiments of infantry and a troop of cavalry. Thus at the en-

trance to the canal the strongest fortifications would arise, equipped with gigantic guns of great range. A whole army was to guard this "neutral" canal, which would thus become a second Gibraltar in Yankee hands. Furthermore, in order to gain a hold on all the routes leading to the Panama canal, the United States government, through a dummy, acquired considerable land concessions in the Galapagos Islands, belonging to the republic of Ecuador and situated in the Pacific Ocean. However, the government of Ecuador refused to surrender by formal act its sovereign rights to the Galapagos islands, or to cede these by a ninety-nine year lease to the United States for \$15,000,000. Of course, the government of Ecuador will be made to pay dearly for its stubbornness. Following the traditional method of all powerful states in dealing with their weaker neighbors, the United States will endeavor to make anarchy more acute in Ecuador, will secretly supply money and arms to all malcontents there, will foster sedition in the country and will finally compel Ecuador, exhausted, to yield at every point.

In one way or another, the Panama canal, in contrast to the Suez canal, will become at the same time a great point of strategy and a military base, which like a two-faced Janus looks with the yawning mouths of its great range guns in two opposite directions: upon the Atlantic ocean toward England, Germany and the whole of the European continent; upon the Pacific ocean toward Asia, the multi-millioned market, for which the American bourgeoisie has longed for so many years. It is needless to dilate upon the degree to which the military power of the United States will be increased by this canal that will enable it to hurl its squadrons at any moment from the Atlantic to the Pacific ocean, and vice versa.

However, before long the great merchant vessels of all European countries will when entering the canal solemnly and submissively defile before the open jaws of forty odd American 12-inch guns and mortars and other more insignificant pieces. What an irony after all the peace speeches of Taft, our courts of arbitration and international agreements! When the canal is opened, the first salute will come from the formidable American batteries whose volleys will proclaim to the world the beginning of a new era in the history of international commercial relations.

THEORY AS A SOCIAL FORCE

By L. B. B.

The other day the *Call* published an editorial article on "Theory as a Social Bogeyman." The author of the article points out the curious fact that there is a vast difference to the mind of the "average bourgeois" between a "crime" committed for its own sake, so to say, and the same action committed in pursuance of a "theory" which requires or justifies its commission. Our author further observes that:

You can do about what you darn please in the way of sabotage or divorce or gambling or blackmail or a hundred other things, provided you don't publicly proclaim that you have a theory that justifies them. When you do that the action that never took place becomes infinitely more terrifying than a thousand that actually occur, but which the perpetrators disclaim to hold any theories about. They do them and say nothing, and nobody ever gets very excited. The law punishes them, to be sure, when caught, but if they told the judge that they did so because of a "theory" they hold, their punishment would be increased tenfold.

He then proves his thesis from our every day experience:

Every week or so some alleged "black-hander" throws a bomb into an Italian store or tenement hallway for purpose of blackmail. The matter is disposed of in a short item of half a dozen lines, perhaps a dozen, if somebody is killed. The wretched little Silverstein, who some years ago threw his pretty little bomb in Union Square and killed himself and a bystander, got column upon column of space because he was described as an "anarchist," and therefore was popularly accredited with a "theory" of bomb-throwing.

The other day, according to the press, a bunch of striking waiters threw some bricks through the plate glass windows of the Hotel Astor. Whether this is true or not, nobody got excited about it. It could be disposed of in one short paragraph, and it was so disposed of. But let some one march up Broadway with one solitary brick in his hand and heave it through the hotel window, get arrested and use a "theory" to defend himself when before the magistrate, and what would happen? Why, the *Sun* and its contemporaries would use columns to describe the fearsome social menace of a man with a "theory" throwing a brick."

And then our author proceeds to poke some rather clever fun at the expense of the stupid "average bourgeois" and his editorial mouth-pieces for being frightened at the bogeyman, Theory, while regarding with comparative equanimity actual Fact.

The phenomenon observed is undoubtedly true and interesting. But are the "average bourgeois" and his editorial mouth-pieces really so stupid? Is the laugh really on them?

Let us see.

First of all; are the "average bourgeois" and his editorial mouth-pieces the only ones who are afraid of that bogeyman, Theory? How about the intelligent, class-conscious, proletariat and its editorial and other mouth-pieces?

In May, 1912, the representatives of the intelligent class-conscious part of the working class of this country met in convention at Indianapolis. The convention was confronted with two important facts of the labor movement: One a live, actual one; and one of the bogeyman variety. The confession of the McNamaras and the revelations which preceded and followed it showed an alarming prevalence of the use of violence and the "criminal" destruction of life and property by organized labor in its struggle against organized capital. At the same time it appeared that a certain portion of the working class was beginning to incline to a theory which justified the use of violence and the destruction of property in labor disputes, although not in quite as reprehensible a form as that actually practiced by the McNamaras and their associates.

What did the convention do?

Why, it did nothing about the crime and violence that were actually committed by the McNamaras and their associates. But it got terribly excited about the alleged theories of Haywood and his associates. To use our author's own phraseology, Haywood's "action that never took place became infinitely more terrifying" than the McNamara's "thousand that actually did occur," because the latter acts belonged to the class about which "the perpetrators disclaimed to hold any theories." The excitement into which the convention was thrown by that bogeyman, Theory, resulted in the adoption of some very stringent regulations—against the bogeyman, not against the actual Fact.

Art. II, Sec. 6 of the national constitution of the Socialist party strictly prohibits and penalizes the "advocacy" of crime, violence and sabotage. According to the supreme law of the Socialist party if a striking waiter or sympathizer heaves a brick through the plate glass window of the Hotel Astor he goes scot free, provided he holds no theories about it. But if he should attempt to justify his action by a theory, or even leave the brick alone but hold the theory, dire punishment will overtake him. "For"—says the national constitution of the Socialist party—"when you have a theory that justifies such actions, the

action that never took place becomes infinitely more terrifying than a thousand that actually occur, but which the perpetrators disclaim to hold any theories about."

Was the Socialist party convention simply stupid when it adopted "Section Six"? By no means. It may have been wrong—we believe it *was* wrong—but it was far from stupid. And even less so are the capitalists when they look with unruffled countenance upon thousands of actual infractions of its laws and its morality, but "view with alarm" the advent of any theory that justifies such infractions. The fact is that a social theory is not a mere "bogeyman" but a tremendous social force. That is why the bourgeoisie spends such enormous amounts of money and energy to combat all Socialist theories, particularly that body of theory known as Marxism. That is why it supports innumerable institutions of learning and other organs of public opinion whose chief function is to expose the "fallacies" of the Marxian theory. That is why the discovery of any alleged "contradiction" in that body of theory, and every negation thereof or departure therefrom by any portion of the working class are hailed with so much delight by the capitalist class, particularly its more intelligent spokesmen. And that is also why many of its cleverest spokesmen have taken to scientific nihilism, attempting to shield themselves against the menacing theories by the denial of all theory.

But the menace of certain theories does not consist merely in their power as a weapon in the social struggle, but even more so in the symptomatic relation which they bear toward that struggle. The appearance and spread of a certain social theory is the expression of certain social and economic changes which are taking place in the body politic. Notwithstanding the fact that its apologists are constantly endeavoring to disprove the correctness of the Materialistic Conception of History, the capitalist class feels instinctively that this menacing theory is correct. It feels in its bones that these menacing theories are the translation into ideas of very substantial and material changes of social relations, consequent upon deep-seated economic changes, and foreshadowing revolutionary shifts of social power.

Far from being stupid, the capitalist class displays remarkable sagacity in appraising "crime" and theories justifying "crime" at their true respective worth. "Crime" as "crime,"

that is, the infraction of laws the binding force of which is not denied by the infractors, has no social significance whatever, except in so far that a multiplicity of "crime" shows a diseased condition of the social organism. But a theory justifying certain "crimes," or rather denying the binding force of the laws declaring certain acts to be "crimes," shows the advent of a new morality, the rise of a lower class in revolt. "Crime" in the ordinary acceptance of the word, is always an individual act. Even the so-called McNamara "conspiracy" was the act of the individual conspirators, notwithstanding the great number of persons involved and the even greater number of persons who, although not directly involved, were privy to it by shutting one eye upon the doings of the "conspirators." This crime did not, therefore, in any way menace the existence of the capitalist social order. The capitalist system can take care of its criminals through the regular channels—courts, sheriffs, jails. The McNamara affair therefore, notwithstanding its magnitude, caused only a ripple of excitement in the organs of capitalist public opinion, some demands for a strict enforcement of the "criminal laws" here, and some sad reflections and searchings of heart there. The latter were due to the fact that the magnitude of the affair showed to the capitalist class the diseased condition of its system, in this country at least. Many a reformer and progressive must have thought that the powers that be in this country must have driven things too far when so many conservative trade-unionists, thorough believers in our system of law and order, were driven to commit such serious infractions of its rules and regulations. This was clearly a case for reformation of abuses. But there was no cause for serious alarm.

But it is quite different when instead of a widespread "conspiracy" for the secret individual infraction of "law and order," there is a widespread open defiance of our whole social system in the name of a Theory. A theory, and particularly a widespread theory, is the offspring of the intellect and moral consciousness of masses in their mass-capacity. A theory which denies the accepted canons of morality and runs counter to the established principles of "law and order" is the accompaniment of a class revolt. Its mere appearance shows the inception of that revolt. Its spread shows the growth of that revolt.

Surely, here is "menace" enough.

CHARPENTIER—MUSICAL ANARCH AND LABOR AGITATOR

BY ANDRE TRIDON

Charpentier's election to the French Academy will in no way enhance his glory.

In a very clever French play full of satirical flings at the Immortals, one of the characters asks an usher of the Academy to open a window during a meeting.

"There are no windows here, Madam."

"How do you change the air?"

"We never change it, Madam."

Unless a cynical indifference has come upon Charpentier with his fifty-second year, he is likely to insist on having a window left open. I should not wonder even if the author of "Louise" and president of a revolutionary union insisted on leaving the door open, so that he could make his escape. For the French Academy, founded once by an aristocratic individual who wished to sanction one type of literature, has never been representative of anything but the day before yesterday in art and letters. Sartorial distinction and drawing room achievements, coupled if possible, but not necessarily, with some talent, are the only prerequisites for admission to the forty snobs' club. Bishops who were not pulpit stars, generals who didn't even conduct warfare according to decent ethics (a butcher of Morocco, for instance) have been added to the ranks of the immortals.

What is Charpentier doing there? Charpentier is not a snob. It was my privilege to meet him several times during the weeks preceding the first performance of "Louise." He did not look prosperous, nor did he take pride in his seedy appearance; he wasn't famous, nor did he parade his grudge against an uncomprehending world. He was simply kind and natural and eager to see "Louise" succeed, "so I can write another opera right away."

His father, a baker from Lorraine, left the lost province and settled in a small Northern town. Little Gussie first wrapped loaves for the patrons after school hours and then became an errand boy in a textile mill. After several years he was promoted to a chair in the bookkeeping department. His success in the

violin class of a night school attracted the attention of the mill-owner, who sent the boy to the Lille conservatory at his expense. He soon won a full scholarship and went to Paris to continue his studies. Clashes with the instructor in violin caused him to forsake a virtuoso's career and to enter the harmony and composition class. He studied under Pessart and Massenet, and in 1887 was awarded a Prix de Rome, which meant that he could spend several years in the capital of Italy at the school supported by the French government, with unlimited opportunities for the peaceful and comfortable leisure without which no art work is possible.

The house regulations of the conservatory had been a dead letter to Charpentier; quite as cynically did he ignore the rules of the Medici Palace. The whole day the young composer roamed the Campania, growing more bibulous as night fell, and sometimes he returned to his quarters in the early dawn, sometimes began another day as soon as one had waned.

He never quite entered the composing mood until all his associates of the Roman school had gone to sleep; his window pane had consequently to be replaced at regular intervals. Drunk with the riotous colors of the Italian landscape as much as with flowing spumante, he became, not only in his habits, but in his personal appearance, an explosive element in the artistic colony. A leonine mane covered his shoulders and he draped himself in a Spanish cape of gory cloth.

Papa Hébert, director of the school, tried in a diplomatic way several times to convert him to sartorial orthodoxy. One day, at last, he had a small trunk sent to Charpentier's room.

"You see this trunk, young man? You are going to fold this red thing up and then we will lock it in here until you are ready to take a train for Paris."

"Willingly, papa," the anarch answered, with an obliging smile. "On one condition: that is, that your cap and your slippers keep my cape company."

Papa's skull protector and heelless footgear had always been inexcusable. From that time on, Charpentier flaunted undisturbed his Rembrandt gorgeousness on Rome's sunny walks.

"Impressions of Italy" and the "Life of a Poet" were the fruit of those Dionysian years. Which of his studious fellow pensionnaires could have done better justice to these two subjects?

In 1890, he was back in Paris, a down-and-outer, little fitted

for drudgery, less fitted for successful intrigue, all his brain full of visions dimmed by the sordid struggle for food and by the grey skies of Paris' drizzly winter.

He had written the first act of "Louise." While solving the food and shelter problem, he now and then scribbled a few bars. He taught a little, fiddled a little, copied scores incidentally and thus the daily struggle frittered away four years of his life. In 1894, "Louise" was completed.

"Fine work," pronounced Carvalho. "I am going to produce it."

An opportunist would have sacrificed his first born to secure a hearing for his artistic children to be. Not so Charpentier. Carvalho's proposition included a reshaping of the opera, transferring the poignant tenement story to the Boulevard and changing the time from the present day to the 18th century. Choruses of models and choruses of beautiful patrons in a Louis XV dressmaking palace would have replaced the chatter of the shop girls; discarding the old clo' man and the voices of Paris, Charpentier only had to introduce a few beplumed seigneurs and a royal procession. Carvalho was to spend 100,000 francs on costumes. Tempting! Not for Charpentier. Much abused by his friends and advisers, he took his score home and buried it in his trunk with the crimson cape of his Roman days.

At last, a journalist whose name is not unknown in this country, Huret, having done a favor to Carré, director of the opera Comique, asked that in return, Charpentier's opera, which had been rejected previously, be reconsidered for production. Rehearsals began a week after. On February 1, 1901, the first performance took place. A violently revolutionary work, a piece of obscenity, the critics called it. Singers were rather prejudiced against a work that provided no final curtain for the tenor. The social significance of the work was distorted wilfully. When a rag-picker sang on the stage the line: "To think that some women sleep in bed-sheets of silk . . ." some boxholders threatened to leave. But the public came back to see "Louise" one hundred times within one year, a record equalled only by three other operas in the course of the past thirty years. The public refused to blush with the critics who in their marvelous Comstockism forgave Sieglinde, the Goddess, for being incestuous, and Isolde, the Queen, for being adulterous, but felt horror at the unlicensed love of a dressmaker and an artist.

Later, the French Academy manifested its disapproval of Charpentier's vulgar work by refusing him the Mombinne prize. Thereby hangs a tale. In those days, orchestra musicians drew marvelous salaries of fifteen to sixteen dollars a month. Charpentier organized them in a protective union. Saint Saens

also organized some of them in another protective union. Charpentier's union, however, was a red one, that is, a fighting one: Saint Saens' a yellow one; that is, ready to accept the employers' terms regardless of what they were, provided they got jobs. Twenty-four hours before one of Saint Saens' operas was to be performed, Charpentier called a strike of his union and disorganized several orchestras. The reds went back to work in consideration of a raise of twenty cents a performance. Later, it was upon Saint Saens' report that the Mombinne prize was not awarded to Charpentier.

Had success come a trifle later, Charpentier might not have enjoyed it very long, for his years of poverty had told very heavily on him. Comfort and foreign travel, however, very soon restored to him his physical poise and he at once proceeded to impart to the working classes the secret which had helped him over many a disappointment: a love for true art.

One of his most successful undertakings was the Mimi Pinson Society. Its aim was to teach the working girls beautiful, though simple songs, to take the place of the trashy dirges or vulgar vaudeville tunes they sang in the shop or at home. The immortal author of "Louise" saw his intentions suspected a good many times; in spite of all, the Mimi Pinson groups grew like mushrooms, first in every district of the capital and then in every city and town of the provinces.

And now the Monte Carlo Opera, one of the most prosperous and progressive in the world, is announcing the first performance of "Julien," a sequel to "Louise," after which the Opera Comique is to produce "Love in the Tenements," another musical drama whose scene is set in the environment where Charpentier was born and whose characters are not the stereotyped kings and noblemen of French and Italian opera, nor the preposterous Wagnerian gods, but the human beings with whom young Charpentier once grew and toiled.

Once more, I ask: What is Charpentier doing in the Academy?

EVIDENCE

By Charles Vildrac

Translated by Sasha Best

I have lost my way. I am in a part of the city that I know but little, and I am trying to find a street, of which, up to this day, even the name was unknown to me. I realize that I have lost all sense of direction. The wisest thing now will be to ask the way.

A man down there is coming my way. I do not know whether to address him or to choose another. I am waiting to see his face.

Good. I can accost him. I shall commit no indiscretion if I address him; he does not appear to be oppressed with cares or affairs of business, nor is he in meditation. He is a man whose business, it seems, is to run errands; he goes along deliberately, without hurrying, but without loitering.

Now we are facing each other. The eyes that meet mine are full of good nature. I hesitate no longer.

"Excuse me, sir, but could you show me to the rue Dozulé?"

He answers my salutation, stops, and takes hold of his beard with a perplexed air.

"Wait a minute, rue Dozulé? Rue Dozulé? That must be a new street —"

Just then a delivery man passed by, a sort of box over his shoulders, and the name of a large firm on his cap. My man stops him.

"Eh, sir, you ought to know it—you there—rue Dozulé?"

The man puckers his eyebrows an instant to force his memory. Then he says simply:

"I will find it for you."

He is a jovial fellow, with powerful hands. He sets down his box on the pavement, he searches in his coat pocket, and out comes a little guide. I am truly confused. I say to him:

"I fear I am putting you to a great deal of trouble."

"Oh never mind; it rests me a bit." And he runs over his guide-book, repeating to himself: "D—D—D—D—Do."

While he is searching, the other advances an opinion:

"That street there ought to lead into the rue Marie. There is a little street down there, I have often seen it, but never knew its name."

Suddenly the thought comes to me that here are these two, busied with me and my street; these two, who know nothing of me, who have nothing to expect of me—and yet see them, full of my street and me! The thought fills me with joy and gratitude.

The delivery man has found it. "Well, old man, you are mistaken, it does not lead into the rue Marie. Rue Dozulé begins at the avenue Alfred De Vigny, and ends at the square du Petit Auteuil. It has thirty-five numbers. To which number do you wish to go, sir?"

"Number six."

"Then you must go to the avenue Alfred de Vigny."

"But you will have some distance to walk," remarks the other with sincere uneasiness.

And there they are, both of them anxious to establish for me the best itinerary from the point where we are to the avenue Alfred de Vigny. I listen to them and wait, a stranger to the debate, but full of confidence. And how happy they make me. How could I lose hope in the goodness of human kind before these two, who are applying themselves to trace my way for me, to spare me as many steps, as much time, as possible.

They are now in accord. The itinerary of the delivery man has been adopted. I shall have to take the first street to the left; after

that things become complicated. I assure them that I understand very well; but the little employé instinctively feels that in an instant I shall have forgotten all. He takes out his pencil, finds a bit of paper in his pocket, and draws a brief plan with the approval of the deliveryman.

I leave them, I do not know how to thank them enough. I should like to help the delivery man put back his charge on his back, but he is too quick for me and does not give me time.

I quickly reach the point where I must turn to the left; then I turn around.

They are no longer together; they are not even on the same side of the street, but each has stopped on his sidewalk to follow me with his eyes, and to make sure that I am really going to turn to the left. If I were heedless to go on straight ahead, they would call me back with a cry.

Before disappearing, I wave them a salute with my hand; then I examine the little paper that contains all their carefully drawn instructions.

The plan is clumsy, but the names of the streets are written out with all their letters and quite legible. It makes me think of the written recommendations given to children.

Now my gaze falls on others passing by. I scrutinize them. Would they, too, have helped me to find my rue Dozulé? Are they all like the two men of a minute ago?

Yes, almost all. I know that they are all like the two men of a minute ago, and I rejoice in this certainty, that if it comes to the very worst, I would meet men who would be like them, without any effort, without even being aware of it; that if I were to stop that disagreeable-looking citizen over there and politely ask him to give me a light, he would hand me his cigarette with careful alacrity, would watch over the proper lighting of my cigarette, and we would at least exchange a smile.

And once again I have touched the humble treasure on which we must all build. It is not secret, it is not hidden; like the air and the light, it is real, apparent everywhere.

EDITORIAL NOTE

In the last issue of the *National Socialist*, A. M. Simons publishes a reply to William English Walling's article on "The Socialist Party and the Farmers" which appeared in the first issue of the *NEW REVIEW*. That reply was first offered to the *NEW REVIEW*, and I declined to publish it for the reason that it repeatedly charged Walling with wilful and deliberate falsification. Again and again I asked Simons for an objective reply such as he informed me he had sent to the *Neue Zeit*, in which Walling's article appeared about the same time as in the *NEW REVIEW*, but with no success. I am confident our readers will agree with me that the *NEW REVIEW* should be maintained as a medium for the serious discussion of serious problems, and not for personal vilification.

H. SIMPSON.
