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DMESIS.

BY CHARLES S. PEIRCE.

THE mathematician Sylvester, (whose false accusation against me, hastily made and wickedly persisted in, is powerless to affect my estimate of his genius,) created, when he was in this country, a mathematical journal, which, by virtue of his fecundation, still makes a not quite insignificant figure in the thought-building business of this world; and upon the title-page of it he wrote for a motto that phrase of the Epistle to his people, *πραγμάτων ἔλεγχος οὐ βλεπομένων*, "the evidence of things not seen." One wonders what he meant. Sure, mathematics only makes plain things that *are* seen, and less than any science is disposed to take anything on *faith*. But I guess the motto was covertly addressed to the thinkers of Europe, and meant to say, "you may jeer at the idea of fruits of pure intellect ripening in America; it is, indeed, a thing hardly yet seen; but the establishment of this journal is my testimony that a germinal capacity for higher things is here." No doubt, it amused the Jew that Christians should not resent his thus using one of their holiest symbols to serve the purpose of a calembourg.

How wonderfully Christian faith has been dissolving away since the appearance of the "Origin of Species"—especially among the clergy! Whether this is true or not of Christian faith considered as the acceptance of a formula, I am sure that it is if the phrase be taken in its more spiritual sense, for that attunement of the mind to nature which renders the truth of the beatitudes axiomatic. It is a trite remark enough that the general idea of those hyperbolic statements is the first principle of Christianity, from which the rest naturally flows. I am one of those who think this idea is also the heart of true philosophy;—an idea that ought to be carried out, right away, at all hazards, and to all lengths. But I find each year fewer people to agree with me in this.

In order to illustrate how I would conceive that the policy of the State ought to be governed by Christian Faith, let me ask upon what justifiable pretense do we punish criminals? They are secluded from everything beautiful and elevating, and are treated in the harshest

manner and the most tetrical spirit, and just as they are settling down to this mode of life, are turned out, to be caught again in a few months; and this is repeated over and over again, all their lives long. If they are capable of being made worse than they were when first taken, the imprisonment accomplishes it. The common run do not suffer, because they are utterly insensible. Even those who were respectable are relatively unfeeling persons,—and if they suffer at first, their imprisonment soon deadens all capacity for pain. The anguish and the misery is for their good wives and children and parents. This is the way we are treating criminals, to-day; and I do not ask what our real motive is; for I have no leisure to dispute with persons who choose to shut their eyes to the fact that we really punish criminals because we detest them. But I ask, what is our excuse for such behaviour? Some will allege the authority of the bible. But the bible is an accursed book if it can properly be used to justify iniquity. An unchristian maxim would be unchristian though the angel Gabriel were to descend to utter it. The very idea of Christian grace is that we can draw from within our own breasts the truth of God. We cannot shirk responsibility for wickedness by any bible-texts. Others will say, we must punish criminals because the State is under an obligation to preserve itself. It is true that such an obligation exists. Only, as Whewell well says, "we may speak of the duty of self-preservation as the *lower* duty of a state in comparison with other duties, such as the duty of rendering its subjects moral and intelligent, which are its *higher* duties."* But self-preservation, while not high on the scale of duty, is a forcible excuse for wrong-doing. Others, and they are very many, will hold that punishment is involved in the higher duty of the State to "maintain true religion and virtue." Still others, while repudiating any such duty, will maintain the opinion that punishment is justified by the principle of the greatest good to the greatest number.

Here, I believe, are all the reasons that are to be alleged for the justification of punishment; and there is many and many a mind who will conceive that the

* *Morality*, § 848.

next problem is to fit these together, like a Chinese puzzle, to cover the case. But that is the practice of a rhetorician, not of a logician, nor of a philosopher. The proper method is to examine each of these reasons and see whether it be valid or not. The one which, I doubt not, has strongest hold upon the minds of men is the notion that it is the duty of government "to maintain virtue"; for Protestants hardly think any longer that it is its duty to support the church. So long as government is imposed upon the people from above, and the people have no say in it, its duties, whatever they may be, are no concern of the people. But just so far as we have any power to determine what the government shall do, its acts become our acts; and we can delegate to it no right to do anything which we have not ourselves a right to do. The theory that the government has rights not derived from the people, but from God, but yet that the people have a right to determine what God's institution shall do and what it shall not do, may be the Puritan doctrine, but it is a miserable device to absolve men from responsibility for atrocities. In a government by the people, the whole question is, What right has one man to punish another? I will grant that it is every man's duty to maintain true religion and virtue. It is his duty to do this, first, by exemplifying them, and secondly, by loving persuasions. But any unamiable conduct toward those who seem to violate the precepts of religion and virtue is prohibited by the prime principle of Christianity. "Vengeance is mine: I will repay, saith the Lord."

Putting aside this reason, then, there remain the two principles of self-preservation and of general utility. These connect themselves with the right to punish only upon the supposition that punishment goes to prevent crime. Upon these principles, then, punishment is inflicted solely in view of its effects in the future, and not at all in retribution for the past. Punishment, as so justified, ceases to be punishment; it is only prophylaxy. In that view, a man cannot be punished for anything past and done, as such, but only in so far as what he has done indicates what he or others may do in the future. But the *guilt* of a man, upon those principles, can neither justify nor aid in justifying the infliction of any pain. With his guilt his fellow-citizens can have nothing to do; and in the question of inflicting pains upon him, he is to be looked upon, so far as their action is concerned, as a citizen worthy of the same consideration that any other citizen receives.

The way in which the principle of self-preservation works is best seen in an example. Suppose the authorities get the idea the country is in danger of invasion. They may send an army which may erect an earthwork on the land of one of their own citizens, and ruin

his estate. It is an outrage upon him; but the excuse for it is the terror of the people. So far as punishment can be justified by the principle of self-preservation, it is simply an outrage upon the individual which danger of imminent destruction of the state has rendered necessary. Now it is not truthful to say that the government is put into fear of its existence by the doings of a sneak-thief.

But if the attempt to justify punishment by the principle of self-preservation is ridiculous, the attempt to justify it on utilitarian grounds is far worse. It is barbarous, revolting, and unchristian. The idea of putting a man to death, or, more dreadful still, of imprisoning him for years, deadening his soul and disgracing him for life, not for any guilt of his, but just for the sake of distributing to each unit of the population a fraction of a cent's worth of additional security! Why, such a principle would reduce cannibalism to a question of how much meat a man would yield! The Christian conscience condemns such villany with its strongest emphasis! Utilitarianism is the spirit of hell.

The amount of it is, you have no right whatever to punish criminals. The most that can be said is that if you can see no other way of defending yourself against them, and are afraid to do the Christian thing, then the weakness of your faith, your inability to keep steadily before your apprehension the fact that the Christian course of conduct is always the strongest course, must serve as your excuse.

Even this excuse shrinks to small dimensions when we inquire into the assumption on which it rests, that punishment prevents crime. Punishment does not prevent all the crime that actually gets committed. As a matter of well-determined observation, it has no deterrent influence upon the criminal classes. Some new and horrid penalty might affect their imaginations; but the punishments they know so well do not. A regular criminal, after years of incarceration, will repeat the act so punished, in the first fifteen minutes after his release, if he only finds an opportunity. All that punishment affects is, first, to modify misdeeds, and cause, for example, a person to live by swindling instead of by direct theft, and second, to deter some respectable people from yielding to mighty temptations. In the former class of cases the cure is worse than the disease: swindling is more dangerous and more harmful than theft. In the latter class the temptations are mostly owing to the neglect by the state of its higher duties; and it must not plead the effect of its own neglect as its excuse for committing an outrage.

A friend looking over my shoulder, asks: "How would you treat criminals, then?" Me? Oh, well, you know I am no penologist; and perhaps I could

not give a very wise answer to that question. But I should love them; and should try to treat them with loving kindness in the light of truth, and should hope for the blessing of heaven on my effort. I know that they are deformed or diseased souls. I feel that their being so is, in some unknown measure, the fault of our own grinding selfishness, our thoughtless dishonesty. Some degree of care and tenderness we owe them as a debt, and the residue not so owing I would give them if I could. They are weak and miserable, and need better care than other people.

My friend thinks I cannot logically escape proposing some definite plan. If so, I can only offer what my first principle seems directly to suggest. It will serve as a preliminary sketch of a way.

1. A judicial process substantially the same as the present form of trial shall* determine the criminality of the accused. I use the word criminality to denote the commission of an act which the state will regard as affording a conclusive presumption of an unsound mind.

2. Upon conviction the criminal will be handed over to the care of an executive commission of psychopathologists, to be appointed by the civil power, but to be dismissed at the bidding of a parliament of criminologists.

3. The criminal, now become a patient, is to be under the charge of this commission until discharged by it as cured.

4. During this time he will be confined in an asylum as closely as may be necessary, but in the most agreeable possible manner, and with the most refining and elevating surroundings.

5. The patient will be prevented from propagating the species while under treatment.

6. The most essential elements of human happiness being exercise and self-respect, the patient will be trained to earn his share of the expenses of the asylum in which he is confined; and his treatment will be somewhat proportioned to the amount of his earnings.

7. The products of the patient's labor will be disposed of at the highest market prices, and preferably in foreign markets. The whole thing will be run in a business-like and profitable manner.

8. Everything about the asylum will be made beautiful, and everything will be done to awaken the higher man. Under a proper economy in the distribution of labor, the better man will be the better workman.

9. The patient will be interested in the system, and in works of personal benevolence.

10. Upon his discharge, which, if it ever takes place, will only be after many years, the former patient

will be provided with a situation in which he may earn a sufficient living and may aspire to satisfy his desires.

11. At first only the grossest misdeeds will be dealt with, such as violence and theft. All attempt to deal with others will be abandoned for a time, until these worst crimes have been nearly eradicated. When there is room in the asylums, such ill-doing as drunkenness, impurity, gambling, and cruelty to animals will be taken in hand. Finally, perhaps even dishonesty and idleness may be attacked.

I hold that it is the duty of the state to do all this, or something better, no matter what the results may be, no matter what the cost may be. At the same time, it is proper to forecast the results and the expense, so far as we are able to do so.

The results are divisible into the effects on the criminals and the effects on society. The first of the former will be that the entire world of habitual criminals will shortly be shut up for good. For convictions will be more readily pronounced than than now, defenses will be less strenuous, and confinement will continue during life, or a long series of years, instead of for a few weeks or months, as now. Thus, habitual crime will soon be brought to an end. The small class of non-habitual crimes to which existing punishments are deterrent will, no doubt, be somewhat increased; but only slightly so, because the chief preventive part of punishment, which is the social disgrace, will remain only too severe under the new system, as it is now. It will be all the better for the health of the body politic that these malignant humours should find some vent, and society be purged of those whom nothing but the fear of judicial punishment restrains.

The greater part of the habitual criminals will, I admit, prove to be absolutely incurable; for their disease is congenital and organic. They will, however, be made as happy as it is possible for them to be; and all will become industrious. A considerable minority will be redeemed into a state of self-respecting citizenship. This will be the case with all non-habitual and non-hereditary criminals. There is not one of any class who will not be a happier and a worthier man under the new system than he is at present.

By far the most important effect upon society at large will be the direct impression received from the public disavowal of and repentance for the present hatred of criminals. Two gospels are current in our day. One is the gospel of Christ. It proclaims that God is Love; that Love it is that is the creative, the vivifying, the evolutionary principle of the universe; and that if we can only enter into the spirit of Love, so as to see how it acts and to put our trust in it, then we shall be able to bring about a new stage of man's development. The other gospel is the gospel of politi-

*I am bound to use the simple future; for politeness would forbid my seeming to doubt that people will embrace with alacrity the first means that presents itself of pouring out their Christian love upon a large class of their neighbors.

cal economy and of natural selection. It teaches that the great engine of all advance, the redeemer of the world, is the combination of bestial passion, ruthless selfishness, and famine to exterminate the weak. Now, there are plenty of people in this world silly enough to try to accept both of these gospels together. They take the gospel of hate as the framework of their belief, and seek to embellish it with fringes torn from the gospel of love. But as Jesus profoundly said, you cannot serve God and Mammon. The moment the state has accepted any plan like the one here modestly suggested for the treatment of criminals, it will have committed itself to the gospel of love and have renounced the gospel of hate. The direct spiritual influence of such a choice upon each and every citizen would be incomparably the most important of all its effects upon society in general.

But the material consequences must be noticed, too. The elevating tone and civilising influence of such a spirit will in half a generation make itself felt in the diminution of all crime and increased security of property. Ordinary crimes will soon practically cease, because the entire criminal class will be under lock and key, and the criminal breed on its way to extirpation. The increase in a small class of crimes will serve to direct attention to defects in our social arrangements, the correction of which will be followed by the happiest results.

In estimating the cost of the new plan, it is to be considered that by far the greatest expense of the existing system is for the judicial proceedings. It is common now for men to be convicted twenty or thirty times over, and it would be cheaper to provide for them, for life, at the Hotel Richelieu. These expenses, on the new system, will not come to a tithe of their present amount; because no criminal will be convicted more than once. For the first few years the criminal asylums will be terribly expensive; but at length they will become fully self-supporting. Finally, private losses from crime will be diminished to a vanishing point.

Thus, from every side, blessings will be poured upon us, when we can once bring our hard hearts to give over our cruel hatred for these miserable brothers. For, observe, hatred alone it is that maintains the existing system.

I am perfectly confident that some sapient head will now be ready with the objection that people will commit crimes in order to be put in these asylums. If the people meant are criminals, that is, are about to commit crimes anyway, the quicker they get into the asylums the better. But if the idea is that truly virtuous citizens are going to cut the throats of their grandmothers under a false pretense of being wicked, simply that they may enjoy the reward of crime,

namely, hard labor and continence for life, then I think they ought not to be confined in criminal asylums, but in the mad-house, and the author of this wonderful objection with them.

PRISON PROBLEMS.

BY FELIX L. OSWALD.

It has often been remarked that the changes in the moral standards of a nation are reflected in the tendency of its educational methods, and a similar test might be derived from the varying principles of remedial education, applied to the management of our penal institutes.

At a time when the chief problem of life was supposed to consist in the enforcement of ecclesiastical dogmas, it would have been considered much less inhuman to stint a convict in food than to deprive him of clerical ministrations. After the conquest of Granada the Moorish prisoners, captured in the rebellious cities of southern Spain, were fed like dogs and stabled in subterranean dungeons; but the Spanish government went to a considerable expense in hiring able interpreters for the purpose of instructing the poor unbelievers in the tenets of the Catholic church. Extreme unction was granted to criminals who had asked in vain for a drink of water to mitigate the tortures of the rack; and Colonel George Ruxton, in his "Adventures in Mexico and the Rocky Mountains," describes an episode in a border-town where the representatives of Spanish-American civilisation massacred a whole tribe of Apache Indians, including a new-born child, that was dipped into a vessel with holy water "to save its soul," before its brains were dashed out against a wall.

In modern Russia Czar-worship outranks every other duty, and the Siberian mine-convicts, who work seven days a week and never hear the voice of a priest, are permitted to rest on the birthday of the Autocrat.

Our Christian-commercial civilisation still inculcates the efficacy of prayer in averting the evils of life—with one important exception. The appeal to the aid of preternatural agencies is supposed to obviate hailstorms and locust-swarms, wars and diseases, but we fully recognise its failure to prevent famine, and in the education of our children our tithe-gathering moralists waive the orthodox anathemas against the sinfulness of providing for the needs of the morrow.

Our convicts, too, are carefully trained in habits of industry, but the preservation of their physical and moral health is apparently still entrusted to the care of a miracle-working providence. Nothing but a miracle can prevent the development of pulmonary diseases in crowded buildings constructed on the plan of nine out of ten of our American state prisons, not to mention village jails and the man-pens of our southern

convict-camps. In the penitentiaries modelled on the Clerkenwell plan there are from three to five tiers, each containing about twenty cells and facing a wall with less than a dozen barred windows. The cells are eight by ten feet (sometimes only six by ten) and eight feet high, and have no windows, but receive their supply of fresh air through a grated door. Through-draught ventilation is in that way made not only difficult but impossible, and a direct current of fresh air can enter a cell only in case the wind is from the direction of the window-wall, though in many cases that chance is lessened by the obstruction of a higher outside wall or a factory building of two or three stories.

The health commissioners of Brussels, and afterwards of Paris, adopted a rule requiring the owners of buildings intended for tenements to provide six square feet of window front for each thousand cubic feet of room space—a proportion which is many times exceeded in the airy villas of our American summer resorts. But a tier-cell prison provides only about forty square inches of window front to each thousand cubic feet of cell space; in other words, the minimum of the tenement regulation exceeds the average of our prison buildings as twenty-two to one.

The school law of Michigan authorises teachers to exclude children afflicted with a troublesome cough, but in our state prisons scores of such patients saturate the atmosphere with the germs of their complaint, and consumptives continue to occupy their cells till the progress of their disease unfits them for even such light work as wool-picking or chair-making.

The contagiousness of pulmonary diseases has been practically recognised in the management of military barracks, where consumptive soldiers are promptly discharged, though their comrades pass a considerable part of their time in out-door exercise. What must be the effect of the disease-germs on convicts who have to breathe the same infected atmosphere day and night, since many of them have to pass their working hours under circumstances constantly associating them with lung-sick fellow-laborers. Many county jails of the rural districts have only a single dormitory, and in the southern convict-camps as many as fifty prisoners are often obliged to sleep in an ill-ventilated caboose, a box car with two small windows, and fitted with a double row of bunks. In the report on the cause of the Tennessee labor troubles one of the commissioners mentions the case of a young mulatto who offered to renounce the compensation of his over-time work if they would excuse him from sleeping—or rather stifling—in the wooden Bastille, and finally appealed to the humanity of the guards to connive at a few minutes' outing during the midnight watch. "I'm sorry for you, my lad, but I can't afford risking my situ-

ation; I couldn't do that to save you all from ——" well, from a still hotter place. "Maybe that caboose isn't good enough for you because you ain't coal-black," said another, "but if you are so delicate you shouldn't have let them catch you stealing." A few days after the plaintiff was in a fever-delirium, indicating an attack of malignant influenza. Exceptional circumstances may now and then involve such contingencies, but where they can be avoided we have no more right to infect our prisoners with the germs of lung diseases than to inoculate them with hydrophobia virus.

The author of "Medical Reform" mentions the case of a habitual drunkard who excused his relapses with the importunities of convivial friends and the temptations of a family reunion, etc., but who at last burst out into tears and confessed the true state of affairs: "The fact is, Doctor, I cannot stop drinking. Three or four times I have gone a week without liquor and thought I had got the better of my appetite, but it always returned, and such was the indescribable hankering that I could not have resisted if I had known that the penalty had been immediate death. I have tried my best to reform and have failed, and now, if I knew of a country where a man could live and not get liquor, I would start this minute." And experience proves that the proposed remedy might have answered its purpose without perpetuating the doom of banishment. After a period of total abstinence, varying from eight months to a year and a half, the appetite for strong drink becomes deadened and may be kept in check without a special effort—provided that the embers of the smothered fire have not been kept alive by the use of other stimulants. Yet the management of our prisons fails to improve that chance for making the loss of liberty a blessing in disguise. Prisoners, employed in out-door work are often permitted to avail themselves of the mistaken kindness of a contractor who tries to revive their good humor in a way which also revives the flames of a half subdued passion. The patients of prison hospitals are treated to alcoholic stimulants in cases where other tonics would answer the same purpose as well, if not better, since the insidious drug can under no circumstances be considered an indispensable means, either of maintaining or restoring the normal condition of the human organism. "Alcohol is not a food; nor is it a generator of force in the human body," says Dr. N. S. Davis, ex-President of the American Medical Association, "and I have found no case of disease, and no emergency arising from accident that I could not treat more successfully without any form of fermented and distilled liquors than with." And even without the pretexts of the tonic bitters fallacy, convicts of means have a notorious facility in procuring liquor, and in four out of

five state prisons chewing-tobacco is served out in weekly rations to all addicted to its use, and to many who hoard it as a make-shift currency (the surreptitious traffic in other forbidden luxuries being carried on in plugs and half plugs of tobacco) but who, in the meantime, are themselves apt to become habitués.

Ennuï of the most deadly sort, may often contribute to that result. In 1874 I made the acquaintance of a Mexican officer who had served a term in the Huntsville (Texas) state prison for participation in a questionable border-raid, and who ascribed the preservation of his reason to his talent for whittling ingenious toys out of beef-bones. "They kept me at work in a spool-room where the air was thick with cotton-dust," he said, "but the atmosphere of that place was not half as suffocating as the tedium of the long, idle Sundays. One of the guards knew that I could read English and loaned me an old almanac, but that was all he could do; they had no prison library and it was against the rules to give newspapers to prisoners. They had solitary cells and at first I was glad of that for I would as soon have been caged with a baboon as with a mestizo; but when the days got longer and warmer I would have given a week of my life for an hour's conversation with almost any human being, and by bad luck I had returned the almanac to its proprietor. After long intrigues I contrived to send a message to the owner and got the pamphlet back; but that was only a few week's respite. There were rhymed medical advertisements on some of the pages and I got that wretched rot by heart, till the mere sight of the screeed made me turn sick. But all that was a trifle to the horrors of the time when the factory was closed on account of a quarrel with the contractor, and we were kept in our cells day after day and week after week for more than a quarter of a year. At first I thought I would go crazy; but despair has resources of its own and I managed to procure a few pieces of broken glass and a lot of beef-bones. Some of the ornamental toothpicks I manufactured with those implements cost more work than a dozen chronometers, but they kept me from suicide or something worse. During the first half month there were days when I would have pawned my soul for a bottle of laudanum to sleep my misery away."

A combination of untoward circumstances makes the above perhaps an exceptional case, but the wretchedness of the predicament must have been paralleled in several western and even New England prisons, where more than six months of absolute idleness were repeatedly enforced on hundreds of convicts, many of them illiterate, or deprived of the privilege of using the prison library. There is a story of an old French playwright whose love of life was so extreme that he would have purchased his survival by consenting to

be locked up, with his books and writing material, in the garret of a high tower. But without such means of pastime, would he not have felt inclined to utilize the height of his Eiffel tower for a different purpose? In the case of solitary prisoners the temptation of suicide may often be lessened only by the weakening of moral stamina under the influence of such ordeals.

A correspondent of the *San Francisco Chronicle* gives an account of a convict colony in the Portuguese settlement of Mozambique,—a Gehenna where "a gang of malefactors are permitted to lessen the misery of their exile by working their fellow-prisoners to death. These privileged convicts have a chance to graduate from the position of a foreman to that of a custom-house sentry, and the fate of the chain-gang laborers may be imagined from the fact that the overseers in prison-garb are encouraged to earn their promotion by extra severity and a zeal for denunciation."

With certain modifications, a similar plan has, however, been adopted in the "trustee" system of many American prisons, that permit subservient convicts to perform the duties of deputy-overseers, and in lieu of a direct compensation, gratify their personal spites by chicanes and favoritism. Convict-riots are largely due to the petty tyranny of these functionaries, and if their victims, with their minds gangrened by the unsatisfied thirst of revenge, should, besides, have been deprived of their books and the privilege of outdoor exercise, it might well happen that this imprisonment would result in a physical, mental, and moral deterioration. Only the latter risk could, after all, be urged against penal settlements on the Botany Bay plan; and the objection that a sentence of transportation has no deterring effect on hardened criminals might, *à fortiori*, be applied to a short sentence of imprisonment. In such cities as Chicago and New York there are pick-pockets, drunkards, and burglars whom a dozen successive doses of the single-cell specific have failed to cure of their propensities. Even on the principle making protection of society the chief purpose of penal legislation, the habitual criminal act would, in such cases, seem the most effective expedient, and a well-managed convict colony would be less liable to the risk of a long term being equivalent to a sentence of death.

CURRENT TOPICS.

A GENTLEMAN by the name of Peck, who appears to be a Commissioner of something or other in the State of New York, instead of chasing game in the mountains, or fishing in the lakes, has devoted his vacation to the more exciting sport of hunting and tormenting the Democratic party. Seldom does a hunter wound so many birds with one shot as Mr. Peck did by firing off a "Report" asserting that wages has been raised in the State of New York since the passage of the McKinley bill. Mr. Peck's refreshing figures came like manna in the wilderness to the Republicans, and even the President in his letter of acceptance gratefully acknowledges

their invigorating influence. Meanwhile the Democrats in fiery anger contradict Mr. Peck, and call upon him for proof, very much after the style of the disputatious person described by Dickens: "Mr. Snobee," said Mr. Wilson, "is a fit and proper person to represent the borough in Parliament." "Prove it," says I. "He is a friend to reform," says Mr. Wilson. "Prove it," says I. "His acts prove it," says he. "Prove them," says I. "And he could not prove them." Very much in the same fashion the Democratic party calls upon Mr. Peck to prove his report. "The returns prove it," says Mr. Peck. "Prove them," says the Democratic party. And instead of doing so, Mr. Peck takes the returns out of the dispute by burning them; which heroic action reminds me of an enterprising citizen at Marbletown, who burned his house down to cheat the insurance company, and found out immediately afterward that his insurance policy was void. The Democrats are now enjoying their vacation in hunting Mr. Peck.

* * *

It is a law maxim applicable to the Peck report, that the concealment, the suppression, or the destruction of evidence raises a presumption in favor of the opposite side, and it is reasonable for the Democrats to claim the benefit of the legal rule; but it seems to me that their laughter is premature, for the Republicans may turn it into tears by producing the working men themselves whose wages have been raised. These are better evidence than any written returns can be; and I am surprised that those working men have not been exhibited before this, unless indeed, Mr. Peck burned them also in the fiery furnace along with the mysterious returns. Long, long ago, in the antediluvian days, I had a well beloved friend, Tom Drum, who sometimes took a hand in the fascinating game of "draw," and whenever his adversary proclaimed a victorious hand, aces, kings, two pairs, three tens, or whatever it was, Tom promptly challenged the evidence, and spitefully said, "Show 'em!" This reasonable demand was always complied with before the chips were taken down. Now let the Republicans rake in the stakes by showing the fortunate working men whose wages have been raised. If the Democrats claim that there are some working men in the country who have no more wages than before, and others who have less, the Republicans have an equal right to exclaim "Show 'em!" I have never been able to see the value of Mr. Peck's report in the vote market. It is not in the power of numbers, though arranged in the most ingenious magic squares, to convince a man whose wages has been lowered that it has been raised; and the man whose wages has been raised needs no other proof of it than the additional dollars which he gets on Saturday night. When the ballot-monger tells him that he gets more dollars a week than formerly, let the working man say, "Show 'em!"

* * *

The cholera panic, fermented by well meaning official imbecility, has pathetically shown that humanity in its tempestuous voyage to heaven is divided into cabin and steerage passengers. There are a few intermediates, too poor for the cabin and too proud for the steerage, people who compromise with gentility, like the man who wears a dicky instead of a shirt, but these hardly have a place in the immortal census; take us in the mass, we are either cabin or steerage, according to the luck of our lives. There is a false tradition that in the presence of the plague we are all equal, but the President's action shows that even in the shadow of cholera the distinction between cabin and steerage must be preserved. Sometimes the microbe gets into a cabin passenger, but this is generally by mistake, an oversight, like the taking away of Tennyson's "Northern Farmer," who could not see any excuse for such carelessness when the last of Thornaby waste was to be cleared and some ploughing to be done, and who impatiently asked, "Do Goddamoighty know what he's doing a taking o' me?" The farmer thought, with some reason, that "He might have taken Jones, who hadn't a haporth o' sense, or he might have taken Robins,

who never mended a fence"; or some other steerage passenger. There was a surplus of quarantine fuss and foolishness at New York, and first-class cabin people suffered hardships that in a well regulated social system belong only to the steerage, but these mistakes must be excused in a time of danger. It is not the intention to subject cabin passengers to steerage treatment. Rather than do anything so unfashionable as that, we would risk the cholera, for cabin microbes are, at least, respectable; and when wrapped in silk and velvet they are entitled to more consideration than we can give to their brethren in cotton and in wool.

* * *

It is the opinion of the New York sanitary authorities that the cholera bacillus, when a cabin passenger, ought to receive more tender treatment than when he comes over in the steerage. This appears by the following gratifying piece of intelligence, which I find in a morning paper: "The new order for fumigation will protect the costly clothing which will be brought in by cabin passengers. The order heretofore issued was for the general fumigation of all baggage with sulphur. This would ruin silks and other costly goods. At the suggestion of Dr. Hamilton, the fumigation of these fabrics will be by dry heat at a temperature of 60 degrees Centigrade or 140 degrees Fahrenheit." The genteel microbe in the cabin is to be treated with eau de Cologne and a warm bath, while his more sturdy relative in the steerage must be suffocated with fumes of sulphur. Their unequal toughness must be the reason of the distinction, for if there is no difference in their physical constitution, the hot bath for one will be sufficient for the other; and there can be no more occasion to perfume with sulphur the coarse flannel frock of the peasant girl than there is to "ruin" in the same way the silken dresses of Miss McFlimsey. In the midst of a panic that unbalanced the brains of nearly all the officers whose duty it was to keep their heads level, the fear of a continental pestilence was comically intermingled with alarm for the fate of a velvet cloak, the more precious because it was being smuggled into the country in contempt of Major McKinley and his famous bill. No matter what may be the appearance of the bacillus in a temperature of 140 degrees, he is not dead, but sleeping. Let us quarantine and fumigate against the cholera, but let us not injure "silks and other costly goods."

* * *

The chief political event of the week was the speech of Senator Hill patronising Mr. Cleveland; and showing, honestly and truly now, what actually is the genuine position of the Democratic party on the Tariff question. The value of Mr. Hill's patronage may be estimated by the pool-room barometer, the Cleveland mercury having risen several degrees, inspired by the warmth of Mr. Hill's affection for the Democratic nominee. One gentleman who had left a thousand dollars to be invested on Harrison, reversed his faith, and sent orders to his financial agent to bet the money on Cleveland; which reminds me how the odds upon or against the republic went up and down in the war time as we won or lost a battle. The speech was the most ingenious bit of campaign statesmanship that has yet appeared, a most creditable specimen of political harliquinade. Flexible as a snake adapting its body to every inequality of surface as it glides gracefully along, Mr. Hill adapts himself and the tariff policy of the Democratic party to every undulation of political opinion. The man of any party, or of no party, who is not satisfied with Mr. Hill's position on the Tariff is hard to please. The Protean variations of the Democratic party, all of which Mr. Hill defended, make me think of the Iowa candidate, who said: "Gentlemen, them's my sentiments; and if you dont like 'em,—they kin be changed." Mr. Hill's doctrine appears to be this, "a tariff for revenue and protection only." Expounding the platform, he showed its accommodating sinuosities. It promised a tariff for revenue only, "with incidental protection"; a tariff for revenue only, so adjusted as "to prevent foreign competition";

a radical demand, "safe, logical, and *conservative*"; a tariff for revenue only, limited by the Mills bill, and so levied as "to equal the rate of difference between the rate of wages paid in this and foreign countries." Like an advertising salesman, Mr. Hill appeals to the electors for their custom and says, "If you don't see what you want, ask for it."

* * *

Admiring the ambidexterity of Senator Hill, and the dazzling transformation scene, where, being touched by the fairy's wand, he springs from the cave of Adullam and in a pyrotechnic shower declares himself the champion of Cleveland, I cannot help thinking that the contrast presented by Mr. Hill is not a bit more striking than that exhibited by his critics. They changed quicker than he did; quicker than the Roman rabble changed from Brutus to Mark Antony. A Democratic authority, potent in the state of New York, denouncing Mr. Hill for his egotistical ambition, called him "Young Chicory." "The Hungry Joe of politics," a "Burlesque political skirt dancer," and similar pet names. All of a sudden that potent authority has discovered that Mr. Hill, "subordinating his personal desires, his disappointments forgotten, rises to the occasion and sets an example of party fealty." It is also proud to say that Mr. Hill's "masterly speech, his thoughtful, able, trenchant, and persuasive address has the ring of genuine democracy; and that it will surely have the effect of a bugle blast, sounding the key-note of democratic success." Others there are who see in this loud loyalty sinister omens of disaster to Cleveland and his party. Mr. Cleveland's own indolent superiority has made Hill the leader of the party and the exponent of its platform. Mr. Cleveland holds the second place. He must now follow, and not lead. His letter of acceptance must now echo Mr. Hill, or make a discord. As soon as he learned that Mr. Hill was to make a speech, he should at once have issued his letter of acceptance, and thus have compelled the senator to shape his loyalty to the manifesto of his chief. Before his own letter of acceptance is published, Mr. Cleveland finds that Mr. Hill's pronouncement is generally accepted by the Democratic press as the correct interpretation of the Democratic platform. This will make for him plenty of embarrassment. It may have been a sense of dignity that made Mr. Cleveland hold his aspiring rival cheap, but it was not wise for Danton to make light of Robespierre.

M. M. TRUMBULL.

CORRESPONDENCE.

THE RIGHT TO LABOR.

To the Editor of *The Open Court*:

UPON the receipt of your paper I invariably turn first to the notes written by my esteemed friend General Trumbull. These I always enjoy for their literary style, and sometimes for the evidence of the broad humanity that I know animates their author. I have, however, so often been shocked at their injustice to working men that I never know in advance whether their perusal will give me pleasure or pain. The author learned his political economy from the teachers of the Manchester school, and the thoroughness of his lesson combined with his natural humanity makes a strange mixture of all that he writes and says. To attempt to unite the sentiments of humanity with the political economy of the last generation must result in the sad discomfiture of both; and no author of my acquaintance has more persistently mixed these two and accomplished their mutual destruction than the author of the notes. His latest illustration was contained in your issue of September 22d, and was called out by the strike of organized labor at the University buildings against six non-union men.

Either labor organizations are right or wrong, necessary or unnecessary. It seems as if it is too late in the day for people who have sympathies with the workers of the world to take a position

against the organization of labor into unions or trusts, if we may so call them. If the organization of labor is right, then it is difficult to limit the discipline that should be required to enforce this organization. Many things may seem harsh and cruel which are vital to the life of organized labor.

The only thing that stands between the working man and industrial slavery is organized labor. The non-union man takes the benefit of the sacrifices and efforts of the labor union, and at the same time he in effect conspires to reduce all labor to a starvation limit. If the non-union man can thrive the labor union must die; and if union men will work on equal terms with those who not only strike at the union but at all labor, even themselves, it is useless to make an attempt to maintain labor organizations.

It is hard for the union man at the request of a boss to strike; it often means want and hunger for himself and his; but he sacrifices his comforts that he may unite his welfare with his fellows. This same necessity requires him to treat the "scab" as a common enemy who would destroy the fruits of his labor and make combination impossible. In an army, discipline and obedience is required; and the army of laborers fighting for living wages must cause individual hardships for the common good. No man can logically believe in a labor organization unless he believes in the right of organized labor to boycott those who, more than any others, seek to make organization impossible.

C. S. DARROW.

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CONTENTS OF NO. 266.

DMESIS. CHARLES S. PEIRCE.....	3399
PRISON PROBLEMS. FELIX L. OSWALD.....	3402
CURRENT TOPICS: The Peck Report. The Cabin and the Steerage. The Leadership of Hill. The Following by Cleveland. GEN. M. M. TRUMBULL.....	3404
CORRESPONDENCE.	
The Right to Labor. C. S. DARROW.....	3406