

## TOPICS OF THE TIME.

### Prohibition by Law or by Constitution?

IT can hardly be denied that the cause of prohibition, as that word has hitherto been understood in morals and politics, has been set back materially during the past year. The expectations of its supporters in the Presidential election of 1888 were high, and their disappointment at the meagerness of the results must have been correspondingly intense. That this should be followed by an apparently contemptuous coolness among the politicians, who had so long been used to regard prohibition with profound outward deference, was perhaps disagreeable, but only to be expected; but there was hardly anything to mitigate the tremendous adverse majorities in the popular vote of Pennsylvania and Rhode Island last summer. Such a year in the experience of a war administration or of a mercantile house would lead to a general overhauling of affairs, in order, if possible, to find the root of misfortune.

Opinions as to the moving cause will vary even upon the facts as found. The prevailing belief will undoubtedly be that, after a fair and prolonged comparison between prohibition and high and restricted license, there is a more general and decided inclination to abandon prohibition in favor of its competitor. The belief of the Prohibitionists will be that their calamities are the work of the politicians; and there is probably no doubt that many of those who have been saying to prohibition deferentially and for years, "Is it well with thee, my brother?" have seized this opportunity to drive the dagger deep beneath the fifth rib. There is truth enough in the belief of both Prohibitionists and restrictionists: the unpardonably foolish belief, which can only bring its own punishment, is that the results are due to an increased popular indifference to the evils of drunkenness and of the system under which intoxicants have been sold freely in the past. The people "do care"; but perhaps they have come to see by instinct objections to the recently developed prohibition policy which Prohibitionists would do well to consider frankly.

We have in this country a written Constitution for the United States and similar written constitutions for each of the individual States. We are much in the habit of speaking of these instruments as "organic laws" and of thinking of them as if they were much the same in kind as ordinary laws, differing only in the intensity of their action and the difficulty of repeal. Such a conception entails many errors. The written constitution differs from a law in almost every point of nature and function. A law aims at both coercion and freedom; it helps to furnish tests for the decision of disputes; it makes or secures privileges. A constitution is all this, and more; it makes or unmakes laws and legislation; it is the voice of the underlying sovereignty, whatever it may be, imposing restrictions upon voters, upon non-voters, upon governmental agents, upon every manifestation of the political being called the State. But a constitution has even higher characteristics. It is the ultimate expression, not of some one's desires or hopes, not of what some warmly interested people think ought to be done for the people, but of the inmost political life, nature, and development of the people. It

cannot but be a mistake to use so peculiar an instrument as a constitution for purposes peculiarly appropriate to a law. There is no more real kindred between constitution and law than between the subtle, mysterious vital force and the flesh and bones which it builds up.

True as it is that a law must also express some substantial fact of a people's nature and progress, or else it will fail, this is very far from putting a constitution on a par with a law. There must be some field for experimentation and possible mistake; but this must be in a law, not in a constitution. In a country like Great Britain, which has no written constitution, the real offense of him who advises or commits an "unconstitutional" act is that he is throwing his own minute personality athwart the whole life and development of his people, and is attempting to impose his will as a limitation upon the national career. Where is the difference in the act of him who disobeys a written constitution, unless it be that his offense may usually be stated in more definite terms? Where, in reality, is the difference in the act of him who should assume to force upon a people such a constitution as he thinks they ought to have, but which they would never have made for themselves? Either they will invade or override it, or else he has permanently marred or crippled their whole political development. "An unconstitutional constitution," instead of being a contradiction in terms, may be a definite and true expression for an unnatural constitution.

Has there been the highest wisdom, then, in the new policy of the past few years, of "imbedding prohibition in the constitutions" of the States interested? There are, no doubt, cases in which such a policy is valid, when it indicates just the line and point of a State's own development. But there are cases which are not of this kind, but merely colorable imitations of it: it is possible, as every one knows, to coerce the real will of voters and reach the same result by a skillful use of temporary circumstances, by a strategic balancing of party against party, or by a spasmodic and exciting use of moral forces. Such a process could make at the best only an "unconstitutional constitution"; it would be the worst thing possible for popular government; and yet the temptations to seize upon such a success, and hope for good results, are peculiarly great for earnest men. Was it wise to multiply and intensify such temptations by the adoption of an indiscriminate policy of constitutional amendment?

"Everybody knows more than anybody"; and it may very well be that the disasters of the past year are due to an instinctive popular perception of the dangers of the new policy. It seems clear that, where popular condemnation is fairly to be inferred, it has thus far been provoked mainly along the lines of this policy. But it should not be forgotten that there is an entirely distinct field, that of law, applying either to a whole State, or to part of it by local option. None of the facts available seem to indicate that this is any the less debatable ground than it has always been. At any rate, those who believe that prohibition in this sense is dead would do well not to be too hasty in administering upon its estate.

## American Game Laws.

IN so extensive and various a country as this it would be impossible to fix a date even so general as the English Twelfth of August, and the "opening of the season" has varied hopelessly for different regions and different types of game. There has been, nevertheless, an apparent disposition to make the event center somewhere about September, and it seems to be increasing in strength with the growing tendency to make the opening of a season compulsory, rather than conventional or traditional.

For years, probably rather for centuries, the general American feeling with regard to the edible portion of the wilder animals was one of indifference; the supply was abundant, and it was not the business of any one in particular to impose any restraints on the desire to use the supply either for pleasure or for profit. The unhappy results of this indifference are familiar. Every one was at liberty to kill at discretion; men shot, and snared, and seined as they saw fit. The contest was increasingly unequal. The swiftest and most acute of the game animals found it continually more difficult to gain places of security against the improved weapons and transportation of their pursuers; and even the fittest for survival had an increasingly precarious tenure of existence. Fools or selfish men, if they were able to buy a ticket on a far Western railway, were thereby enabled to appropriate to themselves that to which they really had no title, except in common with the millions who were not in position to assert their claims. "Sport" became a veneration for senseless and heartless massacre, which had almost done its work before any general notice was taken of it. It is a national disgrace that one of our few characteristic animals, the bison, has practically ceased to exist. But only those far-sighted men who have invoked the shield of law against the further course of this destruction can tell us how narrowly the caribou, the prairie-chicken, and the different varieties of game fish have escaped the fate of the bison.

As such results have opened the eyes of the people, the reign of unlicensed selfishness has come to an end, and we are entering upon the era of systematic protection for game. State after State is coming to recognize the fact that the game animals eat little that could be required for man, while they may become, under protection, an important part of the national larder; and the States are becoming as willing to grant such protection as they would to the fields or factories against similar acts of folly or ill-will. Parts of the year are marked off by statute, and during these periods the game animals are not to be injured, but are to enjoy a season for race recuperation. It is none the easier for them to find holes or corners of security against modern invention; but the law comes in to give them a time limit, within which the most active or most selfish of their pursuers must let them alone. The whole change of view has been a complete one. A little more than a century ago it seemed to Franklin the most natural thing possible to declare that, rather than submit to Parliamentary exaction, he would retire with his family "into the boundless woods of America, which are sure to afford freedom and subsistence to any one who can bait a hook or pull a trigger." Already there are not many places, at least between the Atlantic

and the Mississippi, where the patriot who should seek an indiscriminate subsistence in that way would be safe from arrest and punishment as a poacher.

The American "poacher," however, will always be a very different offender from his English prototype. All that the American law will require will be a due respect for the rights of the people. Game is not to be preserved for particular persons, but for all; and during the proper time limit all men may become "poachers" so far as the American game laws will concern themselves with him. All this may seem to many quite incompatible with the fact that, even within proper time limits, no one may pursue game upon the land of another without express or tacit permission, and they may conclude that there is not to be any essential difference between English and American game preservation after all. Such a belief confuses two different things, land ownership and game protection. If we are to have land ownership, the owner must be owner altogether, and his ownership must cover the live stock on the estate, be it wild or tame. But this is just as it always has been. It is true that there is an increasing unwillingness to grant permission for the intrusion of others in pursuit of game; but the permission has always been legally necessary, as a part of land ownership, and should not be attributed to the new system of game protection. The change is merely a corollary of the country's development; the permission to hunt or fish, which was once valueless and was given with corresponding liberality, is now valuable and must be paid for.

It would not be fair, however, to leave even an implication that the change, legal as it may be, is withal an injury to the people. When one tract of wild land after another is taken out of the market and reserved as a hunting or fishing park, when the people of successive neighborhoods find that the lakes, brooks, and forests over which they and their fathers have fished and shot from time immemorial are now closed to them, it is easy to suggest to them that they have been injured in some way. One must take the development as a whole, not in parts. The case is not one in which powerful barons have entered by force and ousted the people from their natural privileges. It is merely that the lake, the trout-brook, or the shooting-ground has acquired a new value from a general development which, in another part of it, has enriched our tables with fish and game from the most distant parts of our own country and with food products from all over the world. The parts must go together. He who wishes to turn back the years, and fish and shoot as freely as his grandfather did, cannot surely expect to enjoy the Northwestern salmon, the Southern berries, the Florida oranges, the California figs, the Western beef, the tinned or glass goods from all over the world, for which his grandfather possibly would have been glad to barter all his meager privileges of the chase. Such details of development are enough to show that, while there is always a scale of popular loss, it is altogether outweighed by the scale which represents the popular gain.

## Progress in the Copyright Reform.

WE commend to our readers the perusal of Mr. Hayes's Open Letter in the present number of THE CENTURY, recalling the confidence of the literary men

of 1837 in the speedy passage of a bill to prevent the theft of literary property, and suggesting whether a similar confidence felt by the literary men to-day may not be misplaced. But the reader must be careful not to miss the significance of the record. The very consideration which seems to imply the hopelessness of the cause is indeed the fortress of its strength. Fifty years of steadfast adherence to the demand of their predecessors is a star of the first magnitude in the crown of American men of letters. Their hands, surely, are clean: the robbery of their fellow-writers of other countries is not of their procuring; the incidental robbery of themselves is not by their consent. They have never been remiss in protest against both, but with singular unanimity have borne their testimony for the national honor even against its official custodians, and still the protest goes on. Were this sense of outrage dulled by years, were the voice of the protestant less clear or constant, there would indeed be reason to despair of the result. As it is,

Time but the impression stronger makes,  
As streams their channels deeper wear.

Besides the solidarity and the wide-spreading influence of American authors, there are other reasons for thinking that we are not far from a settlement of the question. Within five years, through the agitation of official organizations, the movement for a just law has acquired a momentum which has carried a copyright bill through one house of Congress and past a committee of the other. That it did not wholly succeed was due, not to the will of the House of Representatives, but to an extraordinary abuse of the rules of the House, an event not to be foreseen, nor, if foreseen, prevented. On the eve of the renewal of the struggle, it is well to rehearse briefly the story of the past year—the most eventful and successful in the course of the agitation.

On more than one occasion when copyright legislation was sought at the hands of Congress, senators replied to the entreaties of the supporters of different bills: "This is a subject remote from our experience. Go home and agree among yourselves upon a copyright law and we will support it." After repeated attempts to make progress along separate lines, this is exactly what the reformers, by weeks of negotiation in committees, succeeded in doing. The result was of course a compromise measure, not wholly acceptable to most but cordially supported by all, the greatest sacrifices being made by the authors, most of whom would prefer a pure and simple copyright, free from conditions. This bill Mr. Jonathan Chace had the honor to introduce in the Senate, Mr. W. C. P. Breckinridge in the House of Representatives. To the support of the measure the joint committees of the American [Authors'] Copyright League and the American Publishers' Copyright League gave unremitting and exhausting efforts, assisted by official representatives of the printers' unions. The bill was successfully urged before committees of each house, and the personal solicitation of members was patient and thorough. Realizing that the chief point was to secure the attention of legislators, a series of readings by prominent American authors was given at Washington in April last, being the third series organized by the Authors' League in aid of the cause. On the 9th of May, after a considerable debate,

Mr. Chace succeeded in obtaining in the Senate a vote on the bill, which was as follows: yeas 34, nays 10.

Much has been said, and justly, about the supineness of our lawmakers on this subject, but it must be remembered that no copyright bill has ever been rejected by them—in fact, if we mistake not, this was *the first direct vote upon the merits of an international copyright bill ever taken in the American Congress*. The names of the senators voting in favor of the bill deserve to be recorded. They were:

Allison,	Edmunds,	Morgan,
Bate,	Evarts,	Paddock,
Blair,	Farwell,	Pasco,
Blodgett,	Faulkner,	Payne,
Bowen,	Frye,	Quay,
Brown,	Hampton,	Sawyer,
Butler,	Hawley,	Spooner,
Chace,	Hiscock,	Stockbridge,
Chandler,	Hoar,	Turpie,
Cullom,	Ingalls,	Wilson of Iowa,
Davis,	Mitchell,	Wilson of Md.
Dolph,		

Senators recorded as paired who would have voted for the bill were:

Blackburn,	Hale,	Platt,
Colquitt,	Manderson,	Plumb,
Dawes,	Morrill,	Sabin.
Gray,		

Senator Vest made an able speech in favor of the principle of copyright pure and simple, but felt obliged to vote against the bill on account of the "manufacturing clauses."

Twelve absent senators were not paired, including, however, several who were known to favor the bill. But omitting these 12 the record shows 44 votes for and 20 votes against the bill.

The preponderance of the affirmative vote greatly inspired the friends of the measure and their efforts were redoubled among the Representatives. Many measures—chiefly the Mills tariff bill—combined to postpone the consideration of the bill, and it was not till the 6th of February that an opportunity offered to call it up. It was agreed that on this day a vote should be taken on the motion to suspend the rules and fix a day for its final consideration. It was feared by the opponents of the bill (whom a careful canvass of the House showed to be largely in the minority) that an effort would be made to suspend the rules and pass the bill without debate. This programme, however, was never entertained by the friends of the bill; and assurance to that effect being given, a number of its opponents agreed to vote for its consideration. It was now thought beyond question that the motion would prevail by the required two-thirds, and that with the advantage of the open debate the bill could be passed a few days later by a majority vote. But a new kind of opposition now presented itself—the opposition of the filibuster. This weapon, heretofore employed only to protest against the political oppression of majorities, was now used to postpone the redress of a form of oppression the most indefensible. Against the will of the House, which was at the mercy of one member, Mr. Lewis E. Payson of Illinois, the bill could not be reached, and thus died without a vote. It has been urged in defense of the action of Judge Payson, that his opposition was directed against other measures, which it was feared might be considered on that day. It is to be hoped that this is the fact. If so, there will be abundant opportunity to demonstrate

it at the coming session. For, that the contest will be continued on the part of those who advocate a just and honorable national policy is a matter of course. The traditions of the Senate may be depended upon for the passage of the bill by that body; and so intelligent have Representatives become, that, in our opinion, nothing but filibustering can defeat the bill in the next Congress, as certainly nothing else could have defeated it in the last. It is only a question of time when the judgment of legislators will be convinced to the point of making odious any attempt to defeat the will of Congress by that unfair and un-American device.

What a series of paradoxes does the copyright question reveal! Intensely "American" country papers countenancing the defeat of the will of the majority of the

House for the privilege of spreading without compensation English sentiments and opinions! A government based on the equality of all men before the law invoked to defend the robbery of foreigners! Members of Congress, sworn to defend the Constitution, virtually nullifying the clause providing for the encouragement of literature and the fine arts! And, chief of all, the works of foreign authors considered so valuable to the country, not that they must be paid for, but—that they must be stolen!

The history of the American agitation for international copyright is, in the words of Æneas to Dido, "a long and intricate tale of wrong," and the next Congress owes it to itself and the country to bring the disgraceful record to an honorable conclusion.

## OPEN LETTERS.

### International Copyright: a Literary Montezuma.

FAR away in the barren and sunlit land of New Mexico, and on that ancient and wonderful road the Santa Fe trail, stands the old Pecos church. Every morning, just as the king of day sends forth the rays which announce his coming, the poor, patient priest leaves his half-ruined quarters and, with a pathetic faith, undaunted even by protracted and crushing disappointment, looks to the east, as have his predecessors for ages, for the coming of Montezuma, the Great Deliverer, the beneficent father of his people. Just so in these times of what Mr. Lowell calls "reckless and swaggering prosperity" do certain sanguine and optimistic souls watch for the dole of a small measure of justice to the literary brotherhood. Does any one suppose that this earnest desire, this eager anticipation, are recent things? On the contrary, I read on the stained and faded editorial page, now before me, of the "Knickerbocker Magazine" for February, 1837,—more than *fifty-two* years ago,—as follows:

INTERNATIONAL COPYRIGHT.—The advocates of this measure, we are glad to see, have begun to bestir themselves, not only with the political laity, but with the delegated priesthood of Congress. This is well. We look now to behold the steady advancement and profitable discussion of the matter. There are stores of argument in reserve that can be produced with wonderful effect in disquisitions on the question.

*Fifty-two* years of disappointment! In that half-century every material interest in this country has been mightily fostered and developed; a great war has been fought; the threatened disruption of the Union has been averted; slavery is dead—and international copyright, the literary Montezuma, still cometh not. The poor watchers were hopeful in 1837; they are hopeful in 1889; how will it be in 1937?

A. A. Hayes.

### Free Kindergartens in New York.

ONE of the peculiarities of the philanthropy of the present time is the emphasis it gives to the value of preventive work. Never before has so much attention been given to childhood or so much importance been attached to the formative period of life.

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Statistics show that the country is producing more criminals in proportion to the population, and younger ones, than it produced twenty-five years ago, and the cause of this alarming state of things is found to be in the neglect of childhood. It is seen that the tendencies of infancy, whether for good or for evil, crystallize into the character of maturity, and the philanthropist, weary of fruitless efforts at reforming, is seeking for means of forming wisely and well.

The home is the proper place for beginning, but in many cases there are practical difficulties in the way, and thoughtful people are turning with hope to the mission kindergarten, which, whether regarded from the standpoint of the educator, the social reformer, or the Christian teacher, contains possibilities of prevention and upbuilding not to be found in any other available agency.

It is adapted to children of three years of age, thus meeting the demand that in some way the years below school age shall be utilized for the highest educational purposes. The training of the kindergarten includes the whole child. For his hands there is delightful occupation, through which he learns to love work and to respect himself as a producer of that which is useful and beautiful; there is well-directed activity for the busy brain; and, above all, the higher faculties of love, joy, sympathy, and reverence are brought into constant and healthy exercise.

During the last decade interest in the mission kindergarten has been growing, until there is now in the country scarcely a city that has not one or more such institutions. More than ten years ago Mrs. Quincy Shaw began the work in Boston by establishing in the worst quarters of the city about twenty kindergartens, into which the children of the lowest classes were gathered. Well-trained teachers were employed, and the whole enterprise was under the wise and efficient superintendence of two kindergartners. It is the testimony of the police that the moral aspect of whole neighborhoods has been improved by these institutions. That the system is believed to have a high educational value is proved by the fact that after so thorough a trial it was last year adopted as a part of the public-school system of that city.

In Philadelphia, a few years since, a similar movement was started as a result of the thorough work of the Society for the Organization of Charity. It was found that, in the homes and haunts of the pauper and criminal classes, children were growing up in appalling conditions of ignorance, idleness, and vice. As it was felt that the only radical remedy for existing evils and the only hope for the future lay in vigorous preventive work, kindergartens were established in every ward of the city, and the satisfaction they gave led to their adoption as a sub-primary department of the public schools.

In San Francisco, mission kindergartens, established as an offset to the hoodlumism which threatened the safety of society, are now the most popular of all the philanthropies. In Chicago, St. Paul, Cincinnati, and Brooklyn there are efficient associations of this kind, and in St. Louis the kindergarten has for several years been a part of the school system.

New York has many of these missions; but with a tenement-house population of 1,100,000, of whom more than 142,000 are under five years of age, and with a constant influx of the lowest class of foreigners, it is felt that this is a time of emergency to meet which extraordinary efforts are necessary, and a movement has been started looking to the establishment of kindergartens throughout the city.

*Angeline Brooks.*

#### "The Use of Oil to Still the Waves."

READERS of the article under the above title in this magazine for March, and of the Open Letter on the same subject in the August number, will be interested in the following extract from the log of the steamship *Chattahoochee*, from Savannah to New York, April 7, 1889:

At 5 A. M. gale (from northeast) burst upon us with velocity of eighty miles per hour—the sea and wind something terrible; at six a sea came over the bows, end on, doing considerable damage, knocking in pilot-house windows and flooding same; ten to twelve began to board us on port-quarter, knocking in saloon and flooding same; at eleven I had oil bags put in port and starboard water-closets forward, and port one aft. When they were in working order I reluctantly stopped the engines, and, to my heartfelt desire, the ship fell off to southeast by south and took a position of her own, and was as comfortable as could be reasonably expected, shipping little or no water to speak of, so that the crew could work with the utmost safety in repairing damages.

This all done in the middle of one of the worst gales I ever encountered in thirty-three years' experience at sea. Every ship should have oil for an emergency. It is all it is recommended to be. The action of oil upon the water is upon the crest of the wave: the oil forming a slick upon the surface breaks the crest, in which is all the danger. It has no effect upon the great undulating motion of the ocean during a gale.

The quantity used in this case was about forty-five gallons in eleven hours; it took about five gallons to start each bag, and about eight quarts per hour to feed the three bags.

From 5 A. M. to noon ship drifted about three miles per hour to the southeast; from noon to 11 P. M. three per hour to south.

Ship's position at noon, by d. reckoning, latitude 36° 38', longitude 74° 41'.

At 8 P. M. gale began to moderate.

At 11 P. M. started ahead.

Oil used, five gallons raw linseed oil, ten gallons lard, thirty gallons cotton-seed. Used separately—no mixture.

[A similar instance is recorded in the case of the Norwegian bark *Alsylvia*, from Perth Amboy, Sep-

tember 3, 1889, with a cargo of 5300 barrels of paraffine oil for Copenhagen, which encountered a hurricane in latitude 70°, longitude 38°. The account of her rescue by the Clyde steamer *Yemassee* off the Delaware Breakwater, given in the "New York Times" of September 14, contains this statement, attributed to Captain McKee of the latter vessel:

The *Yemassee* sped to the assistance of the *Alsylvia*, and then lay to within about one hundred feet of her. Every time the bark made a plunge several barrels of oil were shot out of her hatchways. Oil was oozing all over the vessel, and had covered the surface of the water for quite a distance around. This waste of oil had proved the salvation of the bark's captain and crew. The water if not quiet around was free from breakers, and the boats rode the waves with ease. Had it not been for the oil, ship and boats would have been smashed long before help arrived. As it was, the bulwarks were breaking up.—  
EDITOR.]

#### A Speech of Lincoln's.

THE closing paragraphs of the biography of Abraham Lincoln in the August number of THE CENTURY MAGAZINE recall a memorable scene at the White House, which is now given to the public and makes a suitable appendix to the record of "Lincoln and the Churches." It occurred after an anniversary of the United States Christian Commission, which was held at the Capitol in the hall of the House of Representatives, some time in the winter of 1863, in the presence of a great assembly, in which the President was a silent and deeply interested auditor. With characteristic modesty he declined a seat upon the platform, and the only public demonstration that he made during the evening was by a request, penciled on a slip of paper and handed to the presiding officer, that Mr. Philip Phillips, who was one of the sweet singers of the war-time, would sing the hymn entitled "Your Mission," which was a favorite of the President. This request was announced and the piece was sung with wonderful effect.

After the anniversary, arrangements were made for a private reception of the delegates by Mr. Lincoln at the White House the next morning, with the distinct understanding that nothing that took place should be made public. This put all persons at their ease and the promise of privacy was well kept. It was a time of great anxiety and of long suspense; one of those critical periods when decisive battles were expected, and when news from the front was scanty, and slow in coming.

At the appointed hour the delegates were ushered into the President's office. Soon afterwards Mr. Lincoln came in slowly and looking careworn, sad, and anxious. In brief remarks by men representing the various work of the Christian Commission, he was told that we had no requests to make, no favors to ask, no offices to seek; that we were there only to assure him of our profoundest respect, sympathy, and loyalty to the Government and to himself as its head, and of our intention to carry on the philanthropic and spiritual ministrations of the Commission in the army and navy, with the continued sanction and help of himself and of the military and naval authorities. It was also said that "behind all the political and patriotic forces of the Union there was a vast Christian constituency in the homes and churches of loyal States which would never fail him with their prayers and consecration to

the cause for which the Government was contending against armed rebellion in the field of war, and against disloyal opposition in the North."

To these sentiments and assurances Mr. Lincoln listened with closest attention, and he replied, as my vivid recollection serves me, chiefly in these very words:

"I thank you, gentlemen, for this interview. Such visits strengthen me. No man who knows what we know here of the state of things can fail to see that a greater than a human hand is controlling the issues of this war. If our great enemy over there," pointing his finger across the Potomac, "could have had his way, he would have had victory long ago. But the Almighty has not thought as he thought. If I could have had my way, I would have had victory long ago. But it is evident that the Almighty has not thought as I thought. I know not how, nor when, nor by whom it shall be accomplished, but I have a firm, unshaken faith that in the end success will crown our arms, and that the Union of these States will be restored and maintained."

Then, alluding with kindly appreciation to the remarks of one of the speakers respecting the loyalty of the Christian constituency in the churches of the land, he said:

"Whatever differences of opinion may exist concerning the management of the war, it is manifest that the Government must be sustained by the people of the loyal States. For example," said he, with a humorous smile and a twinkle of the eyes that lighted up his grave face for the moment, "if a man wishes to be elected President of the United States, he must sustain the Government in prosecuting this war to a successful end, because if it should not be victorious there will be no Union for him to preside over!"

Adding a little in this strain and closing with renewed expressions of his gratification in the interview, and of his warm approval of the beneficent work of the Commission, the President greeted each delegate with a hearty handshake and a pleasant parting word.

NEWARK, N. J.

*William J. R. Taylor.*

#### "Governor Seymour during the Draft Riots."

I WAS one of the "multitude," described by Mr. Wheeler in your July number, who listened to Governor Seymour's address on July 14, 1863.

During most of the time of the draft riots the neighborhood of the "Tribune" office was occupied by a turbulent crowd, and an attack on the building was only prevented by the preparations believed to have been made to defend it. If not a crowd of actual rioters, it was distinctly composed of sympathizers, and very many of them were of just the class who were elsewhere active participants in the riot. It was such a crowd, and not "a multitude of persons naturally attracted to the City Hall by the news that the governor of the State, whose arrival was anxiously expected, had actually come." The whole tenor of his speech was distinctly, and in his usual adroit manner, meant for just such a class, and not for interested but peaceable citizens, and this the extracts given in the Lincoln history show. I was standing with a friend looking on from the outside of the crowd while it was in the square in front of the

"Tribune" building when a sudden movement was begun towards the City Hall. I followed, or rather anticipated, the movement as I saw it begin, and when I found it was to be addressed by some one I moved up to within hearing distance, and listened to the speech.

That it was an apology for the rioters, who were told that they were unjustly dealt with by the Government, and that if they would abstain from violence the draft would be stopped through the measures that he had taken, was the meaning given to it by the multitude, and no other meaning was thought of then, and for some time afterwards, by any one. The governor had only recently made his great Fourth of July speech in the city when he had arraigned the Administration in the most violent manner, exactly in unison with his speech to the incipient rioters.

NEW YORK CITY.

*Miln P. Dayton.*

#### The Methodist Episcopal Church South.

IN the August CENTURY the authors of the Lincoln history say, "The Methodist Church in the South had separated from their brethren in the North fifteen years before the war on the question of slavery, and a portion of their clergy and laity when the war broke out naturally engaged in it with their accustomed zeal; but they were by no means unanimous, even within the seceding States, and the organization was virtually wrecked by the war."

The close of the war found the Methodist Episcopal Church South, with over 400,000 members, impoverished and more or less discouraged; but it was not "wrecked" in any sense that was not true of other churches in the South, and of the whole people. Nor did any part of the Southern people rally more quickly from this fearful blow. The 400,000 with whom this church started in 1866 became 1,101,465 in 1887, and its "organization" was never in more excellent working order than it is to-day. It is one of the great churches of our nation, not more than three or four others outranking it in any element of strength.

At the breaking out of the war the individual members of this church were for or against secession according to their individual ways of looking at things. But the church as such made no deliverance upon the subject, considering it to be its mission to preach the gospel to secessionist and unionist alike, and not to promote any special ideas of government.

DALLAS, TEXAS.

*John K. Allen.*

#### Erratum.

IN the July number of THE CENTURY, in the article "Gentile da Fabriano," an error occurs in the sentence beginning on the 27th line of the second column of page 450, "He was the contemporary," etc. The clause, "not far from the same time as Gentile," should come in after the first "and died" instead of after the second, which would make the sentence read thus: "He was the contemporary of the brothers Van Eyck, the elder of whom, Hubert, was born about 1366, and died not far from the same time as Gentile, in 1426, while John was twenty or thirty years younger, and died probably in 1446." So far as the historical facts go, the article contains the material for the correction of the error.

## TOPICS OF THE TIME.

### The Foes of Civil Service Reform.

A DETERMINED attempt to overthrow the civil service rules and to restore the spoils system may now at any time be expected. Areas of low pressure are reported in the neighborhood of most of the State capitals; the storm-center, which is now hovering over Kansas, is rapidly moving eastward; high winds and local squalls prevail in portions of Ohio, Pennsylvania, New York, and Maryland, and the cyclone may strike Washington about the first of December. Storm-signals should be displayed upon the Capitol, and over the front portico of the White House.

It may be well to notice that the storm is wholly an artificial product; the Æolus who carries these winds in his carpet-bag is always a local politician. The people at large are not worrying about "the injustice and oppression" of the civil service rules; so far as they know, these rules are working very well. It is the political machinists whose wrath is kindled. Nor is this any unexpected phenomenon. Nobody supposed that the professional politicians would gracefully submit to such a sharp restriction of their power. The distribution of the offices among their friends is the final cause of their existence as politicians; when they were stripped of that function, their occupation was gone. They did not willingly surrender it; when some of them voted to part with it, it was a mere political trick, and they meant to recover it at no distant day. At the time when the civil service measure became a law it was pointed out in these columns that the action of Congress was not sincere. There were a few men in both parties who believed in the reform; but the majority in favor of the bill was gained by the votes of a large number of Republicans who wished to prevent the Democrats, then apparently about to gain possession of the government, from turning out their friends. The civil service rules would be a bulwark against the removal of Republicans from office; as such they were zealously supported by a good many Republican politicians so long as the Democrats were in power, and fiercely opposed, for the same reason, by many Democratic politicians. But as soon as the administration changed the case was bravely altered. The Democrats are now doing most of the denouncing, as witness the Ohio resolutions, anathematizing "the Republican administration for its repeated violation of its pledges in behalf of civil service reform"; while the Republican bosses are cursing themselves for their folly in permitting their own hands to be tied by these measures, and threatening to erase them from the statute books. Not a few prominent Republican leaders are now characterizing civil service reform as a fraud and a sham. These gentlemen must be permitted to speak for themselves. What they have done to promote it was undoubtedly a fraud and a sham. That there has been considerable trickery and evasion in the administration of the law may be admitted. That the resolutions of the political conventions of both parties endorsing this reform have been, as a rule, fraudulent and hypocritical is also probable. If this is what these

gentlemen mean, we must admit that they know what they are talking about. And there is no doubt that great efforts have been made, in various quarters, to make the civil service reform appear to be a fraud and a sham by getting men appointed as heads of departments and chiefs of bureaux and great offices who do not believe in the reform, and who are determined, if possible, to exhibit its methods as inefficient and odious. Much more of this kind of work is likely to be done. The more adroit opponents of civil service reform will refrain from attacking it openly; they will be well content if they can keep its administration in the hands of its foes, who will be sure to prove it a failure.

Against a conspiracy of this nature the public may well be warned. The determination to break down the civil service rules is by many politicians frankly avowed and by many others secretly cherished. The great majority of those persons who manage our politics and who manipulate the party organs may be counted as the open or insidious foes of the merit system. The establishment of this system was extorted from them by public opinion; it must be defended against them. There is need, just now, of a vigorous popular campaign against the spoilsmen. A thorough discussion of the system, its principles and its achievements, would be extremely useful at the present time. The stupid cant of the spoilsmen about the establishment of "an office-holding aristocracy" needs to be exposed, and the fact made plain that the merit system is the only method of distributing appointive offices upon purely democratic principles. The managers of the party machine constitute, in fact, an office-holding "trust" or "combine," which generally manages to monopolize the offices and to shut out all those who do not belong to their clique. No one can hope for an office who has not in some way proved himself subservient to them. The great majority of intelligent, capable, self-respecting young men have no more prospect of obtaining office under the spoils system than if they were inhabitants of some other planet. But the merit system opens the doors freely and equally to all. The applicant for office depends not upon the favor of the local boss or the member of Congress, but solely on his own character and ability. This is the system which the spoilsmen stigmatize as "a relic of European governments." It is easy to show the people the true inwardness of the spoilsman's objection and the hypocrisy of his plea. But it is only by thorough discussion and systematic agitation that the cause will prosper; public opinion must be aroused and invigorated; a powerful interest is arrayed against the reform, and can be baffled only by vigilant and resolute effort on the part of its friends.

The urgency of this reform was never more apparent than at the present time. Great questions of administration seem to be forcing themselves upon the American people. In spite of ourselves we have already been compelled to take hold of the railways. Precisely what shape the problem of supervision or regulation will assume we cannot tell; much depends upon the action of the railways themselves. But it is possible that the

functions of government are to be considerably extended in this direction, and perhaps in some others. And every such enlargement of the business of the state adds emphasis to the demand that the state's business shall be done on business principles; that the people who seek to turn our politics into a scramble for preferment and plunder shall be deprived of their power to prey upon the state.

"The Century Dictionary."

THE readers of THE CENTURY MAGAZINE will bear witness that mention of publications of The Century Co. is seldom made in these columns. But that publishing house is now putting forth a work of such transcendent literary importance, and one which will have so necessary a relation to the magazine whose name it bears, that it seems eminently fitting that exception should be made in its favor. We refer to "The Century Dictionary," an authority which will hereafter be, so far as this magazine is concerned, the standard of English spelling and usage.

In 1882-83 a body of scholars was organized by The Century Co. under the supervision of Prof. William D. Whitney and the management of Mr. Benjamin E. Smith. This consisted of a large force of workers exclusively employed on the Dictionary, and of many specialists who devoted a part of their time to the preparation of those portions of the book relating to their several studies. For years this work of making a great dictionary has gone on side by side with the work of making the magazines of The Century Co. We of the magazines have become familiar with the methods of the Dictionary editors and their co-workers, and with the refined artistic features which were in preparation contemporaneously with the literary, under The Century Co.'s art department, and especially under the management of Mr. W. L. Fraser of that department. We have known the scholarly spirit, the conscientious devotion, the cross-fire of comparison and criticism; we have been witnesses of the amazing minuteness of investigation—of the unwearied thoroughness in every branch of the work. Before the public had seen any part of it, we had observed, as it were, the laying of stone upon stone of this unique and stupendous monument of American scholarship.

It is indeed a unique position which "The Century Dictionary" occupies, not only in American letters, but among all the dictionaries of the English language; and it is because of its uniqueness that we can speak

freely of it without disparagement to the eminent lexicographical works which have preceded it, and which will continue to have their separate aims and uses. Its size and the breadth of its plan obviously place it in a class apart from such works as those of Webster and Worcester, while it is fuller than any other English dictionary of an encyclopedic character. Even when it is compared with the great dictionary of the Philological Society its individuality is clear. The aim of the latter is mainly philological, the tracing of the history of English words; that of the former is more general and practical, namely, the full explanation of the meaning and use of all that has entered into past and present English speech. Accordingly, while the dictionary of the Philological Society distinctly repudiates the encyclopedic method of definition, and makes no attempt completely to record the language of science and of the practical arts, "The Century Dictionary" carries that method to its limit, and defines hundreds of technical words excluded from its great rival. These two books thus rest on different foundations and appeal to different interests: the English work is the expression of the aims and interests of a single science; the American work, of the practical needs of those who seek for information about any or all of the sciences—a difference characteristic, perhaps, of the two nationalities.

The fact that the publishers of "The Century Dictionary" ventured more upon the publicly untested results of the labors of their editors than has probably ever before been done in like case would be a matter of no particular interest, had not both the critical and the popular verdict already fully justified the confidence of those who have stood behind the Dictionary's editors with generous confidence and unflinching support.

In this connection we are reminded of the remark of a publisher of great experience and success,—who is now no more,—to the effect that whenever he had hesitated in the preparation of a costly work, and had mistrusted the public appreciation of the very best that could be offered to it in a given line, and had thereupon begun to withhold where he should bestow, he had failed in his enterprise; whereas his most thorough faith in the public to which he was to appeal had been the accompaniment of his greatest successes. The history of "The Century Dictionary" has sustained this optimistic view of publishing enterprises of importance, and its immediate success is an encouragement to the most wisely prodigal of labors in the direction of popular enlightenment and culture.





## OPEN LETTERS.

Impressions of the International Exhibition of 1889.

EVERY one must know by this time that the International Exhibition which recently closed in Paris far surpassed all its forerunners in size and beauty, in the variety of its attractions, and in the number of its visitors. It would indeed be too late to write about it did I mean to write descriptively. But I want only to record one or two main impressions, and this I can do better now, perhaps, than I might at an earlier day. They grow clearer and clearer as my five busy weeks in Paris fall farther behind me, as the myriad details of the great show condense somewhat into a coherent picture; and their significance is confirmed by many things I have seen in many other parts of France. In their totality these impressions mean a new and very deep sense of the vigor and vitality of the French nation, of the part it has still to play in guiding the progress of the world.

No one who visited Paris this summer could fail to feel that the immense success of her Exhibition had rehabilitated her in the eyes of Europe, had restored her to the rank she had seemed to be losing since the fall of the Empire. Once again the capital of France was unquestionably the capital of Western civilization. Here was the spot to which all eyes turned as to the focus of contemporary life. Paris this year has ruled in men's thoughts as never before since the days when Napoleon III. exalted her. And what one sees elsewhere in the great land of which she is the heart deepens the feeling that her rank will remain to her, because it deepens one's realization of the difference between the motives and methods that were efficacious under the Empire and those that have been efficacious this year. Napoleon and his agents, working for themselves, worked also for Paris and France—lamentably in the end, but for a time gloriously in more than one direction. This year Paris and France have worked for themselves. The change is full of cheering significance to all who have honored France as the world's pioneer in many paths, intellectual, political, and humanitarian, and have believed in her even when she seemed to doubt herself. It seems to me that the surest, the most important, result of this year's enterprise will be to bring new faith and energy into her own soul, and new belief into the mind of outside doubters.

If the Exhibition had been merely or chiefly a big fair, a big comparative display of commercial products, significant only of material progress, illustrative only of the ways in which money may be earned and spent, one would hardly write such words about it. But it was much more than this. To begin with, it was a place of recreation for the people, such as, surely, the world had never known before. Countless amusements were provided by day, entertainments for the eye and the ear and the mind; and at night—a most happy innovation—the grounds were open and gaily lighted. As one looked down from the balcony of the huge tower on a Sunday afternoon and saw the thronging

figures,—more than three hundred thousand, sometimes a population like that of a large city,—or, mingling with them, noted the vast preponderance of the “lower” over the “upper” classes, yet the perfect order and decorum, the good-humor, the gaiety, the intelligent curiosity, one forgot that here were things which artists and *savants* might well cross the earth to see. One thought first, that here, month after month, the people could amuse itself and profit by its amusement, and then, that a people needs play as well as labor, the circus as well as bread. And one respected and admired the nation that could prepare such a playground for itself without detriment to the more serious side of its enterprise, and could administer and make use of it so well.

In the second place, considered in its more serious aspect, Science and Art, not Trade, gave this Exhibition its character and determined its success. Never before had the strictly intellectual side of modern man's achievements been so conspicuously set forth. As President Carnot well said, it was a display of ideas rather than of things. The great buildings themselves were the objects that impressed one most—the daring science of their construction, the unprecedented degree of beauty that had been wrought with utilitarian iron and glass. Many people have laughed at the tall tower during the past year, but, I think, none who have seen it. Machinery Hall still more clearly illustrated what impossibilities are possible to-day. And as one passed from point to point, the feeling grew that the finest thing about the Exhibition was its aspect as a whole—its excellent planning, its tasteful adornment, the monumental dignity that had been appropriately combined with festal brightness and variety; and the impression it gave of being a magnificent whole, not a casual massing of independent parts. All this meant the triumph of Science and Art working hand in hand. Then in the domain of Science was the huge building filled with illustrations of the History of Labor in all ages, lands, and branches; the wonderful horticultural department; the instructive display of France's management of her waterways and forests; and that vast aggregate of varied exhibitions which came under the general head of Social Economy. Evidently all these and many more were exhibitions of ideas, not of mere things,—but how truly so, only those can understand who saw them. And with these may be named the seventy “Congresses” which gathered from week to week to discuss questions of vital human interest.

Art, however, was as conspicuous as Science. She had her part in the History of Labor, and her hand was shown in countless industrial exhibits, while the magnitude and splendor of the artistic collections proper cannot even be suggested in words. One saw the whole past century of France at its work, and, in still greater detail, the present day at its work in France and abroad. Nothing like the same panoramic view of modern endeavors and results had ever before been shown, and none could have been shown except

in Paris; for almost all that was good, and absolutely all that was best, had been produced there. Or, if there were exceptions, they showed the inspiration of French teaching and example. Of course, no other nation was represented a tenth part as fully as France, and some — like Germany — sent no "official" collection at all. But quality will tell to a careful eye, be quantity ever so small; the tendency of a school will show through the veriest "scratch" assemblage of a hundred pictures; the serious student will know if there are greater names out of sight than those he sees, and if he finds only confessed mediocrities will contrast them only with the mediocrities of other lands. Even thus judged, however, as cautiously and leniently as possible, and with the French Retrospective Collection left out of sight and only current French work considered, the rest of Europe made a poor showing compared with France. There was not a single foreign room — except, perhaps, our own, of which I shall speak again — where one felt that anything very well worth doing had been done. This might have been explained in some cases by the fragmentary nature of the collections. But Belgium was very fully represented, the Scandinavian countries too, and England not inadequately. And how, in any case, could one explain away this further fact, that in no room did one feel that anything very well worth doing had been conceived or attempted? There seemed but little proof that there must be better things at home than those one saw, or that better ones were likely soon to follow. There seemed as little of hopeful suggestion or promise as of rich and ripe success. Merit was not altogether wanting, of course. Good pictures had been painted here and attempted there; and here and there an interesting isolated personality was revealed. But a great *Art* — a collective movement marked by force, character, and accomplishment — nowhere showed itself except in the galleries of France. And true as this was of the painter's art, it was still truer of the sculptor's. The show of modern work in both departments was magnificent, but no one would have been less impressed, less charmed, less well instructed, had France exhibited alone.

This brings me to another main point of interest. As it was conspicuously in the art galleries, so it was to a lesser degree almost everywhere else. Sometimes we felt that foreign nations were the inferiors of France, sometimes we knew that they had refused to show their best in an exhibition which commemorated 1789. I need not inquire into causes more narrowly. I only want to say that, as to their general result, in very many departments the so-called International Exhibition seemed a national one. It seemed the creation of France and her colonies, and of French enterprise bringing marvelous things — like the reconstructed Cairene street — from many far-off lands. From their own point of view, the hostile governments would have been wiser not to allow France to work thus alone. They should not have given her the chance to show that, despite their hostility, she could draw enough from the outer world to make an exhibition larger, more beautiful, more varied, more interesting, instructive, and amusing, more scientific and more artistic, than had ever been made before. They should not have permitted the world to feel that even had she stood entirely alone it would have sufficed. Cold-shouldered as a republic, the Republic's stature and strength, its vitality and its

capability, were but the more clearly shown. This triumph of modern industry, art, and science meant, in fact, the triumph of France. It was a better "revenge" than could have been gained on a battlefield; for no one who saw what Paris had done could think for a moment that, under like conditions, any other city could have done the same. If there might possibly be a doubt in some directions, there could be none with regard to matters of art. Nowhere else could so artistic an *ensemble* have been achieved, nowhere else could it have been adorned with so many thousand objects of the first artistic importance.

Turning now for a moment to that Retrospective Exhibition of French art which was the crowning glory of the whole, I think I can affirm that one painter stood out above all his fellows as the incarnation of the century's best. I heard many tongues say the same thing: It is the apotheosis of Corot. No one quite knew him before; no one could fail to understand him here — his truth and strength and charm, his individuality, his variety, his quality of "style." There was nothing more purely modern than his work, nothing more purely personal, nothing more purely lovely. And no one else had so united these three qualities, interpreting at once the spirit of modern art, the poetry latent in a human soul, and the perennial value of beauty. Millet stood next him in significance and charm, yet, it seemed to me, not quite so high. He was greater in mind, no doubt, and, like Corot, a poet too. But not so purely a poet, and it is the purest poetry that will live the longest in art. Nothing was more surprising in the Retrospective Collection than the immense number of admirable portraits. Here, if I must give my vote, it will be for Bastien-Lepage. This is surely another of the immortals, and again because, while no rival painted better, none seems to have felt so strongly. We cannot call him a poet in Corot's, in Millet's way. But it means the poet's spirit still when a man paints another as Bastien did — with such evident emotion in face of the nature he saw and of the means with which he was to render it. It means the great gift of sympathy, of insight. But I should never stop if I tried to note all the painters who here impressed me most. Let me turn for an instant to those one saw in the exhibition of the French work of to-day. Are they as great as the French painters of twenty or thirty years ago? Not quite: far ahead of the rest of the world, yet in some respects behind their elder brothers. For technical excellence their results could not be overpraised; but there seems less of soul in them, less of feeling, less adoration of nature, less thought that each man should find some personal message to deliver. Of course there are exceptions, but it is of general facts I am speaking, and only in the most general way.

On the whole the French sculptors of to-day impressed one even more than the painters, and quite apart from the fact that their work was less familiar. No familiarity could lessen one's admiration for their marvelous results, or one's wonder at the long list of names that rank among the best. The general level of accomplishment was as remarkable as the variety of the problems attempted, and the personality, sincerity, and strength of their solutions. The nude in action and repose; figures of both sexes in simple, modern dress; animals of every sort; colossal groups; complicated

reliefs; the ideal, the realistic, the fanciful, the grotesque; monumental work and decorative work; the expression of infantile charm, of feminine beauty, of virile force, of decrepit age; the portrayal, not of figures merely but of ideas — everything had been essayed, and everything well done. It had not been found impossible even to blend contemporary with idealistic, symbolic figures — most difficult of tasks in view of current modes of dress. If one knew nothing of the sculptor's methods, thought nothing of the technical skill involved, the mere fact that the given conception had been so clearly incarnated was enough to astound any eye familiar with modern work in other countries. Here, too, there were no contrasts to draw between to-day and yesterday. The Retrospective Exhibition and that of current work blended together in one great stream beginning with Houdon and Rude, and wider and richer to-day than ever before. It is much in other countries if we find one or two men who even know what sculpture means. In France there is a whole race of men who know it perfectly, and can teach it to the blindest observer. One more point should be noted. We are sometimes told that sculpture is too "abstract" and "ideal" an art to be in vital relationship with modern civilization. Yet the most idealistic of these French sculptors is as modern in feeling as French; as sincere and personal as any painter could be. There has been no such work as theirs since the best bloom of the Italian Renaissance, yet they are no more like the Italians in aim or result than these were like the Greeks.

Even after seeing all that the Frenchmen had done, however, an American could walk through his own galleries without shame. They were the most satisfying, I think, after the French, and very surely the most promising. Yet only the American painters living abroad were well represented. The shipment from home very inadequately showed what is really being done at home. Taking all the works together, though, what I felt was this — and I think any careful observer who bore the youth of our art in mind must have felt the same: "Here a better foundation has been laid than we see in any other foreign room; here, more than elsewhere, we read a belief that a painter's first task is to learn to paint. The general level is already good, showing a number of capable painters, well endowed, well trained, and seriously ambitious; a few of exceptional talent and accomplishment, and one, John Sargent, who in his own line need fear no living rival. The foundation is well laid, and the prospects for further development seem good, at least in certain directions. Portraiture promises extremely well; *genre* painting only needs to be more national in subject-matter to show its strength and individuality better; and landscape gives sure signs of incarnating those very qualities which, in the French school, it threatens to lose — those personal, poetic qualities which made the glory of the French generation just extinct. The least hopeful branches are those of historical and idealistic painting and the painting of the nude."

But to note this last fact meant to note, in explanation, the general fact which was most clearly in my mind as I left the American galleries. Not talent is wanting to American artists, nor ambition, nor conscientiousness, but public appreciation. They are in the right path, and they are eager to advance, but no

one helps them, and where there is not help there is bitter hinderance, especially in what are called the "higher branches" of art. How are they to show what is in them if neither the Government nor the private citizen cares for anything they do, cares whether they do anything or not? It is not with them as it was at first with Millet and Corot and many of their fellows. The public does not reject some of them because it cares more for the work of others who work differently. It overlooks them all in favor of foreign painters who do similar things and often not half so well. An opposition founded on taste, on choice, may be overcome; one founded on indifference, on a broad prejudice, is harder to fight; and it is deadlier in its effects, for it discourages effort in all possible directions. If the public sees and dislikes your work, you may hope to change its heart. If it will not even look at it, what can you do? And yet there is so much to-day in American art that deserves to be looked at!

M. G. van Rensselaer.

#### The Evolution of the Educator.

THIRTY years ago the leaders of thought in the teaching profession worked in school-rooms. To-day they work in offices. The army idea has been adopted in the organization of educational work. The class teacher has lost his sovereignty and is become a private in a great army ruled by "educators." We witness a multiplication of positions filled by men who direct and supervise the work of teaching, but who do no teaching themselves. These educators have absorbed the executive functions of the school committee of old, and too often the thinking function of the teacher. The class teacher is given a course of study docked on all sides, with methods of teaching every subject, and a boss educator is on hand at intervals to see that all mere class teachers keep in line.

Two evils result from this condition.

Teachers in large cities, having the matter and method of their work thought out and prescribed for them, are ceasing to be *thinkers* in a professional way. One boss may do the thinking for a hundred house builders, but builders of brains should do their own thinking.

Recognition of efficiency in class teaching now comes in the form of an invitation to stop teaching a class, to step out of the school-room, to become a dispenser of educational enthusiasm, a formulator of pretty theories, a thinker for other workers. The highest price paid for school supervision is paid in the annual drawing off of good class teachers to go into the "educator" business. The influence of one superior class teacher through his or her class work is more effective for good than the platitudes and reports of a dozen educators.

It is an evil day for any profession when its highest rewards bring with them an abandonment of actual professional work. Teachers must be made to see a future of honor and profit in actual class-room work. Our great city school systems are burdened with supervising officials, and are not giving substantial recognition to acknowledged excellence in class-room work.

MILWAUKEE, WIS.

William J. Desmond.

copious topographical observations and political reflections.

In 1880 a change came over Professor Bryce's manner of life. He had long taken a warm and liberal interest in public affairs, and he now became a practical politician. He entered the House of Commons as member for the Tower Hamlets, a constituency which he continued to represent for nearly five years and which he has been able to address in German. In 1885 he was elected for the Scotch borough of South Aberdeen, and was reelected, unopposed, to serve in the present Parliament. During Mr. Gladstone's last brief period of power Mr. Bryce held office as Under Secretary of State for Foreign Affairs. But before this he had given his close attention to the study of American institutions. In 1881 he made a second and in 1883 a third visit to the United States. In 1884 he began to write that compendium of well-arranged information which, under the title of "The American Commonwealth," was published in 1889. In 1888-89 Mr. Bryce visited India, his book being issued during his absence. An account of his activity as a professional politician would hardly be in its right place in so slight a sketch as the present. But it is only right to give him special credit for his activity in bringing before Parliament the importance of the question of

preserving common rights, in which he has done eminent service. He is prominent, also, as a defender of the rights of literary property, and as a parliamentary representative of that important institution the Incorporated Society of Authors. He was in the chair at the dinner given by that body to the authors of America in 1888, when Mr. James Russell Lowell made one of his finest speeches. In politics Mr. Bryce is a Liberal of the advanced, but not revolutionary section. He has kept very closely in touch with Mr. Gladstone, and is one of those Liberal politicians, now becoming a small body, who have never swerved to the right or to the left in their personal allegiance to the leader. He has even accepted the principle of home rule for Ireland. At various points, but particularly in his convictions in regard to the Eastern question, Mr. Gladstone has found, perhaps, no follower who has given the subject so much study and yet whose judgment is so identical with his own as Mr. Bryce. Historian, jurist, politician, traveler, university reformer, there can be no question but that James Bryce has dissipated his extraordinary talents over too many widely divergent provinces of mental action to attain the credit he might have conquered in any one, but in his versatility—and he is sound even in versatility—he is one of the most "all-round" men of his generation.

X.

## TOPICS OF THE TIME.

### Ballot Reform Practically Accomplished.

THE complete success of the new Massachusetts ballot act, at its first trial in the election of last November, made it certain that what had previously been known as the Australian system was destined within a few years to become the American system. As Mr. Henry George, who witnessed the working of the new law in Boston, said, after the election was over, "The new system more than fulfilled every anticipation of its friends, and falsified every prediction of its enemies." This was a terse statement of what had happened. The first trial had swept away at a single stroke every argument which had been raised against the Australian method. It had previously been said by the opponents of it, whenever they were told that it had been in successful operation in Australia for thirty years, in England for eighteen years, and in Canada for sixteen years, that the experience of those countries furnished no evidence that the system was adapted to American needs; that the multiplicity of candidates at our elections would lead to such long and complicated ballots that the voter would take so much time in marking them, and would get so confused by the number of names, that either the election would be defeated, or large numbers of voters would be disfranchised.

This argument of "complications" and "confusion" was advanced persistently and in countless forms, but at bottom it was always the same; the system was too involved, too "theoretical" and "visionary" for practical American needs.

When it succeeded in municipal elections in Louisville, Kentucky, and in Milwaukee, Wisconsin, the opponents of it said that those were no tests, since only local candidates were chosen. When in October last it had its first trial in the first election which Montana held as a State, and succeeded again, these opponents said that this could not be regarded as a test, because Montana was a sparsely settled community, and there was no need of haste in depositing or counting the votes. When at the same time it was tried in the chief cities of Tennessee, where there was a large illiterate colored vote, and again succeeded perfectly, the old argument of a simple municipal ticket was advanced as sufficient to meet the case. When a modified form of the system was tried in the same month in Connecticut at a State election, and like all previous trials proved successful, it was said that the reason was that this was not the "complicated" Australian plan, but a simple method which had been advocated by the opponents of the Australian plan as more practicable. They overlooked the fact that more defects were discovered in the working of this "simple" law than had

been revealed in all the previous trials of the various Australian laws put together.

But the Massachusetts test met and overthrew all points of criticism. The law was a thoroughgoing application of the Australian system. In all important principles it was a copy of the bill which was drafted by the committee of the Commonwealth Club of New York City in the winter of 1887, and which became the basis of the two so-called Saxton bills that Governor Hill vetoed in 1888 and in 1889. These principles are secret voting in compartments, exclusively official ballots, printed and distributed at public expense, and nominations by means of petitions or nomination papers, as well as by regular party organizations and conventions. The names of all candidates were to be printed on the same ballot, and the voter must indicate his choice by an X opposite the name of each candidate for whom he wished to vote. Governor Hill and his imitators in opposing these principles had objected, most strongly to the exclusive official ballot, the grouping of all names upon one ballot, and the marking of that ballot by an election official to prevent imitations. These were the principles upon which the general charge of "complications" rested. There was nothing said by Governor Hill in his two veto messages in opposition to the Saxton bills which was not aimed at one of these principles. His contention was that in the large cities these provisions would lead to endless delays and complications, would open the door to fraud, would furnish easy means for defeating the secrecy of the ballot, would aid rather than prevent bribery, and would disfranchise thousands of voters.

When tried in the city of Boston every one of these objections was proved to be absolutely groundless; that was the testimony of everybody who witnessed the working of the law. It was shown that all classes of voters had no difficulty in using the system; that "heelers," "workers," "bulldozers," and all the other annoying concomitants of elections in American cities had disappeared as if by magic; that bribery had been abolished; that voting was so easy that three minutes was the average time in which the voter prepared and deposited his ballot, instead of the ten minutes provided by the law; that during voting-hours the polling-places were as orderly as a prayer-meeting, and, finally, that the counting was almost as quickly done as it had been under the old method. In every other part of the State the same demonstration was made, and when the polls closed on election night there could not be found in the State of Massachusetts a single opponent of the Australian system. As one of the bitterest opponents of it said after witnessing its operation: "It is as easy as rolling off a log."

The wonder is, not that the system succeeded, but that we have been content to get along for so many years without it. As a matter of fact we have had nothing which could properly be called a system. We have been getting on in many States, including New York, literally with no legal provision whatever for the furnishing of ballots. The law directs how the ballots shall be printed, but makes it nobody's duty to supply them. Our voters get them where they may, have no assurance that they are honestly printed, or represent what they purport to represent, and advance to the polls to deposit them, in our large cities, through a

crowd of loafers and "heelers" to a room filled with a similar crowd and reeking with tobacco smoke, vulgarity, and profanity. Nobody can truthfully call that a "system."

Under the Australian method the voter is taken charge of from the moment he enters the polling-booth, is guarded against annoyances of all kinds, is helped in every way to prepare his ballot, has a path marked out for him to follow in depositing it, and a separate door for him to depart from when his work is done. He could not go astray if he tried. That such a system as this should be called "complicated" is, in the light of experience, an absurdity. It is small wonder that the success of the Massachusetts law has created so general a demand for similar laws that it is a safe prediction to make, that within five years every State in the Union will have adopted a similar statute. There were nine States which had such laws at the close of 1889, and two others which had imitations; and it is not improbable that in a majority of the States our next national election will be conducted under the Australian system. That will be a reform advance as invaluable in its effects as it has been speedy in accomplishment.

#### Value of the Small Colleges.

No part of Mr. Bryce's "American Commonwealth" shows a keener insight into American needs than his chapter upon our universities. He is able to perceive at once the weak point in the criticism which is so often heard, to the effect that we have too many small colleges and not enough great universities. Like any other observing foreigner who has visited this country, he heard this criticism more generally than any other, for it is the one most often made, both by those who have thought a little upon the subject and by those who have thought upon it not at all. Mr. Bryce says (Vol. II., p. 552):

The European observer . . . conceives that his American friends may not duly realize the services which these small colleges perform in the rural districts of the country. They get hold of a multitude of poor men, who might never resort to a distant place of education. They set learning in a visible form, plain, indeed, and humble, but dignified even in her humility, before the eyes of a rustic people, in whom the love of knowledge, naturally strong, might never break from the bud into the flower but for the care of some zealous gardener. They give the chance of rising in some intellectual walk of life to many a strong and earnest nature who might otherwise have remained an artisan or storekeeper, and perhaps failed in those avocations.

That is as true as it is well said. We have quoted only a few lines from a chapter which every friend of education ought to read entire. No man can estimate the service which the small colleges of the country have done by setting up "learning in a visible form" in so many parts of the land. Our educated class would otherwise be no more than a fraction of what it is to-day. American boys are proverbially ambitious of learning, and in thousands of them the spark has been kindled by the presence of the small college near their homes. They could not afford to go miles away to a great university, but they can live at home and walk daily to the small college. In every part of the land where such an institution exists it acts as a perpetual inspiration. When the elder son of a family goes to college, his example becomes at once the model for

the younger sons. The tuition is usually low; the ability to live at home instead of having to board brings the education which the college has to offer within the means of any boy who has in him the stuff of which a real man is made. Thousands of American boys have paid their way through these colleges by teaching school and by various kinds of manual labor in vacation time.

Of course the education afforded is limited. It bears no comparison with that obtainable in the largest American colleges, to say nothing of that to be had in the great European universities. But between it and no college education at all the distance is enormous. In some respects the quality of it is inferior to none which is given anywhere. The personal contact between teacher and pupil is closer in the small college than in the large, and wherever there is found in one of them a true teacher, a man of large soul, quick sympathies, and high ideals, who has the indescribable and invaluable gift of touching and opening the minds of youth—wherever there is a college with such a man there is a great university in the highest sense of the word. One such teacher, it matters little what he teaches, can make a college a power in the land. It is our conviction that there are many of these teachers scattered throughout the 345 colleges which we have in the United States, and that there is not in the land a more potent influence for the highest good of the nation.

Statistics show that our colleges, great and small, contain about 70,000 students, and that more than 10,000 degrees are conferred each year. There are thus sent forth into the world 10,000 young men—the statistics given do not include women—in whose minds a love of learning has been kindled. It may be that in the majority of cases there will be little growth towards higher learning after the college precincts are abandoned; but in all cases some influence has been exerted. These 10,000 men will not be so easily misled by false doctrines and fallacious theories as they would have been had they never gone to college. In every community in which they pass their lives their influence will be exerted on the side of progress and in favor of the more liberal ideas which find the light there. Among the 10,000 there will be a few in whose larger and more fertile minds the seed of knowledge will continue to grow until it bears fruit. Among them there may be one whose voice or pen shall prove of highest value to his fellows for many years to come.

There never was a time when our country needed the services of these college-bred men so much as it does to-day. We shall always have in this land of inexhaustible resources enough of men who will devote all their energies to the accumulation of wealth and to the increase of our material prosperity. To counteract them we need and shall continue to need the restraining influence of those who are willing to devote themselves to what Lowell calls the "things of the mind." The country must have some men who can resist the temptation to devote their lives to mere money-getting, not because they would not like to have the freedom and power which money gives, but because they love knowledge more. Our colleges alone can supply these men, and they are supplying them, and are thus of inestimable service to the Republic.

#### The Care of the Yosemite Valley.

A COMPETENT judge has characterized the announced policy of an active member of the Yosemite Valley Commission to "cut down every tree [in the valley] that has sprouted within the last thirty years" as a policy "which, if it were carried out, would eventually result in an irreparable calamity—a calamity to the civilized world." This member is represented as declaring that his policy has the support of the commission: it remains to be seen whether his associates will follow such fatuous leadership. But the history of the Yosemite makes it only too probable that a crisis in its management is near at hand.

The American people are probably not aware of their proprietorship in the Yosemite. In 1864, by act of Congress, the valley and the grounds in the vicinity of the Big Trees of Mariposa were granted to the State of California "with the stipulation nevertheless that the said State shall accept this grant upon the express conditions that the premises shall be held for public use, resort, and recreation; shall be inalienable for all time," etc. Thus is recognized by law the moral claim of all humanity to an interest in the preservation of the wonders of the world. A citizen of New York is as much one of the owners of the Yosemite as a citizen of California, and his right to be heard in suggestion or protest is as undoubted. There are, unfortunately, few resident Californians who are well acquainted with the valley. An actual count has indicated that one-half of the visitors are foreigners, chiefly Englishmen, while one-fourth are from the Eastern States. The opinion of these "outsiders" might be supposed to have a special value, being disconnected with the local dissensions which have gathered about the valley. And yet disinterested endeavors made in a private and respectful manner to arouse the authorities to the destructive tendencies which are evident to people of experience and travel are denounced by certain members of the commission in the most violent and provincial spirit. This spirit has been widely remarked by travelers, and is candidly recognized by many Californians and deplored as doing much to retard the growth of the State.

It is unfortunate that the first public presentation of the subject and the resultant investigation by the legislature of California were complicated by personal, political, and commercial considerations to such an extent as to obscure the important point—Has the treatment of the Yosemite landscape been intrusted to skillful hands? We have before us the report of this investigation, together with a large number of photographs showing the condition of portions of the valley before and after the employment of the ax and the plow. Without going into the details of the alleged abuses, monopolies, rings, and persecutions, it is easy to see in the above testimony and photographs abundant confirmation of those who hold that the valley has not had the benefit of expert supervision. In saying this we are not impugning the good faith of past or present commissions or commissioners, appointed for other reasons than their skillfulness in the treatment of landscape. They are certainly to be acquitted of any intention to injure the valley: that would be unbelievable. It is no reproach to them that they are not trained foresters. Their responsibility, however, does not end

there: it is, in fact, there that it begins; for, in the absence of knowledge of a professional nature, it should be their first aim to obtain the very best man or men available to do this work. No such expert is too good or too expensive, and no claim upon the budget of California should have precedence of this. If the commissioners have not money enough for this expenditure, it is part of their duty as holders of a great trust to arouse a public sentiment which shall procure the proper appropriation. The press of the country, which is never backward in such matters, would lend an effective support to the demand for funds for this most necessary expert care.

Here, however, is the crucial point. The commission may follow the leadership of those who see no need of experts and have no faith in them. They may think it more desirable to improve a trail than to preserve the sentiment for which the trail exists. Perhaps, in their interest in safe and rapid transportation, they may even carry out the project attributed to the governor of California, of building a tramway along the valley! We prefer to believe that, aware of the endless trouble, confusion, and clashing of one commission with another, and of the members of each with their associates, they will awake to the necessity of procuring from a competent person a definite plan for the treatment of the landscape and artistic features of the valley. It is fortunate that there are several such men now living. A large part of the business of their profession is to contrive expedients for lessening the misfortune into which gentlemen of education and culture, supposing themselves to have a special aptitude for the work, have carried themselves in undertaking what they have regarded as very simple improvements. To contrive means and methods by which that which is most distinctly valuable to the

world in the Yosemite can be perpetuated, and to provide means by which the world can conveniently and effectively make use of it,—which means shall be in the least degree possible conspicuous, incongruous, and disturbing to the spirit and character of the scenery,—is a problem that no amateur ought to dabble with.

Should the commission not be inclined to this obvious duty, the better sentiment of California might well be organized to procure the amendment of the law by which the commission is appointed. Eight men named by the governor,—none of them for attainments in the profession of forestry,—meeting but twice a year, serving without pay and liable to removal, are not likely to constitute a commission of skill and responsibility. What is needed, after a definite plan, is fitness of qualification and permanence of tenure in its administrators. We believe a large sentiment in California would support a bill for the recession to the United States with an assurance of as capable administration in government hands as now characterizes the Yellowstone Park. Among the chief of California's many attractions are the Spanish missions, Lake Tahoe, and the Yosemite and Big Grove grant. The missions are dropping into a needless decay, the ravages of the lumberman are spoiling the beautiful shores of Tahoe, while the Yosemite, which should be the pride and nursling of the State, finds in her neglect and doled expenditures the indifference which popular tradition ascribes only to a step-mother. It is to the interest of the valley, the commissioners, the State, the nation, and the world that California should adopt an intelligent and generous policy towards the Yosemite with a view to placing it in skillful hands and devising a permanent plan which shall take it, once for all, out of the reach of the dangers by which it is now seriously threatened.

## OPEN LETTERS.

### Destructive Tendencies in the Yosemite Valley.

LETTERS FROM VISITORS.

#### I.

AT the meeting, in June last, of the commissioners who manage the Yosemite Valley, a project was set afoot to obtain from the National Government the grant of a large addition to the land now held in trust by the State of California under the act of 1864, deeding to that State the Yosemite Valley and the Mariposa Big Tree Grove. The plan to extend the grant is at this writing not worked out in detail. There is, however, a most pertinent and important question which offers itself *pari passu* with the general idea of a widening of the limits of the grant. It is this: Has the past management of the Yosemite Valley been good or bad? has it been characterized by a fit appreciation of the dignity and beauty of the subject to be treated? or has it been conceived and executed on a low plane, either of intelligence or of taste?

Until that question shall have been answered with candor and impartiality it will scarcely be worth the while to suggest or discuss the details of any plan for an extension of the grant. During the year now gone the management of the valley has been most bitterly

criticized in the columns of some of the California newspapers. If such utterances were to be accepted as conclusive evidence, there would be but one judgment to be rendered—that the management of the valley was in hands wholly vile, and that to increase the power for harm held by such hands, by enlarging the domain submitted to their control, would be an act of criminal folly.

Fortunately and unfortunately for the peace of mind of those who know and love the greatest treasure of our national scenic gallery, many of the newspaper comments have been of an exceedingly ill-advised description—fortunately, because it is a comfort to know that the situation is not nearly so bad as it has been represented to be; unfortunately, because there are in truth good reasons for vigorous protest against certain parts of the management of the valley, and those reasons have been buried almost out of sight in the newspaper columns under a mass of intemperate, indiscriminate, and sensational denunciation, to no small extent incited by business rivalries and personal jealousies.

Brushing away the impeding rubbish of abuse, one comes to the solid and salient fact that the management of the Yosemite has been a woful failure in respect

of the preservation of the natural loveliness of meadow and woodland. It is not necessary to agree with the sweeping assertion that "the valley has been converted into a hideous hay ranch"; but it is too evidently true that the artistic instinct—if it has ever existed in connection with the management of the valley—has been sacrificed to the commercial, and the conservation of natural beauty has been outweighed too frequently by the supposed necessity of providing mules, horses, and horned cattle with pasturage and hay at the least possible cost to the owners of those beasts.

But the work of the plowshare and of other aids and abettors of commercial agriculture is of less serious import—being primarily less objectionable and also more easily rectified when harmful—than is the absolutely shocking use that has been made of the wood-chopper's ax—deadliest foe, in reckless or ignorant hands, of woodland beauty; deadly unless guided by a mind of most rare attainments in the craft of artistic forestry. There are places in the valley where one is forced to wonder why the axes themselves did not turn and smite the men who were putting them to such base uses. This stupid application of the woodman's tool is not a thing of yesterday. It began with the white man's occupation of the valley. It has been continued under all administrations. During the last year it received a check; but under the system by which the Yosemite is governed there is no saying when the work of the devourer of beauty may not again flourish.

No intention herein exists of decrying the use of the ax, or even of fire, within limitations. Nature indeed is the sole truly great artistic forester; yet the conditions of nature in the Yosemite Valley are such that human agencies must, for human convenience and enjoyment, tamper to some extent with nature's work. But active and unnecessary aggressions have been made on the charms of both woodland and open meadow of a sort that admit of no variety of opinion or taste. The offenses thrust themselves with violence upon the notice of the most transitory observer, and become positively burdensome to one who prolongs his stay in the valley. So far, then, has the administration of the grant been a failure, and the inevitable inference is that any extension of the grant should be made with caution, and not at all unless accompanied with a radical reform in the system of control.

It is simply a waste of time to attempt—as was done last winter during an investigation of the affairs of Yosemite by committees of the California legislature—to fasten upon individuals the blame for the past desecration of the valley's beauty. The roots, trunk, branches, and foliage of the wrong are in the system of management. The individual wrong-doers—whether commissioners, guardians, wood-choppers, stable-boys anxious to feed their mules cheaply, or whoever else—are merely the natural fruitage of such a system. Let us see what that is.

The valley is managed by a board of commissioners, of which board the governor of California, whoever he may be, is ex-officio president. There are eight other commissioners, each of whom serves during four years; but they are appointed four at a time, biennially, the appointment being made by the governor of the State. The commissioners serve without

pay other than a small allowance for actual expenses when attending meetings of the board. The meetings are semi-annual, and one of them must take place in the valley. Under the commissioners is a guardian, who receives a small salary, who has no right of initiative, and who is practically merely a watchman and foreman of laborers. It would appear that the bare announcement of such a system would be enough to secure its condemnation as unwieldy, unjust, and totally ineffective to fix responsibility in any certain place. The wonder is that the results of the system have not been tenfold worse than they are.

A small commission, well salaried, and of which one member might with advantage be a man eminent in the profession of landscape gardening and artistic forestry, could fairly be expected to do away with the present causes of complaint—or at least to apply remedies where the evil is not past remedy. There is, however, no need for entering through this letter into a definite and detailed plan of reformation. If the active interest of the clientele of THE CENTURY can be aroused,—and that body comprises an exceedingly great proportion of visitors to the valley, past, present, and prospective,—surely that influence should be able not only to enforce its demand for reform, but also to procure the adjustment of a wiser system of management for the Yosemite than any that the present writer claims to be able to offer.

*George G. Mackenzie.*

WAWONA [BIG TREE GROVE], CALIFORNIA.

## II.

I ENTERED the Yosemite Valley one Sunday afternoon in June, 1889, and rode immediately to the Stoneman House, at the farther end of the valley. My impression on arriving at that point was far from agreeable. At my left was the Yosemite Fall; at my right was the hotel with its expectant waiters; while in front and near at hand was a long, low, frontier-town saloon, vulgar and repulsive in every detail, and so out of harmony with its grand surroundings as to shock the dullest sensibilities.

I was anxious to look upon the valley alone, and therefore took a saddle-horse, and without even a guide rode over it and climbed its trails, standing upon the highest summits and visiting the most concealed recesses. As I rode over the floor of the valley I was more and more impressed with the lack of design or even of ordinary skill in its laying out and management which was everywhere apparent. The drives are as good as can be expected; no fault can be found with their construction, if the shortest route between two points is all that is desired. But this is not all. The floor of the valley is so level that no special skill in road-making is required. What is needed is a cultivated taste; an eye which can take in the grand frame of carved and etched rock and the beautiful picture which nature has spread between the imposing walls; and a trained taste which can combine the latter with the former, so that each shall enhance and contribute to the grandeur and beauty of the other.

Apparently no effort has been made in laying out the drives to reveal by unexpected turns the startling beauties of rock or river or waterfall. A few bridges cross the swiftly flowing river, but these are



bridges of convenience. They are not placed where they will furnish the finest views, and architectural merit or harmony with the surroundings evidently had no place in the mind of their builder.

As to foot-paths, there were none. The visitor can "cut across lots," unless fences prevent; but as for walks, or paths laid out with artistic design, to afford pleasant surprises by openings through which delightful views may be obtained, or leading to shady nooks among the giant pines, or to rare points of observation, they do not exist. The impression is forced upon the mind that pedestrians are not wanted, and this is further demonstrated by the fact that in all this valley there is no seat, nor arbor, nor place of any kind where the visitor may sit and enjoy the wonderful scenery, unless perchance he sit upon the stump of some giant tree which has been felled by ignorance or folly.

The decaying stumps of magnificent pines and oaks, standing alone or in groups in so many and such peculiar places, so impressed me as representing successive stages of destruction, and useless and wanton destruction, that I made a special visit to the guardian of the valley to inquire why it was so. The explanation was simple: "There is no plan for the improvement or care of the valley: each guardian has his own idea; each board of commission has some idea, ill defined, that something ought to be done, and often individual members of the commission have their own ideas in regard to what should be done in the way of trimming, cutting, etc. New commissioners appoint new guardians, and each guardian follows in the footsteps of his predecessor by doing as his own judgment dictates."

This was the explanation of the guardian, and in the light of this explanation I can see how giant trees could be felled to suit the taste or convenience of hotel keepers, how guardians could trim shrubs and lop the branches of trees, or even fell and destroy giant trees as they are moved by the spirit.

In one part of the valley I saw a large piece of ground, entirely cleared of trees, which had been fenced in and was used as a pasture for horses. If this cleared spot could have been used as a park, where natural grasses and wild flowers of the valley should be encouraged to grow, it would have been a source of constant delight to both educated and ignorant visitors. At the last meeting of the commissioners this fence was ordered to be removed at the expiration of the lease now in operation. But why should a considerable fraction of a public reservation of hardly more than eight square miles ever have been given over to the raising of hay or to be trampled by horses?

In another part of the valley wild azaleas were growing and blossoming in such luxuriance as to excite the attention of the most commonplace observer; and yet I saw a number of cows tramping through them and feeding on the tender shoots. Venturesome ladies came to the hotel with arms full of the beautiful blossoms and branches. If this be permitted, in a little time cows and tourists will entirely destroy these rare plants, as so many have been destroyed.

Now what can be done, and what ought to be done? Anything desirable can be done, because the valley is absolutely in the control of the State. First, there should be a carefully prepared plan adopted by the commission and having the force of law, and which

should be followed by commissioner and guardian, and not a limb should be cut, nor a tree felled, nor a path made, nor a road graded, except as this plan should prescribe. In this way river and rock, trees and shrubs, walks and drives, would gradually grow into perfect harmony. Every stump should be dug up, every fence in the valley should be removed, and pigpens, saloons, and tin cans placed where they will be rarely seen, and not allowed to occupy conspicuous places in the valley.

Not an animal of any kind should be allowed to be at large in the valley, and not a fence should be allowed as a cottage inclosure. Animals are necessary, but they should be fed and cared for in stables and not allowed to run at large. There must be cottages for those who live in the valley, but cottage-gardens need not be inclosed if there are no animals to destroy them, and if uninclosed they would add variety and picturesqueness if properly cared for on a definite plan.

There were nearly one hundred visitors in the valley at the time I was there, most of them persons whose taste had been cultivated by travel and observation. I heard many criticisms from them in regard to the management of the valley. The rocks cannot be removed and the waterfalls cannot be defaced; but the floor of the valley, with its beautiful trees and rare shrubs and blossoming plants, can be so injured by improper cutting as to render the natural features less beautiful and destroy to a great extent the pleasure of the views.

A class of people known as "campers," that is, people who travel with their own teams, enter the valley in large numbers, and this class, being unwatched, are the source of a great deal of damage to shrubs and smaller trees, both by cutting, by hitching their teams, and by the careless use of fire. This class cannot be excluded, and it would not be well to exclude them if it were possible; but the strictest rules should be made in regard to them and the most careful watch should be kept over them. To do this it might be necessary to have a small force of mounted police, but the result would more than compensate for the outlay.

If the commissioners could be made to see what an immense advantage and relief to them a carefully prepared plan of improvements would be, I feel sure they would secure the services of some competent man and have such a plan prepared at once.

If the present system be continued, the complaints which are now whispered will be spoken with such force and volume as to ring in the ears of the public and literally compel the National Government to retake what it has placed as a trust in the hands of the State of California.

*Lucius P. Deming.*

[JUDGE OF THE COURT OF COMMON PLEAS.]

NEW HAVEN, CONN.

### III.

IN June, 1889, in company with Mr. John Muir, the well-known California naturalist, I made a visit of eight days to the Yosemite Valley, to the upper Tuolumne Cañon, and to the peaks and meadows of the high Sierras which form the headwaters of these parallel gorges. The wonders of the Yosemite—confessedly supreme in American scenery—are hardly more unique and

marvelous than the little-known cataracts of the Tuolumne River, in one of which, along a sloping descent a thousand feet in length, the force of the torrent, striking the pot-holes of the granite, throws up not fewer than a dozen sparkling water-wheels from fifteen to twenty-five feet in diameter. This cañon, now impassable to all but the mountaineer, and with great difficulty traversed even on foot, is but eighteen miles, as the crow flies, from the Yosemite, and must eventually become easily accessible to the visitor to that region. The trip from the valley to the head of the Tuolumne series of cataracts occupies a horseman two days, part of the way by the old Mono trail, and is a continuous panorama of wild and lonely beauty of cliff and forest. The only sign of the depredations of man is seen in the barren soil fairly stippled by the feet of the countless herds of sheep which have denuded these mountain meadows and forests of the luxurious flowers, breast-high, which overspread them but a few years ago.

Fresh from the impression of the beauty of nature in its wildest aspects, and of how that impression can be impaired by the intrusion of man, we descended again to the level floor of the Yosemite to see once more from below the wonders we had seen from above. What most impresses one in the valley is the close congregation of its wonders. Here, indeed, Ossa is piled upon Pelion. Along a winding gorge, less than ten miles in length and from half a mile to two miles in width, between walls rising almost sheer to the height of three thousand feet, is a series of wonders, the sight of any one of which would be compensation for the uncomfortable and fatiguing trip from the foothills. Lake, river, forests, waterfalls, headlands — there is nothing that is not unique, nothing that is not great.

Common sense would seem to dictate that in making this wonderland accessible to visitors, the treatment of the floor of the valley from the start should have been put in the hands of the very best experts, with a view not only to preserve and enhance the composition, unity, and natural charm of the pictures presented to the eye, but to see that nothing be done to disturb the rare sentiment of the scene. The unthinking may sneer at sentiment, but in such matters the sentiment is everything — the first consideration, the only "sense." Without encroaching upon it, there is still abundant room for practical and necessary adjustments, and that these may not clash with the sentiment is the chief concern of the expert who has to make nature esthetically available by man.

Now let us see what has been done to disturb the sentiment of Yosemite Valley. In the first place the situation and surroundings of the chief hotel, the Stoneman House, are strangely commonplace and repellent. At one side, within a stone's-throw, is a marshy field of stumps; in front is an uninteresting stretch of badly treated open forest, the floor of which, said to have been once covered with beautiful flowers, is now nearly bald with thin weeds. Unfortunate as is the situation of the hotel, the services of a landscape expert would very much have reduced the offensiveness of this view. The building itself is of the cheap summer-resort type, and was so badly constructed that it has recently been declared dangerous by the new commission. It is perhaps well that it is not more conspic-

uously placed, though it has been so highly thought of that trees have been injuriously trimmed up that it may be seen by approaching stages, and that these in turn may be seen by its guests. Much worse features of this neighborhood are a saloon at one side of it and on the line of its front, and a pig-sty in the rear of the house, which is sometimes so offensive that guests of the hotel have been forced to leave the piazzas.

In walking and driving over the valley, one's feelings of awe at the unspoilable monuments of nature are often marred by the intrusion of the work of unskillful hands upon the foreground of the picture. The importance of the foreground is increased by the narrowness of the gorge and the multiplicity of grand views in every direction, which are enhanced by agreeable foregrounds. In several conspicuous places are fields of rank ferns thickly dotted with stumps — once, according to photographs and the work of disinterested witnesses, spots of singular beauty. Many acres were thus transformed, fenced in and converted into hay-fields and leased to a transportation company, to the exclusion of the public; and though the removal of these fences has wisely been ordered by the commission, nature must be long in repairing the damage already done by the trampling of pasturing animals. Near the Yosemite Fall an unnecessary swath has been cut through the forest, to the sacrifice of some of the noblest oaks in the valley, the boles of which lie where they were felled. The object of this is represented to have been to open a vista from the bar-room of Barnard's Hotel, to rival the natural view of the same fall from the Stoneman House. Indeed much cutting of trees seems to have been done to open up artificial vistas, especially by trimming off the lower limbs of young conifers to one-third or one-half their height. It is idle to say that no trees should be cut in the Yosemite, but it is well known that the cutting of a tree is one of the most delicate operations of the landscape artist, and one does not have to look twice to see that in the valley the cutting has not been guided by expert advice. How much more the need of intelligence and skill when whole vistas are to be opened, and especially when the effect of the grandest scenery is part of the problem. In a number of places where thickets had been trimmed up I saw piles of dry branches lying under the deformed trees, thus exposing the valley to the danger of fire — a more remarkable sight since in general the commission seems to be fully alive to the danger of injury to the valley by fire.

The visitor to the Yosemite finds much to praise in the arrangements for reaching the points of interest. The trails are uniformly good; the guides, so far as I could learn, are sober, careful, and intelligent; the horses and mules are trustworthy for mountain work. One may not be wanting in appreciation of these and other excellent features of the valley management and still feel, from the evidence of his eyes, that in failing to enlist expert assistance the present commission and all previous commissions have exposed to serious danger the trust which they have in charge not only for themselves and for California, but for the world of to-day and of all time to come.

## Columbus's Day.

NEARLY 400 years ago, on May 20, 1506, Spain permitted the world's most illustrious sailor to die in poverty and disgrace. Some 300 years later a Frenchman erected at Baltimore a neglected and almost forgotten monument to Columbus. In Roman Catholic circles there is now a serious proposition to honor the daring navigator by canonizing him into St. Christopher. Taking all together can any generous citizen of the three Americas think that the discoverer who suffered so much has yet been fitly rewarded?

The fair of 1892 will in itself be a magnificent but fleeting tribute. A monument would be lasting, but with so many unfinished monuments who would dare suggest another? Or by what right should the discoverer of a hemisphere be limited to a statue not visible a mile away, or by the merest fraction of the people to whose grateful memory he has a title? In this dilemma is not this a fitting time to urge the proposal that the day of the discovery should be dedicated to the discoverer? It is so fitly timed, by good fortune, with reference to other holidays of the year that it lends itself to the proposal as though so intended. Between the Fourth of July and Thanksgiving comes only Labor Day. And after Thanksgiving there is no break in the work-days until the two crowded holidays of the New Year season. The half-way holiday of Thanksgiving comes, when it does, in tardy, bleak November, too long after the Fourth and too shortly before Christmas, purely by accident. It is a holiday too firmly fixed in the people's affections for any one to wish or dare to propose its discontinuance. But surely a suggestion to shift it a little in the calendar, to a more genial season, at a time when a holiday is missing, and moreover to add to it a new and deeper meaning, is only to propose a most friendly purpose. It would be sheer caviling to object that already there is one holiday dedicated to honoring the birthday of the father of our country. No one would do him the less honor by honoring Columbus, not only in this great nation but throughout the American hemisphere. Putting religious festivals aside, there would be no holiday to compare with it, just as, since the world began, there has been no material event of greater significance to civilized mankind than the discovery of the New World.

Of course this could not be achieved all at once. Thanksgiving Day, like Topsy, "grewed." It was the result of coöperation by the sundry governors, growing out of the obvious fitness of things. Similarly, to create the new holiday only coöperation is necessary. Legislation would be useful, of course; but in New York at least, and probably elsewhere, the wording of the present statutes is sufficient. "Any day appointed or recommended by the governor of this State, or the President of the United States, as a day of thanksgiving" is a legal holiday in New York. What better day for Thanksgiving could be named than October 12, and what especial reason is there for retaining Thanksgiving in inconvenient November simply because chance and custom have placed it there? Let us by all means keep the honored feast-day, and better yet let us give it new worth and luster. Let New York's governor

set the example, let the President follow it in the great quadro-centennial year, and then poor Christopher will no longer be unhonored in the country upon whose grateful memory he has so especial a claim. Just as the Eiffel tower survives the Paris exposition, so let us hope a new and significant holiday may survive our fair of 1892. The daily press teems with elaborate suggestions for curious and costly structures of stone and metal. But none of them are so fit a memorial or would be so dear to the people as an annually recurring feast-day.

*Edward A. Bradford.*

## "Shooting into Libby Prison."

I WAS surprised at the denial of shooting into Libby Prison, on page 153 of the November CENTURY, because I was so unfortunate as to be compelled to stay a short time at that notorious place and had a personal experience with the shooting. Our squad reached the prison one April night in 1863. Early next morning we new arrivals, anxious to become better acquainted with the rebel capital, filled the windows and with outstretched necks sniffed the fresh air. Three of my comrades were kneeling with elbows resting on the window-sill, quietly looking out. I stood with my hand on the top of a window-frame, looking out over their heads, when bang went a gun, and a bullet came whizzing close to my head and sunk deep into the casing within six inches of my hand. Nothing saved one of our number from death but the poor aim of the guard, who was nearly under us, and to whom we were paying no attention. We were told by those who had been there some time that it was the habit of the guard to shoot in that way to keep prisoners from leaning out of the windows.

*Albert H. Hollister,*

*Company F, 22d Wisconsin; 1st Lieutenant, Co. K,  
30th United States Colored Troops.*

I ENTERED Libby a prisoner of war, October 10, 1863, much weakened by our long trip in box cars from Chattanooga, and having been forty-eight hours without rations. To escape the stifling air inside I seated myself in an open window on the second floor. One of my comrades, having more experience, made a grab for me and "yanked" me out, exclaiming, "My God, man, do you want to die?" "What 's up now?" I said. "Look there!" Peeping over the window-sill, I saw the guard just removing his gun from his shoulder. "What does this mean?" I said. "We had no orders about the windows." "That is the kind of orders we get here," he answered. I went through Richmond, Danville, "Camp Sumpter" (Andersonville), Charleston, and Florence, and during this experience, covering a period of fourteen months and thirteen days, I never heard instructions that we might do this or might not do that. Our first intimation of the violation of a rule was to see the guard raising his gun to his shoulder. They did not *always* fire, but often they did.

*J. T. King,*

UPPER ALTON, ILL.

*115th Illinois Volunteers.*

duce a merit test for laborers, although this must in the end be done (probably on the lines indicated by the Massachusetts State law, which provides for a system of registration of laborers). As yet, the great bulk of the examinations, probably ninety per cent., are held to fill positions as clerk, copyist, letter-carrier, and the like. In all these cases plain, common-sense questions are asked, such as appeal to the average intelligence as being suitable for testing the applicant's fitness for the special position he seeks to fill. A copyist or a clerk must be able to spell well and make grammatical sentences, he must write a good hand and be able to copy from a rough draft or from dictation, he must know how to do simple sums in arithmetic and have some acquaintance with the elements of bookkeeping, and he ought to be able to write an intelligent letter on some given subject; and therefore the questions test him on just such points, and, furthermore, require him to show a rudimentary acquaintance with United States history, government, and geography, as is befitting in one who seeks to serve Uncle Sam. A railway mail clerk is required to show a knowledge of the railway systems along the route where he is to serve, a tolerably intimate acquaintance with the geography of the United States, and skill in reading off a multitude of addresses on letters. A letter-carrier must be acquainted with the local geography of his city. If questions on subjects like these are not practical, then there are no practical questions in existence. As a matter of fact, the men who speak of the questions as impractical, or as referring to "the sciences," or the "geography of Asia and Africa," simply do not know what they are talking about; and their ignorance can hardly be called honest, for they have no business to speak on a subject about which

they could readily learn, but of which they are wholly ignorant. In dealing with these gentry I have now adopted the plan of using an argument sufficiently direct to appeal even to their intelligences. Whenever I meet a man who inveighs against the Commission for asking a letter-carrier "how far the earth is from Mars," or "to bound Timbuctoo,"—and I have heard men seriously assert that the Commission ask such questions,—I merely offer to bet him some moderate sum that he cannot produce a single instance where the Commission have actually asked such a candidate such a question; and he invariably refuses the bet, and on cross-examination admits that he does not personally know anything about the matter.

Finally, we who believe in the reform refer to that best of tests, experience, as demonstrating, beyond all question, that the merit system is not only practical, but produces the most admirable results. Wherever a public officer has taken office, believing in the law, or, even if not believing in it, willing to give it a fair and honest trial, it has invariably been found to work well. The public offices which have furnished the most conspicuous examples of honest and efficient administration of the public business have been precisely those in which the civil service law has been most rigidly and scrupulously obeyed. The post-offices at Boston, Brooklyn, New York, and Washington, under Messrs. Corse, Hendrix, Pearson, and Ross, may be instanced as showing one side of this picture, and those at Baltimore, Milwaukee, and Indianapolis, under Messrs. Veazey, Paul, and Aquila Jones, as illustrating the other.

The merit system is the system of fair play, of common sense, and of common honesty; and therefore it is essentially American and essentially democratic.

*Theodore Roosevelt.*

## TOPICS OF THE TIME.

### Further Electoral Reform.

NOW that the adoption of the Australian secret-ballot system as the American system is practically assured within the near future, it is time to consider what further steps are necessary to complete the reform of our electoral laws which has been thus so worthily begun. The advocates of ballot reform have always recognized the fact that that was only the first step in a series, but they considered it wiser to attempt only one step at a time. When they had secured a secret, official ballot they were determined to bend their energies at once upon the logical follower of that reform, the limitation of campaign expenditures. It was necessary first to get the machinery of the elections and the printing and distributing of the ballots out of the hands of the political machines or organizations and into the hands of the sworn officials of

the State. This change would remove all excuse for assessments upon candidates for election expenses, and the secret ballot would abolish to a great extent the bribery of voters, by making it impossible for the briber to see whether the voter kept his bargain or not. When this had been done—that is, when corruption had been made both inexcusable and unprofitable—it would be comparatively easy to have it made illegal and to abolish it entirely.

This is the work which our reformers have in hand now, and they have in this, as they had in the secret-ballot movement, valuable experience by which to be guided. England has followed the same order as we are following. Her ballot act, closely modeled upon that of Australia, was adopted in 1872. Eleven years later Parliament passed the justly famous "Corrupt and Illegal Practices Act," which was a totally new departure in legislation, and under which bribery

and corruption of all kinds have been abolished from English elections.

Every conceivable form of bribery or undue influence, including "treating," is defined, and the penalty is fixed. The maximum amount of expenditure which each candidate can make is named, proportionate to the size of his constituency. This sum must cover all expenses: printing, postage, room-rent, clerk-hire—everything. All disbursements must be made by one person, either the candidate himself or his agent. If he employs an agent to disburse the money, he cannot disburse a farthing himself, but must leave it all to the agent. An account with vouchers must be kept of all expenditures and returned under oath to the proper officers after election. Any person found guilty of an "illegal practice" is liable to a fine of £100 and five years' incapacity for voting, while a candidate guilty by himself or his agent loses his seat and is disqualified for sitting for the same constituency; in the former case for seven years, in the latter during the existing Parliament. Minor offenses of illegal payment, etc., are liable to a fine of £100. Any candidate whose expenditures exceed the maximum loses his seat. The law is so minutely drawn that a member who had been elected under it to Parliament was unseated because he had, during the election, promised a voter the privilege of shooting ground game upon his estates. That was declared "undue influence."

When this act was passed, after two years and a half of heated debating, there was almost universal skepticism concerning its practical value. It was thought, as our politicians persisted in saying of the Australian ballot system, to be too "complicated" ever to work well in practice. Its success was instantaneous and marvelous. The total expenditures of the last election under the old law were estimated as reaching about \$15,000,000. At the first election under the new law this total dropped to about \$3,900,000, and at the second it dropped to less than \$3,000,000. Before trial it was thought that the maximum allowed for expenditures was too low, and would have to be raised. After two elections had been held it was shown that instead of being too low, it was at least one-fourth higher than need be. In the second election the total expenditures did not reach by one million dollars the maximum allowed by law. These were remarkable triumphs, but they were not all. After the last election under the old law there were made to Parliament no less than ninety-five petitions against returns on the ground of corruption and bribery. After the first election under the new law there were only two such petitions, and after the second election there were none. A system of bribery more extensive and demoralizing than any which we have ever had in this country had been annihilated without a struggle.

It is not likely that we shall require so elaborate a measure here, for we have never suffered from many of the evils that had to be reached in the English statute. A very good bill, which seemed to cover the most important points, was introduced in the Massachusetts legislature last winter, passing the lower house but being defeated in the upper. It was the first measure of the kind to appear in an American legislature. It required sworn publication after election, both by candidates and by committees, of all expenditures made for campaign purposes. Every political cam-

paign committee in the State which expended an aggregate of more than \$100 in a campaign was required to have a treasurer, through whose hands should pass all the money received or expended, who should keep a detailed account of all receipts and of the manner of all expenditures, and who should within thirty days after election "file with the Secretary of the Commonwealth a return, subscribed and sworn to by him, setting forth all the committee's receipts, and a detailed statement of all expenditures and disbursements." Any member of the committee who should receive or disburse any money for political or campaign purposes was required to give the treasurer a detailed account of the transaction, and the latter must include it in his return. Every candidate for Congress or State office was required, within thirty days after election, to file with the Secretary of State a "detailed statement, subscribed and sworn to by him, of all moneys contributed or disbursed, promised or expended by him, or by any one, to the best of his knowledge and belief, in his behalf in attempting to secure, or in any manner in connection with, the nomination or election to such office." The penalty for making a false return or for violating any provision of the act was fixed at a fine not exceeding \$1000, or by imprisonment not exceeding one year.

This measure, while not perfect, supplies a sure basis upon which to construct the statute which is needed and which every American State ought to adopt. The success of the ballot law in Massachusetts is certain to make easier the early passage of such a statute there, and it is not improbable that she will have the honor of being the leader in the second step of electoral reform, as she has won it in the first. Her lawmakers are likely also to extend the application of the ballot law to caucuses and primaries. It has been successfully tried in a primary in Boston.

#### The Fire-Risk.

IT has been said that the greatest discovery yet made by man, in his work on this planet, has been the artificial production of fire. It is then a curious commentary on man's power to master natural forces that he should not yet have succeeded, during his thousands or millions of years in the world, in reducing the hazards of fire to the lowest possible limit. Fire will probably always be as bad a master as it is good as a servant; but the odd thing is that it should still appear so frequently as a master. Why is not this unruly servant brought to terms? Why should smoking ruins and a heavy death-roll still mark from time to time the places where great buildings once were, or a helpless people watch the flames as they eat up the city and leave desolation behind them?

It is only fair to say that in our own country this state of things has resulted mainly from that rough estimate of chances which a shrewd people will make with considerable accuracy. American agriculture used to be surface and scratchy in its methods, just because those were the only methods which "paid" under the circumstances; but any change of circumstances towards the opposite pole has shown that American agriculture can come very near the Dutch ideal of minuteness and carefulness. So, no doubt, the building of flimsy cities in the West was at first an economical thing to do. The structures had to come down some time: it was

cheaper for San Francisco, Chicago, and hundreds of other new cities to supply their present wants at as low a rate as possible, taking their chances whether the inevitable removal should be by the gauge of the contractors or by the all-pervasive fire. And if some Western cities have paid the penalty of the phoenix process, hundreds of others have profited by being their own insurers, and have come safely at last into the hands of the architect and the contractor.

But the case is complicated by the fact that such risks are not stationary, but grow as wealth grows, so that a reasonable "security" now might be decided insecurity twenty years hence. There were unpleasant whispers that a fire, which was subdued only after a desperate struggle by New York City's admirable fire department, needed but a shift of wind to have baffled the firemen's efforts and swept down through the richest districts of the richest city of America. It may have been worth while to carry such a risk twenty-five or fifty years ago, but is it worth while now? Here is stored up the wealth of continents, the capital which moves a vast and varied system of manufactures: is it wise for such a city to throw the heat and burden of its struggle for existence upon firemen, and underwriters, or to insure its own wealth upon such a cast as a shift of wind?

We know that incombustibility, though expensive, is possible: the only question for an American city to face is whether the time has come to attain to it. THE CENTURY MAGAZINE<sup>1</sup> has described the slow-burning system of construction for factories which can make a manufacturing city practically exempt from any risk of general fire. We have often found that buildings which had been considered "fireproof" go down helplessly before a really hot fire, as in the second Boston fire; but Berlin and other European cities can show us types of building in which the architectural use of cement, brick, and metals could meet New York's most varied or urgent needs of lofty buildings without any serious danger from fire: is it worth while? The competition of producers of buildings is not enough to answer the question; combustibility is so easily veered over by an appearance of the opposite that an illusory safe-deposit building, for example, might be safe from the inspection of its customers. It is only an expert architectural opinion which can tell us whether a building is really incombustible; and it is only by the use of such opinion that a municipal administration can say intelligently whether it is "worth while." It is only when a municipal civil service has banished "spoils" absolutely and has taken expert opinion into its service that it can command public respect for its assertion that the time has come when certain parts of the city shall contain no structure which *can* burn. Meanwhile one can only suspect that a bank might as well do business without a fireproof safe as that the wealthier American cities can continue to carry their present fire-risks.

Perhaps the double danger from fire and water has enabled competition to bring us much nearer the time when we shall build only such passenger vessels as will not burn because they cannot burn. At the beginning of the development are the frightful scenes attending such affairs as the burning of the *Lexington* in Long Island Sound; at the other we have our modern river, sound, and lake steamers, where there is still a fire-risk, which is largely neutralized by the intelligent

and vigilant service of steamboat companies which cannot afford to have even a single disaster by fire. But this is probably the highest achievement of competition in this direction. It has been far overmatched by those metallic steamers of the ocean service, divided into a multitude of compartments so completely disconnected that a fire might rage in one of them throughout an entire Atlantic voyage without danger to the rest of the vessel.

But competition, after all, has its limits in all the cases named: it is too easy for makers of buildings or boats to pretend to imitate, and too difficult for the occupants to know whether the imitation is faithful and true. The Union, the State, and the city must supplement and stimulate competition by their police powers of legislation and inspection. Why should the wealthiest parts of a great modern city have a single building in or near them that can burn? Why should any passenger steamer carry combustible freight, or neglect the known conditions of absolute security from fire?

#### The New President of Columbia College.

THAT a man of the character and training of Mr. Seth Low has been placed at the head of New York's leading educational institution is a matter of much more than local significance. Mr. Low is not a mere business man of culture, whose training in affairs, whose executive capacity, make him desirable as the business manager of a great educational corporation. He is notably, and above all, a student of political economy; as well as of the principles and practice of government. He is familiar with economical questions both in theory and practice; while his experience as a public administrator makes him an expert in a science which is commanding more and more the attention of civilized communities.

The new President of Columbia, though he has during a busy career kept up his interest in the classics, is as a scholar identified more especially with other, and no less important, studies. He is a specialist of authority in the lines referred to above. It is this aspect of his presidency which seems to us of such peculiar interest. The American Republic never needed more than it does now, at the dawn of its second century, an insistence in all its educational enterprises—from the kindergarten to the university—upon *training in citizenship*.

President Low has an inspiring opportunity, in his new position, of making his mark upon this community and upon the country at large. Those who have pondered on the needs of New York have dreamed of a time—which Mr. Low can, and we believe will, do much to hasten—when Columbia College will be the center, and our various museums, libraries, and other institutions more or less formal and official parts, of "the great metropolitan university"; and of a time when the influence of this university will be felt, for purification and for elevation, in every part of our educational, social, and political life. It ought to be—and it will perhaps one day seem not ludicrously impossible—that such an institution as the Columbia of the future should exert more influence, in an entirely disinterested way, in municipal matters, than the "bosses" who have so long dictated the course of affairs—whose chief motive in public life is sordid and ignoble, and whose existence is a constant menace to the public morality and welfare.

<sup>1</sup> See article by Edward Atkinson, February, 1889, p. 566.

## OPEN LETTERS.

### Was Swedenborg Insane ?

IN THE CENTURY MAGAZINE for July, 1889, is an interesting paper by Rev. Dr. J. M. Buckley on "Presentiments," etc. On page 461, under the title of "Habitual Visions," Swedenborg is referred to as one who "was a professor in the mineralogical school. . . . About 1743 he had a violent fever, in which for a little time he was mad, and rushed from the house stark naked, proclaiming himself the Messiah. After that period . . . he lived twenty-nine years in the firm conviction that he held continual intercourse with angels and also with deceased human beings. He says that he conversed with St. Paul during the whole year. . . . He asserted that he had conversed three times with St. John, once with Moses, a hundred times with Luther, and with angels daily 'for twenty years.' . . . He gives detailed accounts of the habits, form, and dress of the angels. He sends his opponents mostly to Gehenna and sees them there," etc.

These matters, being personal, have no more to do with the theology of the New Church than the cut of Mr. Wesley's coat with Arminianism, but they should be set right if misstated. The facts are that Swedenborg was never a professor in any school, but that Dr. Buckley misunderstands the office of Assessor of the College of Mines; that his alleged fever, with its consequences, was not mentioned till 1781, and again in 1796 by the same person; that these two accounts differ so much as to be impossible of reconciliation; that Swedenborg was not in London in 1743, when this was said to have occurred; that at that time he was engaged upon his great scientific work on the Animal Kingdom; that he continued till his death an active and respected member of the House of Nobles; and, in short, that there is no evidence that he was ever insane, except the conflicting stories, fifty years old, of one who himself ended his life in insanity in 1808.

As to the other statements of Dr. Buckley it may be said briefly that Swedenborg set the date of his perception of spiritual realities not in 1743, but in 1745; that his reference to conversations with Paul and others, which Dr. Buckley regards as a claim to credibility, was written in a private letter in answer to a question whether he had conversed with the apostles, and was not put into his published writings at all; that he gives no other details as to the angelic life than are necessary to illustrate spiritual laws; and that he sent no opponents to hell, because he had none, having nothing to do with theological controversy.

NEW CHURCH THEOLOGICAL SCHOOL, T. F. Wright.  
CAMBRIDGE, MASS.

THE inaccuracies alleged do not touch the substance of the case. Swedenborg is spoken of in the article criticized as a "professor in a mineralogical school"; it would have been more accurate to say an "Asses-

sor in the College of Mines." The sole purpose of this reference was to indicate his pursuit of natural science.

The phrase "about 1743" was employed to indicate that period of the eighteenth century, as there are conflicts of testimony which put the date of the alleged fever, and the beginning of Swedenborg's visions, anywhere from 1743 to 1745.

John Wesley positively affirms that he received the account of the fever, not only from the man in whose house Swedenborg was when it occurred, but also from "a serious Swedish clergyman, the Rev. Mr. Mathesius."

The statement about Swedenborg's conversations with Paul, John, Moses, and Luther is confirmed by the writer of the foregoing note, who says "it was written in a private letter."

The statement that Swedenborg had nothing to do with religious controversy is erroneous. I have examined some of his original manuscripts in the University of Upsala, which are written in English, and in which he severely criticizes all existing forms of religion. He expressly states that "Arians have no place in heaven."

It is only necessary to consult Swedenborg's works, not confining attention exclusively to those published by his votaries, to find abundant evidence of the subjective nature of his hallucinations, which is the only proposition maintained concerning him in the article referred to by your correspondent.

J. M. Buckley.

### Base-Ball and Rounders.

AFTER reading Mr. Camp's interesting article on base-ball, in THE CENTURY for October, 1889, it appears to me that this game is merely the old English rounders played in a scientific manner.

It is possible the latter game is not familiar to the American public, and, if not, I would describe how it was played at my old school thirty years ago.

A game being decided on, the two best players chose sides, or, as it was termed, "picked up," selecting alternately those boys they preferred for their respective sides. The number on a side would vary from eight to ten; they next tossed up for first innings.<sup>1</sup>

The base-ball "pitcher" was termed with us a "feeder"; the "field" was placed according to directions of the captain of the outing side, much the same as in base-ball.

Instead, however, of the ball being hurled with great force at the striker, the rule was to "lob" it.<sup>2</sup> The

<sup>1</sup> In the greater part this description is also true of the ordinary "scrub game," or "choosing sides," of American players.—WALTER CAMP.

<sup>2</sup> The modern base runner would have no difficulty whatever in stealing a base if the pitcher "lobbed" the ball, as the time occupied in its progress before reaching the catcher would be sufficient to see him safely near the next base.—WALTER CAMP.

striker could refuse to hit at any ball not to his liking, but at the first ball he struck he had to run to the first base. He was allowed three chances of striking at the ball, and if he missed the third he had to run in any case, being generally put out by the catcher "corking" him before he reached the base. As in base-ball, a ball struck and caught by one of the "field" made the striker of it "out."

We played with a thick round stick about two feet long and a ball covered with knotted string, perhaps two sizes smaller than an ordinary cricket-ball.

With us boys the great delight of the game was "corking," which was to hurl the ball with as much force as possible at any player while running between the bases, and if the ball struck him he was "out," and could play no more that innings.<sup>1</sup>

One of the arts of rounders was to "steal bases"; that is, if a player was at, say the first base, and the second was vacant, he would endeavor to run to the second while the "feeder" was feeding the striker at the striking base; and very often he got "corked out" for his trouble.

A "rounder" was when a player struck the ball with such force as to enable him to run all four bases and "get home."

We did not count any "rounders," as is done in base-ball; but the moment there was no player left to strike at the striking base the innings was closed and the "scouting" side then went in, the other side turning out in the "field." The main object of the game was to have as long an innings as possible.

Such is a rough description of rounders. Personally, although rank heresy, I always enjoyed the game more than cricket.

CROYDON, ENGLAND.

V. C. Webb.

#### "The Newness."

TO THE EDITOR OF THE CENTURY MAGAZINE.

DEAR SIR: A friend has called my attention to an article on "The Newness," in the November, 1889, number of your magazine, wherein is some matter pertaining to my former self.

It is true that I did take a trip on foot with Samuel Larned as far as Concord, New Hampshire; not "far up into Vermont," a State I never set foot in; not of six weeks' duration, but perhaps of two; and with no "mission" whatever, but only from the desire of a farmer's boy, after husking, to see a little of the world, and to visit, in the bosom of his beautiful family, one I was ever proud to claim as a friend, the brilliant N. P. Rogers. Here I left Larned and proceeded afoot and alone to the town of Bradford, where, in the delightful household of the Tappans, Parker Pillsbury was staying to recover his exhausted nervous system, worn down in the work of reform. My brother Cyrus was not one of the party. Neither was he, nor I, ever touched by the "anti-money" folly; and I can vouch for it that any man who had Sam Larned for a traveling companion would have seen no occasion to throw his money into the river.

<sup>1</sup> In early American playing it was permissible to throw the ball at a runner. One of the American college men who went across the water last summer with a few others, to help introduce the sport in England, told the writer that they were badly frightened many times by the unconquerable desire that possessed every English player to throw the ball at them when they were running.

For the worthy memory of Robert Carter I am glad to see that, though claiming to have been personally acquainted with these youths, he does not assert a personal knowledge of the incidents recorded. He must have followed hearsay; and of the two who alone could know, I can answer for one who was not his informer, but

Yours very truly,

PROVIDENCE, R. I.

George S. Burleigh.

#### The New Croton Aqueduct.

FROM an "Open Letter" to the Editor from Mr. B. S. Church, formerly Chief Engineer of the New Croton Aqueduct, we print the following concerning the article in the December CENTURY:

"No extensive masonry structure was ever built that escaped scamped work, least of all, lining masonry built in tunnels, where conditions are so propitious for scamping. Shortly after the masonry work began I personally discovered the first bad backing masonry at Shaft 9. It had been slipped in by an adroit workman and had escaped the notice of a competent inspector in charge. Strict vigilance was demanded on the part of the assistants and inspectors, and orders given that bad masonry, wherever discovered, should be pulled down and properly rebuilt. This was enforced from the beginning of the work. After a time, so frequently did it occur, that I detailed my deputy to devote himself exclusively to its detection and prevention, and later on obtained from the commission authority to organize a systematic investigation of the workmen's methods of concealing slighted work. These clues were followed up by breaking holes in the completed masonry. Special means were devised to detect imperfections, and the matter thoroughly systematized. All this was done months before public attention was drawn to it.

"Then at my request the former commission forced contractors to make special agreement in addition to the original contract to repair at their own expense all defective work found. I instituted a special system of repairing bad backing without destroying good brick-work facing it. These methods are used to this day to secure the integrity of the work. All of this, as previously stated, was long before the Senate investigating committee convened which resulted in the 'change of administration' referred to in your article. So soon as these systematic methods of hiding bad work were unearthed, the former commission indorsed my order that payments should be withheld to cover all that was even suspected of not being up to contract. Thus the city's interests were protected, and \$1,000,000 withheld to cover cost of repairs.

"Shortly after it was understood that there was no chance to escape detection, and that the bad work was to be repaired at the expense of the contractors, I was interviewed by one of them and told that if I did not 'let up,' as he expressed it, 'they would have a Senate investigation that would break me up.' Of course this threat did not alter my action, and in due course it

At one time one of the Americans was within a few feet of second base and running towards it when an Englishman, a few feet on the other side of the base, hurled the ball directly at the runner, barely missing his head. As the American ball is not a soft one, the fright caused was nearly enough to stop the playing of this particular man during the rest of the trip.—WALTER CAMP.



was executed. I believe some good men have been honestly misled, but that the plot existed and will cost the city dear there can be no question."

#### An Anecdote of Jefferson Davis.

JEFFERSON DAVIS was not by any means a general universal favorite among the Confederates, either soldiers or civilians. While many considered him arbitrary and self-willed, it is doubtful if any one man in the entire Confederacy for one moment doubted his honesty of purpose.

A year before the close of the war army orders brought me to Columbus, Georgia. At that place the Confederate Government had located a large ordnance establishment. An ordnance officer, Colonel Oladowski,—not unknown, I believe, in the old service,—one day handed me a heavy black object some six inches in diameter, saying, "What is that?" I answered, "A lump of coal." "Examine it closely," said he.

Taking a knife and cutting it, I found it to be a hollow iron casting roughly shaped to resemble coal, and covered with asphaltum or some such substance in which was baked coal dust and small lumps of coal, giving the whole the exact appearance of ordinary coal.

A number of similar pieces were exhibited, of various sizes and shapes. The officer explained that he had had them made, had carried some of them to Richmond and had exhibited them to President Davis, with a carefully prepared plan by which he proposed to have them sent by suitable men to various points on the Mississippi River where the Federal gun-boats coaled, and, after being filled with a most powerful explosive, deposited among the coal designed for the gun-boats, or even introduced into their bunkers. He had also perfected a plan to have them introduced into the Northern navy yards and in various foreign coaling stations of the United States navy. That it could have been done by shrewd and desperate men is beyond a doubt.

As the explosive with which they were to be filled was one of the most powerful, and only exploded by heat, they would not have been detected, and exploding in the furnace of a gun-boat would have sent all on board to the bottom.

The officer told me that when he exhibited them to Jefferson Davis the President was horrified, and furiously declared himself insulted that any man should have dared to suppose that he would be a party to any such unjustifiable mode of warfare; "and," said the officer, "the President's eye fairly blazed while he gave me such a blessing that I would have been glad to crawl into a rat-hole to get away from him. When he had exhausted his fury he said abruptly, 'Return to your station, sir, this very day.' I firmly believe he would have put me in arrest and preferred charges, but that he did not want the matter to become public."<sup>1</sup>

*Carlisle Terry, M. D.*

COLUMBUS, GEORGIA.

#### Comments on "Abraham Lincoln: A History."

I.—MCCLELLAN AND THE PEACE PARTY.

I HAVE read with deep interest Nicolay and Hay's history of Lincoln from its opening chapter to the present. While I believe that as a history of the lamented martyr President it is an excellent and in the main a correct work, I have found much in it, especially wherein it refers to General McClellan's conduct while in command of our armies, which seems to me to be unjust to a loyal and brave soldier whose lips are sealed in death. In the August CENTURY, at page 548, the writers use the following language:

The Democratic convention was finally called to meet in Chicago on the 29th of August. Much was expected from the strength and the audacity which the peace party in the Northwest had recently displayed, and the day of the meeting of the convention was *actually chosen by rebel emissaries in Canada* and their agents in the Western States for an outbreak which should effect that revolution in the Northwest which was the vague and chimerical dream that had been so long cherished and caressed in Richmond and Toronto.

I can see no motive in this paragraph other than that of throwing discredit upon the Democratic leaders of that day, and an attempt to throw around its standard-bearer, General McClellan, and his thousands of loyal friends, both in and out of the army, at least a filmy cloud of disloyalty.

All know that at that time, 1864, there was among all classes great and general dissatisfaction regarding the Administration in its conduct of the war. None doubted the loyalty, the integrity, or the honesty of the great war President, but our general want of success in the field, the numerous and rapid changes of our commanding generals, and above and beyond all the management of the War Department by Stanton and Halleck, apparently regardless of the wishes of the Executive, had begotten a feeling of unrest in the minds of all loyal people, both in and out of the army, and very largely the belief that Mr. Stanton especially had no desire to bring hostilities to a speedy determination by capturing Richmond and thus ending the war.

The overwhelming defeat of Vandaligham for governor of Ohio the fall previous, by an opponent without personal magnetism or individual strength, other than that he represented the spirit of national loyalty in the people after the great Democratic victories in New York and other Northern States in 1862, and without any considerable victories in the field meanwhile, had amply demonstrated that the "peace element" was to be despised rather than cultivated and made the controlling element in the party.

I personally had full means of knowing, and know that in the early months of 1864 it was the earnest desire of the "peace party" to possess themselves of the Democratic party machinery; that their great aim was to nominate Mr. Seymour of Connecticut for President and Mr. Vandaligham for Vice-President, and make the presidential struggle on that issue. To that end they endeavored to induce members of the National Committee to call an early convention, place the ticket in the field, and thus avail themselves of the nascent feeling of antagonism against the Administration. I was present at the house of George Greer in 28th street at one of these conferences, in the early part of 1864, at which I met Mr. Vandaligham and

<sup>1</sup> In a letter written after this article was accepted, Dr. Terry says, "I have since heard, though I do not know if true, that the torpedoes spoken of were used on the Mississippi River." There does not appear to be official confirmation of this.—EDITOR.

several others of the Western "peace party," and at least three members of the Democratic National Committee. Vallandigham there urged his plan of an early convention, and scouted the idea of nominating McClellan, or any other soldier or war Democrat, as puerile in the extreme.

Not long after this conference, and on March 10, 1864, I was seated beside Reverdy Johnson at dinner, at the house of Richard Wallack in Washington. Mr. Johnson, like myself, was a staunch friend of General McClellan. I narrated to him the substance of what had lately taken place at Mr. Greer's house, when he said: "Vallandigham is crazy. He thinks that he is a martyr, and it has turned his head." He continued, in substance: "The convention should be deferred to the latest possible day. If our armies should be successful meanwhile, notwithstanding the great obstacles they have to contend with, the credit will be due to the President, and not to his advisers. Then he should have no opposition, but be permitted to settle the troubles in his own way. If not, then McClellan should run upon a platform favoring a more vigorous, systematic, and honest prosecution of the war to an early peace through crushing the rebellion and reestablishing the old Union."

Some weeks later, in a conversation with General McClellan, I stated to him Mr. Johnson's remarks to me, and that I thoroughly coincided with them. He assented to them, but said at the same time that he believed that the committee were intent upon calling the convention in July. I thought that at least two months too early, and he apparently concurred.

Later on, and after the terrible battles of the Wilderness, to my knowledge several of McClellan's friends in the army wrote him begging him not to accept a nomination unless circumstances occurred later that would make his success at least probable. One of these letters was written by General Hancock, whose name ranks among the greatest of the heroes of our war. That letter I conveyed from his hand to General McClellan. On reading it the latter expressed much feeling regarding both the writer and the contents of the letter, and asked me to see my lifelong friend Augustus Schell, and bring him that evening to S. L. M. Barlow's house on Madison Square. I did so. The general, Mr. Barlow, Mr. Schell, and myself spent the entire evening in discussing the best means of meeting the issue, he (McClellan) producing several similar letters that he had received from army officers in the field. The result of this was that Messrs. Schell and Barlow took it upon themselves to see as many of the members of the committee as possible, and write others urging that the convention should not be held until the middle of September.

At this prolonged interview at Mr. Barlow's house it was determined that every possible means should be

used to keep Vallandigham and his cohorts in the background as much as possible. That effort was continued, on the part of McClellan's friends, to the end of the campaign. It was thought by both the general and his friends that his letter of acceptance, repudiating the platform by modifying it, would have that effect, but it did not. They seemed determined to follow the principle of rule or ruin, and did so, much to the disgust of General McClellan and his loyal friends, who now think it hard at this late day to have his and their honest and loyal action attributed to "rebel emissaries in Canada."

HARTFORD, CONN.

*D. C. Birdsall.*

## II.—PRESIDENT AND VICE-PRESIDENT FROM THE SAME STATE.

REFERRING to the work of the Cleveland convention in nominating General Frémont and John Cochrane, the authors of the "Life of Lincoln," on page 286 of the JUNE CENTURY, make the following statement:

"No one present seemed to have any recollection of the provision of the Constitution which forbids both of these officers being taken from the same State."

This is manifestly an oversight. The Constitution makes no provisions for national conventions for the nomination of candidates for the Presidency and Vice-Presidency of the United States; nor does it make any such prohibition as is implied in the statement quoted. But Article XII. of the Amendments reads: "The electors shall meet in their respective States and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same State with themselves," etc.

This does not forbid the choosing of both President and Vice-President from the same State; for if all the electors of the several States had cast their votes for General Frémont for President, and the electors of all the States except New York had cast their votes for General Cochrane for Vice-President, both men would have been elected in accordance with the provisions of the Constitution.

PARK COLLEGE, PARKVILLE, MO. *Wm. H. Tibbals.*

## "A Side Light on Greek Art."

THE terra cotta groups which are illustrated in the article under the above title, in this number of the magazine, are owned by the following gentlemen, who courteously give permission for their reproduction:

"Æsculapius and Hygeia with a Dying Woman," Cottier and Co.; "Nymph with Wine-jar and Garland," Thomas B. Clarke; "Beginning the Bacchic Dance," Rollin & Feuardent; "The Boyhood of Bacchus," James W. Ellsworth; "Apollo Discovering in the Baby Mercury the Stealer of his Cows," Brayton Ives.



## TOPICS OF THE TIME.

### An Object Lesson in Municipal Government.

THERE is much to interest thoughtful Americans in the article upon the city of Glasgow and its government which we publish in this number of THE CENTURY. A graphic picture is given therein of a model municipality, ruled and guided by its highest intelligence and morality for the health and benefit of all its members. It is scarcely necessary to say that this method of government is diametrically opposite to that which prevails in the large cities of America. Municipal misrule in the United States is a byword the world over, chiefly because intelligence and morality as guiding forces give place to political chicanery, cupidity, and ignorance. Our cities are not ruled wisely and economically for the benefit of all their inhabitants, but unwisely and extravagantly for the benefit of the politicians and political organizations. We can hope for no municipal reform which shall be radical and lasting till we change our leadership to the European models.

Mr. Shaw gives the explanation of all the benefits which Glasgow has reaped from her many years of Town Council rule when he says early in his paper that the "councilors come chiefly from the ranks of men of business, and are upright, respected, and successful citizens"; that "party lines are seldom very sharply drawn in municipal elections"; and that "an efficient councilor may, in general, expect reelection for several terms if he is willing to serve." What American city would fail to prosper under the rule of a body of fifty of its citizens of like character? The Glasgow council of fifty have absolute control of all branches of the city government, the streets, water-supply, sanitary arrangements, police, fire department, markets, gas-supply, street railways—everything. They manage all upon strict business principles, with precisely the same results which competent business men everywhere secure in the management of their private concerns. The streets are cleaned every night, and the private courts of the thickly settled quarters are cleaned once and sometimes three times a day. The care and paving of the streets, the construction and regulation of sewers, and public construction of all kinds have been for forty years in charge of one of the most distinguished of British architects and civil engineers. The health department has for nearly or quite as long a period been in charge of an equally distinguished member of the medical profession. The clerk of the town, who occupies much the same position as city attorney or corporation counsel in an American city, has held the office for many years, and is a high authority upon all questions of municipal history and law. So it runs all through the municipal organization. From top to bottom there is intelligence and character in every party. The result is the model city which Mr. Shaw describes.

The primary results set forth by him are similar to those attained in other British cities, like Manchester and Birmingham, in which rule by Town Council has

proved so beneficial, and in Berlin, whose affairs are managed by a municipal assembly of 126 of its most eminent statesmen, scholars, and merchants. In each case the rights and welfare of the citizen are protected and advanced in every possible way. He has clean and well-paved streets, cheap gas, excellent public schools for his children, every precaution taken to preserve his health and that of his family, public libraries and picture galleries for his education and delight, perfect police protection at all hours of the day and night—all secured for him at the lowest possible cost. In fact, the poorest citizen of Glasgow, or Birmingham, or Manchester, or Berlin is as well guarded and his interests are as well protected as if the city were his club whose officers and servants had no other duty than to minister to his best welfare and comfort. His expenses are reduced in every direction; his burdens from taxation are put at the minimum point; his household is not only thus reduced, but the character of his dwelling is improved at the public expense; and the streets are straightened and widened, also at the public expense, to give him better air and light.

The contrast is striking between this situation and that of the average inhabitant of an American city. The latter, instead of having all his rights protected, comes in most cases very near to being in the position of having no rights which the municipal authorities are willing to respect. He is ruled by ignorance and cupidity, and he pays heavily for this rule. There can be no relief till the character of the rulers can be changed, and how to secure that change has been a problem for discussion for many years and will continue to be for many more. Our greatest obstacle is the enormous influx of European immigration, which puts our proportion of ignorant voters immeasurably beyond that of any of the European cities whose model governments we have been considering. Next to it is the pernicious habit of intermingling State and national politics with municipal affairs, thus dividing the intelligent portion of the voters into two nearly equal parts and giving the balance of power to the ignorant elements. There is no city in the United States in which the intelligent and upright voters do not outnumber the others, and in which they could not by uniting secure and maintain complete control of the municipal government. Sooner or later such union will be effected, for the instinct of self-preservation, aroused finally by constantly increasing public scandals, by insufficiently punished crime, and by the accumulation of municipal indebtedness, will compel it.

### Our Sins against France.

At the breakfast given in New York by American authors, artists, and publishers to the Count de Kératry, as a representative of the sentiment of French literary and artistic societies in favor of international copyright, and at which Bishop Potter presided, Dr. Edward Eggleston, after some preliminary remarks, spoke as follows, referring to the address of the Count:

"A more admirable and dignified presentment of the right of the author to the product of his own labor is hardly to be imagined. A nation engaged in wholesale highway robbery was never before rebuked for its sins with so much politeness. The address of our guest was couched in terms so courteous as almost to reconcile one to the fate of being an American; for an American may well blush to confess his nationality when he considers that ours is the only nation of the civilized world that permits the foreign man of letters to be plundered with the sanction of its laws.

"We are here presented with a novel phase of the copyright question. We have been so intent heretofore on the evils of our copyright legislation with reference to English literature that it is with a shock of surprise that we hear ourselves charged with robbing our ancient ally, France. The Count de Kératry has reminded us of the fact that the French language resounded on the battlefields of our Revolution. But our debt to France goes back of that. The very seeds of our democratic institutions were sown by French thinkers in the eighteenth century. If our first great group of statesmen had not been readers of French literature our institutions would not have been what they are. And now comes French literature to remind us that we have repaid all our obligations by a legalized pillage of French authors. The French nation, to whom we owe so much,—the nation which in civilization, refinement, and artistic power leads the world,—reproaches us for our long-continued injustice. We have praised France without stint. But I am reminded of a scene in a comedy of Racine. It is more than thirty years since I read it, but if I misquote it, I shall hope that you, gentlemen, do not remember your Racine any better than I do. In this comedy there is a little lad employed to carry the document-bag of a great advocate. As he enters the courtroom at the heels of the lawyer, he laments the fact that his wages are not paid. 'Nevertheless,' he reflects, 'I have the honor of carrying papers for a famous advocate.' But he quickly adds, 'Mais, l'honneur sans argent, c'est une bagatelle.' I ought to translate that, not for the benefit of the Americans present, who all know French, doubtless, but I fear that some natives of France who are here may not understand French as spoken in America. I will render it not into English, but into American. For I fancy that what France says to us to-day is what the lawyer's errand-boy says in 'Les Plaideurs,' which, in modern American, is about as follows: 'A little less taffy and a little more honest pay, if you please!'"

Beneath the pleasantry of the speaker in these words there resounds a profound sense of national shame and degradation in the wretched state of the copyright laws which has permitted the appropriation, without compensation, of the results of the labors of foreign men of letters. And though Dr. Eggleston proceeded to show why we had lagged behind other nations, and to break the force of our national reproach, as far as possible, the United States stands to-day the last of all civilized nations to refuse justice to brain-workers.

It is all very well for American authors to spend their days in trying to remove this reproach. But it is really the affair of the whole people. Every man and woman interested in literature to any degree ought to write a letter to his or her congressman, beg-

ging him to exert himself to correct this great wrong by the passage of a law in keeping with the intelligence and honesty of our people. For Americans, as a mass, are not in love with dishonesty, and are not insensible to national dishonor. We protest against the leaving of this whole movement to the people interested in book-making. Every American shares in this disgrace, and we are glad that the movement for its abolition has come more and more to be a movement of the intelligent people of the whole country.

#### University Extension.

"A REPUBLIC has no need of *savants*," said the French terrorist Fouquier-Tinville; and agreeably to this theory the revolutionary government abolished the Sorbonne, and degraded the Collège de France into a mere high school—and a poor high school at that. Much as this declaration has been decried, it was dictated by a sound instinct. The ancient universities were hostile to the spirit of democracy. In Germany, as in England and France, the predilection for feudal institutions and the half-sentimental bias in favor of the mediæval spirit of caste have always found their ablest spokesmen at the universities. The great institutions of learning, glorying in their scholarly seclusion, have been wont to gather up their garments carefully, for fear of being contaminated by contact with the unlearned herd—the *ignobile vulgus*.

No one who is familiar with the history of such institutions as Oxford and Cambridge will deny that this has until recently been the dominant spirit. But the leaven of democracy, which is causing a mighty ferment in all strata of English society, has now actually reached these venerable seats of learning. About five years ago a movement was started, known by the name of University Extension, the object of which was to extend the usefulness of the universities—to utilize for the benefit of the people at large the vast intellectual capital which was then lying idle. The fellowships at Oxford and Cambridge, or at least the great majority of them, had until then been virtual sinecures. The fellows drew a certain sum of money annually, with the understanding that they were to devote themselves to scholarly pursuits and keep the lamp of learning brightly burning. But most of them rendered no actual service in return for their stipends. When the idea had once found lodgment that it was a desirable thing to "make learning common"—to arouse the interest of the public at large in the work of the faculties—the great body of fellows was at once found to be available for this mission of the democratization of the higher knowledge. The governing bodies of the various colleges put themselves in communication with committees of responsible citizens in the different cities who were willing to guarantee the expenses of the lecturer and a modest compensation for his labors. A representative of the college, usually a fellow of distinguished ability, was then sent to Birmingham, Manchester, Leeds, or Liverpool, or wherever his services were demanded; and in almost every instance the interest aroused and the financial success of the lectures exceeded the expectations of the committee. University Extension is now fairly well established in England, and the results of the work so far are conceded to have been beneficial.

This ought not to surprise any one. In the first

place it is a wholesome thing for a young scholar — who is prone to ossify in his learning, and to lose touch with humanity and all practical concerns — to come in contact with people whose sphere of thought and action is widely different from his own; and to be compelled to put himself *en rapport* with them and communicate with them, not in the learned jargon of the specialist, but in common human language, intelligible to all. Secondly, whatever may be said to the contrary, a smattering of knowledge (to adopt an odious phrase) is not such a bad thing after all. To the vast majority of the human race, to whom the mere rudiments of knowledge are accessible, it is not a question between superficiality and thoroughness, but between superficial learning or no learning at all. In spite of all that has been said and written against the popularization of science, science is still being popularized; and it would be a hazardous thing to dispute the great benefits which have resulted from this admirable tendency. The improved sanitation of our cities, the more intelligent regard for health in diet and clothing, the increased comfort, and the diminished waste of human life and energy, are largely due to this general diffusion of scientific knowledge.

An intellectual interest of any kind dignifies life — makes it better worth living. And to the vast multitude, scattered in hamlets and crowded in city tenements, absorbed in soul-crippling drudgery, the mere lifting out of the ordinary rut of toil for bread is a wholesome and beneficial experience. The extraordinary success of the Chautauqua movement in this country amply demonstrates this. Those of us who have had exceptional advantages of education are apt to underestimate the intelligence of those whose circum-

stances in early life have debarred them from the blessings which we have enjoyed. A summer's experience at Chautauqua would be apt to convince any skeptic on this point that average Americans — the great American people — are possessed of an intellectual alertness which enables them to profit by any kind of vital and intelligible discourse. They have little patience with learned conceit and assumption; but they have an admirable appreciation of manly worth coupled with sound scholarly acquirements.

It was a natural thing that the University Extension idea should strike root and find enthusiastic advocates at Chautauqua; and, as a matter of fact, the movement took definite shape there last summer, and is making rapid headway. But previous to this a number of gentlemen, mostly teachers in the public schools of New York, Brooklyn, and the cities of New Jersey, had undertaken a similar movement in this State, and have now begun active operations. Prominent professors and tutors of Columbia and other colleges have been invited to deliver lectures on literary and scientific subjects, and their experience so far has been most gratifying. The attendance is large and increasing, and a most intelligent interest is manifested by their audiences. The credit for what has so far been accomplished in New York and vicinity is largely due to Mr. Seth Stewart, the energetic secretary of the University and School Extension, and the prime mover in the enterprise. At a recent dinner, attended by two hundred and fifty gentlemen vitally interested in this work, speeches were made by President Eliot of Harvard and President Seth Low of Columbia, expressing their approval of the idea of University Extension and promising their valuable coöperation.

## OPEN LETTERS.

Henrik Ibsen.

THE Norwegian dramatist's fame has, at last, reached England and crossed the Atlantic. A society has even been formed in London for the purpose of furthering the study of his works and their representation upon the stage. "A Doll's House," apart from its merits as a play, has produced a profound impression, and occasioned spirited polemics between the admirers of the author and his detractors, in the press. Mr. William Archer on one side and Mr. Andrew Lang on the other have sustained the solo parts, and more or less the discordant choruses have amplified their theme and given a multitudinous resonance to their voices. It is not necessary to take sides in that controversy. Liking or disliking Ibsen is largely a matter of temperament. The optimist, who takes life as he finds it and satisfies himself with the reflection that everything has been wisely ordained, will have no patience with the corrosive criticism to which Ibsen subjects the fundamental institutions of civilized society. A certain philosophic discontent is a prerequisite for understanding him. He persists in seeing problems of universal application where most of us see only annoyances, or, perhaps, misfortunes affecting our indi-

vidual lot. To judge him as a mere playwright is absurd. Though by no means contemptible as to technique, each of his plays — with the exception of the early historical ones — is a dramatized piece of philosophy. Each preaches more or less incisively a moral lesson, lays bare a social canker, diagnoses a social disease. But what distinguishes Ibsen above all others who have hitherto dealt in this species of morbid anatomy is the fine surgical precision with which he handles the scalpel and the cool audacity with which he cuts.

It is not the obvious vices he attacks; it is the hidden subtle defects. As Dr. Brandes has said in his masterly essay, "It became a passion with him to tap with his finger whatever looked like genuine metal, and to detect with a kind of painful satisfaction the ring of hollowness which grated on his ear and at the same time confirmed his expectation." He admits nothing to be sound until he has tested it, and so keen and searching is his test that no hidden flaw escapes his scrutiny. It is as often in the virtues of society, its vaunted perfections, as in its foibles that he finds the evidences of its unsoundness. Society enters at his door as a man, imagining himself in vigorous health, enters the office of the physician who is to examine him for life insurance. But it comes out crestfallen,

with tottering step. An unsuspected disease is lurking in its vitals. Something is wrong with the heart, or the brain, or the circulation of the blood.

Naturally, the man who has the penetration to make and the courage to trumpet abroad these unpleasant discoveries can never be popular. Though he is widely read both in Germany and in Norway, Sweden, and Denmark, and his plays are frequently produced, it has always been a limited minority of the public to whom he has appealed. But this minority makes reputations; and its influence is all out of proportion to its numbers. And Ibsen cherishes so profound a distrust of the popular verdict, whether it be in art, literature, or politics, that I verily believe he would begin to doubt the soundness of his own convictions, provided they received anything like a popular indorsement. In his opinion, the many are sure to be wrong; and a democracy, governed by the many, is therefore, in the present state of humanity, the absurdest form of government conceivable. The foolish are in every community in an overwhelming majority; the wise, the truly cultivated and intellectual, capable of exact thought, are a vanishing minority. Democracy means, therefore, the government of the wise by the foolish.

In his very first play, "Catiline," written before he was twenty-two years old, this view of life is fully matured. *Catiline's* plot against Rome is the corrupt individual's legitimate vengeance upon the society responsible for its corruption. *Catiline's* greatness is his curse. He cannot stoop, as Cicero does, to flatter the multitudes whom he despises, and by utilizing their folly rise upon their shoulders to civic eminence. He is compelled by his noble scorn of political trickery and petty arts to fling down his gauntlet to Rome; to wage war single handed against the world-empire. That Rome in the end proved too strong, in Ibsen's opinion detracts nothing from the sublimity of the challenge.

The same sympathy with extreme types, who loom in dusky grandeur above the heads of the throng, is manifest in the four historical dramas, "The Wassail at Solhaug," "Mistress Inger of Oestraat," "The Warriors of Helgoland," and "The Pretenders," which for fineness and force of characterization and dramatic intensity and power are unsurpassed in Scandinavian literature. In 1862, Ibsen, without entirely abandoning the field of historical drama, made his first essay as a satirist of contemporaneous manners. "The Comedy of Love" ridicules the tuning down of the poetry of love into the prose of an engagement. The man of high beliefs, capable of heroism, is, by regard for his *fiancée* and family relations, transformed into a timid Phillistine. Society holds it to be legitimate for a married or an engaged man to be unfaithful to the ideals of his youth, to apologize for that which was noblest and best in him as youthful folly. Nay, it nurses the lurking cowardice in his nature and praises his surrender to Mammon as practical, and justified by family considerations. Ibsen is brimming over with scorn for this kind of marriage, which means a pusillanimous compromise with a sordid reality, the harnessing of the winged Pegasus to the plow of necessity (where he soon degenerates into a sorry family nag); the sobering of the high dithyrambs of untrammelled youth, by conjugal affection, into the spiritless jog-trot of matrimony.

Ibsen's next work, "Brand," a dramatic poem, deals

with a kindred theme, though one of much larger dimension. It is the most original work which ever has been produced in the Scandinavian countries, and the most profoundly philosophical. Brand is a clergyman who is resolved to live in absolute conformity with Christ's command, without compromises or concessions. He interprets, literally, the injunction "thou shalt," and the prohibition "thou shalt not." The ideal demand is the absolute demand, which admits of no adaptation to circumstance, no bargaining or half-way fulfillments or splitting of the difference. "If any man come to me," says Christ, "and hate not his father, and mother, and wife, and children, and brethren, and sisters, yea, and his own life also, he cannot be my disciple." Brand, in his effort to embody in his every action this heroic gospel, wrecks his own life and that of every one who is dear to him. When the physician declares that his only child must die unless he moves away from the fierce, sunless mountain region in which he is pastor, he refuses, though it wrings his heart, and lets the child die. Heartrending in its tragic force is the scene where he compels Agnes, his wife, to give the dead boy's clothes—which she worships with a bereaved mother's idolatry—to a wandering gipsy woman; as also the scene where he closes the shutters on Christmas Eve, and forbids her to stare out into the graveyard and shudder at the thought of her child lying under the snow. This kind of Christianity in a society built upon half-way measures and compromises leads necessarily to destruction.

Merely as the expression of a vigorous soul who fashions his God in his own heroic image, and scorns all weak popularizing of the sublime, this is full of interest. Christianity has, in his opinion, been vulgarized by its adaptation to average, commonplace men, and its demand of absolute purity, uprightness, and saintliness has been compromised at thirty or fifty per cent., according to the ability of imperfect human nature. The idea pervades all his writings that civilization has dwarfed the human race. Paganism, with its enormous social inequalities, and the untrammelled liberty granted to him who was strong enough to conquer it, created heroes and pygmies, while Christianity in its practical effects has raised the small at the expense of the great, or reduced the great for the benefit of the small. There are few now who will sympathize with this complaint, and even in Norway Ibsen's is a solitary voice crying in the wilderness. In English literature Thomas Carlyle represented a kindred tendency and intoned a similar lament. But he was far less consistent than Ibsen, and with all his scorn of the Philistine was less audacious in his arraignment of the paltriness and pusillanimity of the modern democratic state.

Of Ibsen's later works, which are all in dramatic form, I will now refer only to the most conspicuous. In "Peer Gynt" he lashes the boastful Norwegian patriotism, which finds consolation in a heroic past for the impotence of the present. *Peer Gynt*, who is intended as the type of the race,—if the expression be permissible,—"lies himself great." His grand intentions reconcile him to his paltry performance. He lives a heroic dream-life, and deludes himself with visions of glory which are far removed from the realm of fact. His mendacity acts as a safety valve for his pent-up spirit. The unheroic present affords him no field of action for the greatness that is in him, and his restless

energy finds a refuge in a realm of fancy, where he performs all the fabulous deeds for which reality denies him the opportunity. He is psychologically comprehensible even when he cuts the sorriest figure; for it is a fact, and by no means an uncommon one, that the patriot lives may be irradiated with the fantastic light of wonderland, without being at all, as far as the world is concerned, redeemed from their paltriness.

It is not a grateful task to tell people unpleasant truths, and Ibsen had to pay the penalty of his sincerity. Though it is an exaggeration to say that he was forced to leave his country, it is true that he lives in voluntary exile. He is of a solitary nature, reserved, almost shy, though not from lack of self-confidence. He always reminds me of a great solitary creature of prey, prowling, with a suspicious feline watchfulness, upon the outskirts of society. Having selected and silently spotted his prey, he makes his spring, pouncing now upon this foible, or vice, or imagined virtue, now upon that. First it was love he assailed, striking a set of pitiless claws into its delicate body; then it was patriotism, matrimony, hypocrisy, etc. In "The Pillars of Society" the theme is the inner rottenness which an outward respectability may cover. Every one bows to the standard of virtue which society has set up for its own protection and imposes upon its members. When a character in which the barbaric strain of passion is too strong for control breaks through its barriers, it has to do so secretly and still continue to pay homage to virtue and wear its mask. If we are to believe Ibsen, this imposition of the virtuous mask is an odious tyranny which entails a worse degradation than an open avowal of vice. Society needs an airing out now and then, a grand *exposé* of its hidden crimes and wrongs, as a preliminary to a healthier condition.

"A Doll's House"—or literally "A Doll-Home"—deals with matrimony; but it may as well be admitted that, as a social satire, it has less application on this side of the ocean than in Europe. Wives are not here, as a rule, the playthings of their husbands. Nor are they usually lacking in individuality. Girls are, to be sure, brought up with far less reference to their individual character and proclivities than are boys; and as long as the chief object of the great majority is to become wives and mothers, they have to be trained with a view, not primarily to their own development, but to make them pleasing to men. As long as this is the case, the situation in "A Doll's House" may well find its counterpart anywhere. *Nora* has been petted and spoiled, first by her father, and then by her husband, and no one has taken pains to make her acquainted with the machinery of the society in which she lives. She has been shielded from contact with the rough realities of life. She has so little idea of business relations and the ethics which govern them, that she forges her father's name for the purpose of saving her husband's life, and has not the remotest idea of the enormity of the act she has committed. She cannot comprehend it; her feelings tell her that she has acted from the noblest motives, and she declares that the laws are unjust if they forbid a wife to save her husband's life.

This reasoning is essentially womanly, and is not confined to one side of the Atlantic. Her glib mendacity, too, which is almost purposeless, is not a sign of depravity, but of lack of development. It is the mendacity of a child. It is a kind of mendacity which is

far more common among women than among men; because, though women are not ignorant of the wrong of lying, they are not, from their very nature and education, so strongly convinced of the binding character of social ethics, when they conflict with individual feeling. When *Nora* expects "the wondrous thing" to happen, namely, that *Helmer* shall shield her by declaring himself guilty of the forgery, she has really no conception of what such a sacrifice would involve. She only sees what effect it would have upon her; how it would forever unite her to her husband with a deep and abiding love. But she reasons again like a child, even when she finds her real self, and is resolved to go forth alone, abandoning her children, and not return to them until she has developed, by the experience of the world, into a definite and individual being. A marriage cannot exist except between two human beings, two coördinate persons, each contributing a definite character and developed personality to the union. But *Nora* is little more than a personification of her sex, and she feels how much more she might have been if opportunities for development had been afforded her. Her dormant human soul awakes and demands its rights. It will no longer consent to effacement. She declares that her first duties are not to husband and child, but to herself. And this declaration is profoundly characteristic of Ibsen. He utterly repudiates social obligations if they involve detriment to the individual character. He would, no doubt, agree with Herbert Spencer, who states in substance that the most perfect marriage is that which provides the highest development for the offspring compatible with the individual well-being and development of the parents.

It is contrary to the tendency of modern thought to emphasize individual rights *versus* social obligation. But Ibsen represents wholly this contrary tendency. Others have pointed out our gain by the social compact, he never loses an opportunity to emphasize the loss; and he says, in "An Enemy of the People," "The strongest man is he who stands alone."

Hjalmar Hjorth Boyesen.

#### Bloodhounds and Slaves.

AN interesting article on the English bloodhound, by Mr. Edwin Brough, in the June, 1889, number of THE CENTURY MAGAZINE, reminded me of the long-standing slander that the Southern master formerly used the bloodhound to run down his runaway slaves. Mr. Brough says that the English bloodhound "is quite different . . . from the Cuban bloodhound of slave-hunting notoriety." We look at the article "Bloodhound," in "Chambers's Encyclopædia" (J. B. Lippincott & Co., editions of 1884 and 1887). I find the following statements: "The Cuban bloodhound, which is much employed in the pursuit of felons and fugitive slaves in Cuba, differs considerably from the true bloodhound of Britain and continent of Europe, being more fierce and having more resemblance to the bull-dog. . . . It is this kind of bloodhound which was formerly employed in the United States for the recapture of fugitive slaves." It is not surprising that Englishmen should believe all this, as it is what we told them of ourselves. Laying aside the brutality, one would hardly think that an ordinarily sensible man would

purposely select so ferocious a brute as the Cuban bloodhound is reputed to be to tear to pieces or maim a valuable chattel worth \$1000 or \$1200, especially as this animal, "resembling the bull-dog," is very deficient in nose. This simple statement ought to show the absurdity of the slander. As to this Cuban bloodhound—so terrible to the morbid imagination—and its use in the Southern States, I have lived for many years in Virginia, Georgia, and Alabama, and I can count on the fingers of one hand every one I ever saw. They were said to be fierce, and were used as guard dogs when used at all.

The dog used in the Southern States for tracking criminals and fugitives was the ordinary little foxhound of the country, familiar to everybody. His nose is all but infallible, but he is very timid about attacking man. Consequently, while it was next to impossible to escape him, the master of the colored fugitive knew that his property was in no sort of danger.

To illustrate this: when I was a boy living in Georgia I was fond of talking with an intelligent colored man who belonged to a neighbor. On one occasion he "took to the woods." Trained foxhounds were put on his trail with the usual result. I asked him after he was brought home if he had not been frightened when the dogs came up with him. He laughed at the question and said: "I knew when they found me there was no use running, as they would follow; but they won't trouble anybody. I just took up a little stick, and they stood off twenty or thirty yards barking." The first time I ever knew of dogs being used to track any one illustrates their disregard for color or condition. A wealthy and respected man who lived near a Southern city took a fancy to increase his wealth by setting fire to his barn, which was insured. About daybreak the hounds were produced to find the criminal. To the surprise of everybody, the trail was carried to his front door by the dogs. No one prosecuted him for burning his own barn, but the canine evidence destroyed his standing in the community and prevented his getting the coveted security.

I suppose it will hardly be believed, but, as a fact, dogs were rarely used in the South for tracking human beings. I never knew of a case where they were used in Virginia, and I lived several years in the black belt of that State. I saw but one pack in Georgia, where I lived many years, and I never heard of a pack in Alabama, where I spent a good deal of my youth in a planting community where the colored people predominated largely in numbers.

*William N. Nelson.*

#### The Evolution of the Educator.

A LETTER lately printed in *THE CENTURY* reveals a grievance that is truly refreshing. The best teachers, it seems, are taken out of the school-rooms and put into offices, there to be "educators," but no longer teachers.

You may be sure that those teachers, thus placed, perforce, in office, do not stay there long at a time; they get, by an irresistible attraction, back into the school-rooms, and they scatter through a hundred schools the bright ideas and the cheerful magnetism that made their own work so successful. Of course there must be leaders in any well-conducted business; no one could desire that the great educational army

of this country should degenerate into a mere headless mob. Now, in most places it is considered wise to pick out those who show the greatest ability in a given work and place them at the head of that work; the best spinner in a room is placed in charge of all the others, and he spins no more; the best player in the band becomes the leader, and plays but little thereafter; the best lawyers are chosen judges—it is hoped. In all these cases it is believed that the work as a whole distinctly gains by taking out the very best worker and placing him in authority over the rest, his brethren. Why does not the same rule hold good in teaching?

And finally, look, for instance, at the city of Boston: there are nearly fifteen hundred teachers, and there are six supervisors; the number of officers seems hardly to indicate a complete rendering of the "army idea." The supervisors hold office until they die, being likewise mightily encouraged unto long life; and it can hardly occur oftener than once in half a dozen years that the school committee can choose a successful teacher from the school-room to make into that suspicious creature, an "educator." Are the ranks in immediate danger of being depleted?

HINGHAM, MASS.

*L. P. Nash.*

#### The Pardoning Power.

THE Cronin verdict in Chicago will be of great value to the world if it shall awaken the consciousness of the people to the evils resulting from vesting the power of pardon in the executive.

While life imprisonment in theory is more to be dreaded than capital punishment, it is in reality less dreaded, for the simple reason that a prisoner under life sentence always hopes for pardon, and the history of the use, or abuse, of the pardoning power in this country justifies the hope.

Why not abolish the pardoning power? Experience has shown that certainty of punishment, even if the punishment be moderate, is a greater check upon crime than the mere possibility of the severest punishment. Criminals are notorious gamblers in risks.

If we violate the laws of nature there is no escape; the very day we eat the forbidden fruit, we shall surely die.

What more effectual deterrent from crime can we present to weak or wicked humanity than a knowledge of the fact that no guilty man once convicted of a violation of the law can escape the full penalty for his crime? Let us have a court of revision to whom applicants for release on the ground of wrongful conviction may come. And if a convicted man shall be able to produce new evidence tending to show that he was wrongfully convicted, let this court give a rehearing of the cause, and if his innocence be established let the court vindicate, not pardon, him.

The innocent man wrongfully convicted wants justice, not mercy or pardon. Why compel him longer to be classed with those who have escaped the punishment of their crimes through political or social influence?

MOLINE, ILL.

*Eugene Lewis.*

SURGEON C. S. TAFT and Alex. Williamson (tutor at the White House) write to say that their names were omitted from the list, in the January *CENTURY*, of persons present at the deathbed of President Lincoln.



## TOPICS OF THE TIME.

### Longer Terms and Less Rotation.

THE first impulse of democracy was against long terms for anybody, and against many terms for the same man. John Adams held that "where annual elections end, tyranny begins." When the Federal Constitution was framed, South Carolina was the only State which had the biennial system, while Connecticut and Rhode Island held elections half-yearly. There was no little opposition in the convention to the idea of choosing representatives in Congress for so long a term as two years. The people had a great dread lest their servants might become their masters if they did not reserve the right to call them to account at very short intervals.

Experience showed that the fear was groundless, while the disadvantages of frequent elections for brief periods became more serious with the growth of the country. The ancient superstition as to the danger of tyranny without annual elections had largely vanished before the war, and no remains of it any longer survive. The drift has been everywhere and steadily in the direction of longer terms, until Massachusetts and Rhode Island alone among the forty-two States now choose all their State officers and their whole legislatures every year. Of the other forty, no less than eighteen choose governors for four-year periods, and two for three years, while two years is the rule in all the rest. Outside Massachusetts and Rhode Island, New York and New Jersey are the only States which choose representatives in the legislature every year, and in almost two-thirds of the States the Senate is composed of men who serve four years, both branches in Louisiana being chosen for that long period. Over two-thirds of the States have sessions of the legislature only every other year.

Complaints are heard of some of these changes, but there are nowhere any indications of a revolution in public opinion. Such discontent as exists appears to prevail chiefly among the class of professional politicians, to judge from the recent experience of Maine, where a proposition which they had persuaded the legislature to submit to the people for a change back from biennial to annual sessions was rejected by a vote of six to one. All the signs indicate a settled conviction in favor of longer terms and fewer sessions of the legislature than formerly, on the twofold ground that executive officials chosen for two, three, or four years are likely to give the public better service than if compelled to appeal to the people every twelvemonth, and that there is less necessity for frequent overhauling of the statute-books in long-settled States than in pioneer communities. Where the legislature meets only once in two years, the people are apt to say that there does not seem to be a great deal for it to do, and the press generally deprecates the tendency to make too many laws. The legislator who says, as one in Arkansas did not long ago, that he is "opposed to a

great many things and in favor of very few," makes a strong bid for popularity.

Along with this change in the direction of longer terms in the States has gone another change in the matter of "rotation of office" as regards members of the Federal Senate and House. The rotation rule was based upon two theories: the one, that reelection tended to make the representative in Congress too powerful, too insensible to the wishes of his constituents, too ready to yield to the temptations of aristocracy and corruption; the other, that a seat in the Capitol at Washington was an honor which should be enjoyed by as many men in the district as possible. It would not do to return A for three, four, or five terms, for fear that he might become too "high and mighty"; and even if there were no such danger, A ought not to retain the place so long that B, C, and D would have no chance to become great men.

Both theories proved to be erroneous. No representative could become so strong that the people who made him could not unmake him, and self-interest thus restrained any tendency towards overriding the public will. At the same time it became clear that the office should not be treated as a mere badge of honor to adorn as many breasts as possible, but as a means of securing as efficient service as possible. A district gained power in the national councils by keeping a good man in the House when it had once put him there, and a section most of whose representatives were old members enjoyed a great advantage over another where it was always the question whose "turn" it was next to go to Congress. The South was quick to perceive this, and profited largely by the discovery before the war. When, as in the Twenty-first Congress, Virginia reelected 17 out of 22 representatives, and New York only 11 out of 35, the smaller State might easily wield the more power of the two. Since the war there has been a growing disposition all over the country to reelect good men. Thus in the Fiftieth Congress, of Maine's four representatives one had served six terms, another four, and the other two each three; while of the five from Arkansas one was serving his fifth term, three their third terms, and the other his second.

The same tendency is perhaps more strikingly shown in the Senate. As the largest State has but two senators and the term of office covers six years, it might be expected that the rivalry would be so keen that a first reelection would be difficult to secure and further ones almost impossible. The reverse is the case. Twenty-five senators had been elected for the period opening the 4th of March, before the New Hampshire legislature met in June. In two States political revolutions deposed the man whose term was approaching a close; in a third he declined an assured reelection. In all but two of the other twenty-two cases the sitting member was returned for another term. Nine of the number (five from the South and four from the North) were

sent back for a third term, and one (from North Carolina) for a fourth term. Still more noteworthy is the fact that in a large majority of the cases there was no opposition in the party, even when it was a question of a third term. Evidently, as regards the Senate, "rotation of office" no longer applies, and it is a great gain to the country.

#### "The People."

TRUTH and soberness seem to be of much less importance, in the eyes of many men, than a good, round, mouth-filling phrase, such as that which heads this article. It was their representative character in this respect which has given perennial notoriety to the three tailors of Tooley street, who, in mass convention met, began the formal expression of their dissatisfaction with the sounding phrase, "Resolved that we, the people of England." They wished to make a phrase take the place of argument, and to assume popular support for themselves without the trouble of an election. Most of us are but too apt to take for granted that our personal views are shared by the people, and, like the Tooley street convention, to expect our opponents to admit our representative character. But such cases are individual; there are some cases in which the use of the phrase "the people" as a political weapon has become that of a class which it is dangerous to permit to pass without remonstrance.

One of the commonest of these cases is the assumption that, unless the President and the other officers of the Executive Department surrender their official time to the work of estimating and balancing the "claims" of the various applicants for appointment to office, "the people will be dissatisfied, and the Administration will be a failure." It is not very difficult to show that those who say so are using the name of "the people" to embody their own feeling and to give it something of respectability. "The people," in any legitimate sense of the term, care nothing whatever about the matter unless some partisan use of the offices is forced upon their attention, and then their attitude is, regularly, one of contempt or condemnation. We may take all the offices in the civil service, multiply their number by the average number of applicants for each, and add the present occupants, who are to be turned out to make room for successors, and the sum total of those who have a selfish interest in the offices will be small; there is fair reason for doubt whether it would make up five per cent. of the voters of the country. The remaining nineteen-twentieths, of both parties, have their daily work to do; could not be persuaded to accept an office; and have nothing but contempt for the unseemly scramble in which the minority is engaged. Is not the application of so sweeping a term as "the people" to this little five per cent. of office-hunters rather an absurdity? In practice, the case is really even worse than this. Out of every five persons,—the average number interested in any one office,—one is turned out, one is appointed, and three are disappointed; here are four very angry men and one who feels no great store of gratitude. Suppose the civil service thoroughly overhauled from top to bottom, and new appointments made to every office. Nineteen-twentieths of the voters, as has been said, care little or nothing about the matter; and of the little minority who do care, four-fifths come out of the

process inflamed by a personal sense of gross injustice. Who, then, are "the people" who are supposed to be satisfied only with such a state of public affairs as this? If any such use of the term were made by men who were not "practical politicians," what an outcry would there be against the impudence of the assumption!

Again, the stock objection to the system of appointment to office through examination of some sort is that the offices "belong to the people," and that the "people's right to the offices" is not to be restricted by an artificial and aristocratic scheme of examinations. The objectors disclaim all selfish thought or purpose, and it is quite true, that they very seldom have the least desire to secure the offices for themselves; their only interest, they insist, is on behalf of "the people." The phrase, in this use of it, cannot mean the mere possessors of the offices; these, as we have just seen, are not probably more than one per cent. of the whole number of voters, and it would be ridiculous to call them "the people." The real question, then, must be who shall put the one per cent. into the offices; and experience will enable us to answer that question quickly, easily, and correctly. Under the old system, did the whole number of voters select the one per cent. who were to become office-holders? Was the selection the privilege even of the voters of the successful party? Notoriously, the people, the voters of the country, had no rights in the premises. It was the "practical politicians," the men who controlled the nominating machinery of the country, who controlled the appointments also; and that is just the system which they, and those who are ambitious to be of their number, wish to maintain. When they say that they wish the offices to "belong to the people," they mean that the Government shall take no steps to prevent them from wresting the control of the offices from the people, and that both offices and people shall be left defenseless at their mercy.

Again, it is said by those who oppose the efforts to secure absolute secrecy of the ballot, that they are defending the right of "the people" to approach the polls and cast their ballots without Government interference. So far as the act of casting the ballot is concerned, it must be confessed that the provisions of the so-called Australian system are so carefully drawn, and so fortified by all the suggestions of long experience, that almost no one—not the blind, the dumb, the halt, or the illiterate; only, presumably, those of very low intelligence—could be deprived of the privilege of the suffrage under it. It must be meant, then, that the new system (new to us, but very old elsewhere) tends to make the act of voting unpleasant, and that an open ballot is in some way a boon and benefit to "the people." Who, then, are "the people" who find their account in retaining the open ballot and all the features which it has forced into the present system? The vote-buyer, the vote-terrorizer, the "boss." These are "the people" on whose behalf the "practical politician" becomes superhumanly astute in picking flaws in the lawfulness or the expediency of every suggested plan of real ballot reform. To resist legal restrictions upon the mere act of casting the ballot may easily be paraded as a sublimated devotion to "the people"; it is really flinging to the people privileges which do them no good, but which accrue to the benefit of the vote-buyer or vote-terrorizer.

The principle is the same in every such case. When any right or privilege is of such a nature that the people cannot retain possession of it if it is left to them, while a small class of selfishly interested persons can seize and hold it if it is left open for a general and unrestricted scramble, it is the evident business of the attorney for the interested class not to appear for his real clients but to enter a volunteer appearance on behalf of "the people." It must be evident that this is a method which has large possibilities outside of politics, and that there are other fields in which selfish personal ends may be pursued best under cover of democratic benevolence. We may expect soon to see a national convention of burglars and bunco men, to protest against the restriction of judicial and kindred privileges to police magistrates and constables, and to demand in the name of public virtue that such functions be left where they belong, in the hands of "the people." It is so evident where the real benefits of such a step would go that we may fairly expect a delegation of sympathy from the benevolent and protective order of "White Caps." It can hardly be doubted that the Mormon Church would in like manner prefer that the reprehension of offenses against monogamy be and remain the exclusive privilege of "the people," and that their right be no longer infringed by that small body known as Congress. Absolute freedom of contract, as a reserved right of "the people," will be as agreeable to the bucket-shop and the pool-seller; while he who maintains his claim by virtue of his bowie and revolver will insist savagely upon the right of "the people" to the public domain. The fields in which it is to the decided interest of some small class that some privilege be left to "the people" are almost innumerable; and if they have not yet been fully exploited, it is because of moral objections, not because the political use of the term has any logical superiority. American politicians are by no means a criminal class, however much they have been abused. It is their own fault if they expose themselves to comparison with the desires of the criminal classes by persistence in the use of such a question-begging phrase as this one of "the people."

#### Loyalty in Employment.

THE breaking out of the Civil War in 1861, with its addition of a very large volunteer force to the little regular army, and a proportional increase in the number of officers, brought with it, on the part of many of the regular officers, a strong dislike for their volunteer colleagues. The objections to the new-comers were grounded not so much on their inevitable ignorance of military drill, or lack of readiness to meet constantly recurring emergencies, or on any of the other points which commonly go to mark rawness in the soldier, but rather on that more indefinite defect summed up as ignorance of the traditions of the service. It cannot be doubted that the defect existed and was a grave one. It led some of the new officers into acts, quite innocent in intention, whose detrimental consequences those who did them could neither foresee nor recognize.

The mistake, on the other hand, which so many of the less able regular officers made was in imagining that this defect in volunteer officers was permanent and incurable. To carry the feeling to the extent of

looking upon Terry and Garfield, and the uncounted multitude of gallant and high-spirited men whom such generals fairly represented, as being "only volunteer officers," in just the same sense in 1865 as in 1861, was flatly ridiculous and the spawn of professional conceit. While such men were volunteer officers, and were proud of it, it was in a higher sense than in 1861. The traditions of the service had been ingrained into them quite as well by a four years' course of warfare on a grand scale as by a four years' course at West Point and half a dozen Indian campaigns.

It begins to look as if the state of affairs in our industrial world, which for some years looked so gloomy and seemed to many observers to portend the approach of a socialistic régime of some sort, had been after all a parallel to our Civil War experience. Our railway system may serve as an example. Its unhealthy expansion through the years 1865-1873 is a familiar fact. Checked during the next half-dozen years of universal depression, it then began again more furiously than before, until it seemed as if the country were to be gridironed with railroads. Something more than wood and iron, however, is necessary for a railroad system. Hitherto railroads had generally trained their own men; and the "traditions of the service" touching the behavior of the companies to the men, and of the men to the companies, were well defined and still retained some expiring trace of the patriarchal features of medieval employment. There are some reasons for believing that this was not quite an ideal system; but our part of the world was used to it and was prepared to feel its loss severely.

It was inevitable that the loss should come under the new conditions. The railroad system in its sudden expansion could no longer keep its supply of men equal to the demand; and the consequent increase of wages became a constant force to draw men from other employments into "railroading." The new men thus entered a service to all those traditions they were alien; and in their case the occasional friction of feeling or of interest which is unavoidable in any business union of human beings could not but show unaccustomed effects. Changes which to an old employee, with long experience to guide him, were only some of the common ups and downs of the service, seemed to the new men patent evidence of conspiracy against the workman's interests and rights. A brusqueness of manner in a superior, the result of a preoccupation and absorption in work which was easily understood and allowed for by the old hand, was to the new man merely an arbitrary and insolent indifference to anything but the interests of the domineering corporation. Those who were most apt to float into the direction of affairs in the labor organizations, too, were such of the new men as felt these suspected injuries and indignities most keenly, for the old hands had no such impelling motive to seek the lead. It was hardly possible that negotiations between such leaders and the corporation managers, thus called upon to deal, as to grievances which they believed to be mainly imaginary, with men who must have seemed to them mere interlopers, should have resulted otherwise than disastrously. If a frigate's crew were constituted into a labor organization, the able-bodied seamen supplemented by an unusual number of landsmen unfamiliar with everything on board ship, and a martinet captain called upon to carry dis-

cipline into effect by constant negotiations with the representatives of a majority vote, the conditions could hardly have been worse than on some of our railways.<sup>1</sup>

It is not only in the various modes of transportation that indications of such a period of transition are visible. The steady decrease in freight rates, giving capable employers a wider market and bringing local employers into contact with more and abler competitors than they had known before, has made the "pace" in manufacturing so fast that it can be endured in the long run only by those who are able to manage very large establishments, supply very wide markets, and make profits from many sales at low prices, rather than from a few sales at high prices. All these conditions have brought temptations and opportunities for discord parallel with those offered in transportation, and they have had much the same results. These results have had their good side. The patriarchal features of employment have gone; and, picturesque as they were, it is more than probable that the industrial world will be the better for their absence. The workman will no longer be either child or ward, to be cared for and coerced for his own good, but a man with all a man's rights and responsibilities. But the change will for a long time bring its own embarrassments.

It must be, however, that as managers and men become more accustomed to the wider fields, new conditions will bring their own traditions. Some railroads have never lost or even suspended them, for they have progressively accommodated their system to the changing conditions around it. They have still trained their own men and trusted them; and strikes and lockouts have been alike unknown. But their generosity in anticipating and providing for the material needs of their men now comes not as a charity, but as a recognition of the men's share in making the company's prosperity. Other forms of industry have brought employer and employee closer together by the various types of profit-sharing.

Is there not fair reason to hope that these are the coming forms of employment? That loyalty in employment is not dead, but is rising to higher and better forms? That it is no longer to be the mere loyalty of the employee to the employer who provides for and protects him, but the mutual loyalty of employer and employee—their common adherence to the high standards set by the traditions of the service? And that the troubles of the past few years have been but one phase of industrial progress, a step towards a better and fairer conjunction of labor and capital?

## OPEN LETTERS.

### Judge Holt and the Lincoln Conspirators.

IN the "New York Tribune" of September 2, 1873, there appeared an anonymous communication, written from Washington under the signature of "Truth," so grossly calumnious of General Joseph Holt, Judge Advocate General in the trial of the assassins of President Lincoln, that he demanded the name of the author, who proved to be John T. Ford, of Ford's Theater, where the fearful tragedy was enacted, and who, at the time, was committed to the Carroll Prison, where he was kept—on suspicion, it is presumed—over a month, when he was liberated without being brought to trial. Naturally enough, perhaps, he harbored a strong prejudice against General Holt, and sought to defame his character under cover through the press. Among other things he accused General Holt with having kept Mrs. Surratt "heavily manacled during her trial, and also of virtually depriving her of reputable counsel"—referring to the Hon. Reverdy Johnson, who, as clearly appears by his argument, which was upon the question of jurisdiction, voluntarily withdrew, leaving the case in the hands of his associate counsel, Messrs. Clappitt and Aiken. General Holt met the other charge by a letter, addressed to him, under date of September 4, 1873, from General J. F. Hartranft, who, referring to Ford's article in the "Tribune," said:

I think it proper, in justice to you, to declare publicly that its statements, so far as they relate to occurrences within my own observation, are absolute falsehoods. As marshal of the court before whom the conspirators were tried, I had charge of Mrs. Surratt before, during, and after the time of her trial, in all a period of about two months, during which she never had a manacle or manacles on either hands or feet; and the thought of manaculating her

<sup>1</sup> Professor Hadley attributes a recent increase in railway accidents to this employment of new men, citing in evidence the fact that "in the majority of detailed railroad reports we find some allusion to increased wages as an important element in expense." He attributes it, however, to "the special demand

was not, to my knowledge, ever entertained by any one in authority.

One would suppose that proof so conclusive ought to set forever at rest the "manacle" charge; and as regards the reference to Reverdy Johnson, it is plain beyond doubt that "had he desired to continue in the case, assuredly there was no power that could have prevented him from doing so."

Yet, notwithstanding this and the overwhelming testimony on the other more serious and wanton charge against General Holt of withholding from President Johnson the recommendation of five members of the court that the sentence of Mrs. Surratt be commuted to imprisonment in the penitentiary, John T. Ford appears again in the "North American Review" for April, 1889, in an article reiterating the falsehoods of his anonymous communication, and trying to show that General Holt was guilty of withholding from President Johnson the aforesaid recommendation of Mrs. Surratt to mercy.

Now, in as brief a manner as possible, I will recite some of the stronger evidence, clearly proving the falsity of this last charge, made first before President Johnson's term expired, and afterwards by Johnson himself, when he was seeking "to curry favor with the South in the hope of being elected to the presidency." He did not dare to make the charge while he was at the head of the Government, because he knew if he did that General Holt would instantly demand, as he did ask for, in 1866, a court of inquiry, which the President declined to order, and that all the facts and circumstances of the case would come out. General Holt, I think, took little, if any, public notice of this slander until he found it had received the indorsement for railroad labor," due to "the larger proportionate amount of local traffic under the operation of the Inter-State Commerce Act," or, more commonly, to unhealthy competition and abnormally low freight rates. ("Quarterly Journal of Economics," January, 1889, pp. 174, 175.)

of ex-President Johnson, when in a communication, published in the "Washington Daily Chronicle" of August 26, 1873, he produced the most incontrovertible proof that "President Johnson had knowledge of, considered, and commented on the recommendation of Mrs. Surratt to clemency by members of the court before her execution." It had been publicly asserted that President Johnson approved the findings of the court "without having seen the recommendation or known of its existence," although it was known, of course, to every member of the court, and it was also made known to Secretary Stanton, both by General Holt and by Judge Bingham, one of the special judge-advocates in the trial, immediately after the close of the trial. In his answer to General Holt (see "Washington Daily Chronicle" of November 12, 1873) Mr. Johnson undertakes to support his assertion that he never saw that recommendation by showing that it was omitted in Pittman's authorized publication of the proceedings of the trial. But this omission was fully explained. It arose simply from the fact, as stated by Col. H. L. Burnett, special judge-advocate, who superintended the publication, that "the recommendation to mercy constituted properly no part of the record of the trial," and was not therefore furnished by him to Pittman for his book. In a letter of December 22, 1873, to General Holt (see "Washington Daily Chronicle," December 1, 1873) Mr. Pittman also says, "The recommendation in favor of Mrs. Surratt was not inserted in my book for the reason that it formed no part of the proceedings of the trial; it was not mentioned at any open session."

Judge Bingham says:

Before the President had acted on the case I deemed it my duty to call the attention of Secretary Stanton to the petition for the commutation of sentence upon Mrs. Surratt, and did call his attention to it before the final action of the President. . . . After the execution I called upon Secretaries Stanton and Seward and asked if this petition had been presented to the President before the death sentence was by him approved, and was answered by each of those gentlemen that the petition was presented to the President and was duly considered by him and his advisers before the death sentence upon Mrs. Surratt was approved, and that the President and the Cabinet, upon such consideration, were a unit in denying the prayer of the petition; Mr. Seward and Mr. Stanton stating that they were present.

Attorney-General James Speed, in a letter to General Holt, March 30, 1873, says:

After the finding of the military commission that tried the assassins of Mr. Lincoln, and before their execution, I saw the record of the case in the President's office, and attached to it was a paper, signed by some of the members of the commission, recommending that the sentence against Mrs. Surratt be commuted to imprisonment for life; and, according to my memory, the recommendation was made because of her sex. I do not feel at liberty to speak of what was said in Cabinet meetings. In this I know I differ from other gentlemen, but feel constrained to follow my own sense of propriety.

James Harlan, Secretary of the Interior, states positively that "after the sentence and before the execution of Mrs. Surratt, I remember distinctly the discussion of the question of the commutation of the sentence of death pronounced on her by the court to imprisonment for life, had by members of the Cabinet, in the presence of President Johnson." He thinks there were only three or four members present, and when he entered the subject was under warm discussion. He

does not remember hearing read in Cabinet meeting any part of the record of the trial or the recommendation of clemency, but says he was "told that the whole case had been carefully examined by the Attorney-General and the Secretary of War," the two Cabinet officers more immediately concerned, officially, in the matter. At this period Mr. Harlan was the editor of the "Chronicle," and in reference to the recommendation to mercy he said, "Had such a paper been presented, it is, in our opinion, hardly probable that it would, under the circumstances, have induced him to interfere with the regular course of justice."

James M. Wright, at the time Chief Clerk of the Bureau of Military Justice, states that when President Johnson sent a messenger to General Holt requesting him to bring the papers before him for his action, the recommendation for mercy was among them, in plain sight, and that when the case came back through the Adjutant-General's office it remained attached to the other papers.

General R. D. Mussey, President Johnson's private secretary, says, "On the Wednesday evening previous to the execution (which was Friday, July 7, 1865) Mr. Johnson said to me that he was going to look over the findings of the court with Judge Holt, and should be busy and could see no one." Two or three hours afterwards, Mr. Johnson came out of the room where he had been in conference with General Holt and said to him (General Mussey) that "the papers had been looked over and a decision reached." General Mussey continues:

I am very confident, though not absolutely assured, that it was at this interview Mr. Johnson told me that the court had recommended Mrs. Surratt to mercy on the ground of her sex (and age, I believe). But I am certain he did so inform me about that time, and that he said he thought the grounds urged insufficient, and that he had refused to interfere; that if she was guilty at all, her sex did not make her any the less guilty; that he, about the time of her execution, justified it; that he told me that there had not been "women enough hanged in this war."

General James A. Ekin, one of the commissioners in the trial, relates, under date of August 26, 1867, a conversation he had with General Holt soon after the trial, in which he states that General Holt told him

that the entire case, including all papers, had been placed before the President, and that his particular attention had been directed to the recommendation of certain members for the commutation of the sentence of Mrs. Surratt; that the President had carefully scrutinized and fully considered the case, including the recommendation to mercy on behalf of Mrs. Surratt; but that he could not accede to or grant the petition, for the reason that there was no class in the South more violent in the expression and practice of treasonable sentiments than the rebel women, etc.

General H. L. Burnett, in an address before the Loyal Legion, New York, on the 3d of April, 1889, published in the "New York Tribune" of the next day, in giving an account of the trial and explaining why the recommendation for clemency to Mrs. Surratt did not appear in Pittman's book, said:

When I reached my office from the War Department on June 30, or possibly on the morning of July 1, I attached the petition for mercy to the findings and sentences, and at the end of them. I carried the findings and sentences, and the petition or recommendation, and delivered them to the Judge Advocate General in person; and I never saw the record again until many years after, I think in 1873 or 1874. After Judge Holt's interview with the President, on July 5, the former came to Mr. Stanton's office in the War Department. I was with Mr.

Stanton when Judge Holt came in. He said, "I have just come from a conference with the President over the proceedings of the military commission." "Well," asked Mr. Stanton, "what has he done?" "He has approved the findings and sentence of the court," replied Judge Holt. "What did he say about the recommendation to mercy of Mrs. Surratt?" "He said that she must be punished with the rest; that no reasons were given for his interposition by those asking for clemency in her case, except age and sex."

Now, is there a fair-minded person living who would require more or better proof that the recommendation for the commutation of the sentence of Mrs. Surratt to imprisonment for life was in President Johnson's office, and that the question was fully considered by him in conference with several, if not with all, of the members of his Cabinet before the day of execution? True, no one states that he actually saw it in the President's hands, though Judge Bingham says both Secretaries Stanton and Seward told him it was presented to him and duly considered before the death sentence was approved. But Attorney-General Speed, a direct eyewitness, could, had he chosen to speak, have made this fact certain beyond doubt or cavil. Mr. Ford professes amazement at General Holt's anxiety for more detailed testimony from Mr. Speed, as indicated by their correspondence on the subject in the "North American Review" for July, 1888. I am myself free to confess that I do not think any additional proof whatever is at all necessary for General Holt's complete vindication; but Mr. Speed had been a lifelong friend of his, and knowing that he saw the aforesaid recommendation in the President's own hands, is it strange he should insist that he should tell him so? He may be, and is, I think, over-sensitive. In his preface to Pittman's book of the trial, Major Ben: Perley Poore, who unwittingly repeats the false newspaper manacle story, observes, "General Holt is an inflexibly upright administrator of justice, yet humanities have a large place in his heart"; and General Mussey, speaking of the call made by General Holt at the White House on the morning of the execution, when Miss Surratt was there and the President had refused to see her or any one in her mother's behalf,—overruling, also, at the same time, Judge Wylie's writ of habeas corpus,—says, "I shall never lose the impression made upon me of your [General Holt's] deep pity for her [Miss Surratt] and of the pain which her distress caused you." But will Mr. Ford or any other of General Holt's persistent calumniators be so kind as to state why General Holt should have been so anxious for Mr. Speed to tell the whole truth, had he not known, beyond the remotest question, that it would have been conclusive testimony in his favor? Would he have asked Mr. Speed to say more than he did say, if he had had the least doubt on that point? Surely not.

It is not the purpose of this article to go into the evidence regarding either Mrs. Surratt's guilt or innocence; but I cannot refrain from brief comment on the following quotation from Mr. Ford's article, wherein, referring to Mrs. Surratt, he says:

The very man of God who shrived her soul for eternity was said to be constrained to promise that she should not communicate with the world. As the poor martyr walked in her shroud to the scaffold, it is also said that she begged the priest by her side to let her tell the people "she was innocent." She was told that "the Church was permitted only to prepare her soul for eternity; that already she was dead to all else."

This looks strangely, to say the least; and I am reminded by it that it was just this which the late John M. Brodhead, Second Comptroller of the Treasury, once told me was, in his view, conclusive proof of Mrs. Surratt's guilt. He believed that had not the priest known from her confession that she was guilty, he would never have prohibited her from declaring her innocence, but would himself have insisted on it to the last moment. One thing is certain, there was no man living who more firmly believed in her guilty participation in the assassination of Abraham Lincoln than President Johnson, who, in commenting on the appeals made to him for clemency, said at the time to Rev. J. George Butler of St. Paul's Church, Washington, that "he could not be moved; for, in his own significant language, 'Mrs. Surratt kept the nest that hatched the egg.'"

I have observed that General Holt at one time asked for a court of inquiry. It was in September, 1866. In his answer, November 14, 1866, Edwin M. Stanton, Secretary of War, wrote to "Brevet Major-General Holt, Judge Advocate General," as follows:

Your letter of the 11th of September applying for a court of inquiry upon certain imputations therein mentioned as made against you, of official misconduct in relation to the prosecution of Mrs. Surratt and others charged with the assassination of the late President, Abraham Lincoln, and in the preparation of testimony against Jefferson Davis and others, charged with complicity in said crime, has been submitted to the President (Johnson), who deems it unnecessary for your vindication to order a court of inquiry.

In communicating the President's decision, it is proper for me to express my own conviction that all charges and imputations against your official conduct are, in my judgment, groundless. So far as I have any knowledge or information, your official duties as judge advocate general, in the cases referred to, and in all others, have been performed fairly, justly, and with distinguished ability, integrity, and patriotism, and in strict conformity with the requirements of your high office and the obligations of an officer and a gentleman.

WASHINGTON, D. C.

Horatio King.

Boston Corbett.

THE authors of the "Life of Lincoln," in their description of the pursuit of Booth and his death in Garrett's barn, say:

Booth, who was clearly visible by the flames through the cracks in the building, was shot by Boston Corbett, a sergeant of cavalry, a soldier of a gloomy and fanatical disposition, which afterwards developed into insanity.

I was a member of the 16th New York Cavalry, and well acquainted with Corbett, and I feel a grave injustice is done him in the above description of his disposition. He was intensely religious, and was actuated by his convictions of duty under all circumstances. This frequently drew upon him the jeers and insults of the coarser and more reckless spirits of the regiment, but their persecution never deterred him from doing what he conceived to be his duty. If this was being a gloomy fanatic then he was one, but in no other sense.

My recollection of him—and we soldiers learned to know one another as we roughed it together on picket and on scout—is the very opposite to this. I have never known a person so cheerful and heroic under circumstances of intense suffering and great provocation. His example has been a source of inspiration to me through all the years since last we parted. I will remember he allowed himself to be reduced to the ranks and suffer a humiliating and cruel punishment

rather than withdraw a charge, which he believed to be true, that he had made against an officer. He was actuated by his convictions then, and I believe he was inspired by the same high motive when he fired the shot that slew the assassin of Lincoln. He believed it was better to disable Booth — for that was his intention — than to permit him to shoot Lieutenant Doherty, which evidently in another moment he would have done.

I have read with intense and ever-increasing interest the "Life of Abraham Lincoln," and as it is destined to become a classic and make history, even the most humble individual who appears in its pages should have dealt out to him a full meed of justice. I am sure no persons have a more earnest desire for this than the authors.

*Austin Potter,  
Late Sergeant Co. G, 16th N. Y. Cavalry.*

METHODIST PARSONAGE, DUNGANNON, ONTARIO.

#### An Anecdote of the Blairs.

MR. FRANCIS P. BLAIR, SR., already a prominent figure in national history in the days of Andrew Jackson, was the father of Montgomery Blair in the Cabinet of Mr. Lincoln, of Frank P. Blair, Jr., a major-general in the Union army and the commander of a corps of Sherman's forces in his famous march from Atlanta to the sea, and father-in-law of S. P. Lee, an admiral in the United States navy.

It was the daily habit of Mr. and Mrs. Blair, each of them then approaching their eightieth year, to ride around the country, along the byways, and off the public roads. This couple were known by all the country folks for miles away from their home, which was at Silver Spring, the famous and historic spot where the destiny of so many men in public life was fixed or changed. The roads leading into the city of Washington were well guarded; so well, that the pickets were very near each other. These pickets were changed every day, and of course the guards who saw this couple ride one day and who had become acquainted with them would be displaced on the morrow and new men would take their places. It so happened that Mr. Blair had adopted the idea of wearing a short green veil over and around his high hat, so as to shade his eyes in the strong sunlight which was reflected from the sandy roads under a summer sun. For the same reason, Mrs. Blair wore a bonnet coming far over her face and hiding her features. In this odd and unique style of dress they roamed and rode at will, far and near, as they had both been accustomed to do for a quarter of a century preceding.

It so chanced that one picket, who happened to be on duty a number of times at different places, was struck with the queer appearance of the couple, which did not at all comport with the fine-blooded horses they rode,<sup>1</sup> and becoming gravely suspicious, he determined to report them at headquarters as worthy of being looked after. This done, the order went out the next day that this was a case to be carefully examined, as many spies were known to be prowling about in search for news to be sent across the lines to the enemy. A sagacious and faithful man was specially detailed on a certain day to guard a particular road which it was

known the "suspects" must take on their return across the country. When the suspicious couple at length came in sight of this picket, after the order "Halt!" had been given, the usual questions were put, as follows: "Where are you from?" "Where are you going?" "Have you anything contraband about you?" etc. All these inquiries being responded to in a satisfactory way the picket then broke out abruptly with other questions not on the regular list, and began thus, "Well, who are you, anyway?" The old gentleman, who up to this time had done all the talking on his side and had responded to all inquiries, and who had much quiet humor in him, turned to his wife with the remark, "Betty, who are we?" With a smile the old lady turned to the picket and replied, "Well, guard, what would you think if I said we had a son who is a Cabinet minister, and another son who is a major-general, and another son who —" The guard, not waiting for any more, quickly interrupted with the report, "And I suppose you will say another son who is an admiral!" "Yes," responded the old lady, "an admiral, also." "Well, now, old woman, that is coming it a little too strong. If you had left out the admiral, I might have believed you; but as it is, I think you are both subjects for the headquarters; and so come along." There was no course but submission, and the three rode along some distance, the prisoners in front of their captor, and all the way the latter kept a watchful eye upon the supposed spies.

At length a group of officers approached, each making a salute and halting to speak to the captured rebels. "Why," said one of these officers to Mr. Blair, "what does this mean? You in the hands of a military guard? One might suppose you were prisoners and on your way to headquarters." "Well," said Mr. Blair, "so we are." The officer, quickly turning to the soldier, demanded to know what he had been doing. Much abashed and crestfallen, he explained to his commander in an undertone, "Well, sir, when I questioned the old man I believed him to be all right; but when the old woman told her darned story about her having one son in the Cabinet, and one son a major-general, and then on top of that added another son an admiral, I thought she was yarning, and I would not believe anything but that they were real spies, and I arrested them on the spot."

I tell the story as it was told to me by Mr. Blair himself immediately after the incident.

*Eliza Clagett Allen.*

NEW YORK CITY.

#### "The White League of New Orleans."

A LETTER has been received by the editor from Mr. F. R. Southmayd, formerly of New Orleans but now residing in Chicago, in which he refers to Mr. Cable's story, "The Haunted House in Royal Street," published in THE CENTURY for August, 1889. He denies that the White League ever had a badge of any kind. He also says that it "was not the organization of a political party"; also that the purpose of the White League, as declared in the second article of its constitution, was to "support the constitutions of the United States and of the State of Louisiana, and to

<sup>1</sup> Mrs. Blair, who was a superb equestrian even up to the year of her death, at this time was riding "Black Sluggard," the war-charger used by Major-General George A. Stoneman in

his renowned raid around Lee's army and afterwards presented by him to General Frank P. Blair, Jr., who gave it to his aged mother.

maintain and defend the rights of citizens thereunder." Mr. Southmayd also states that the "charge has been designedly and industriously circulated that the White League was organized against the black race." He thinks the connection in which Mr. Cable makes mention of the badge of the League simply confirms this false charge in the minds of those who had already heard it, and gives a false impression to those who had not heard of the White League before. He declares that "not a black man was harmed in New Orleans under the authority or by orders of the White League while it was in armed possession of the city."

#### A Reply.

I AM not aware that any one has called the White League "the organization of a political party." I certainly have not. My statement was, and is, that "In the 'Conservative' party there sprung up the 'White League.'" A "Radical" attempting to join it would have been counted a traitor by his own party, or else a spy by the League.

It was common in those days for young men of New Orleans to wear a small buttonhole-bow of narrow, black-velvet ribbon with a dotting of white silk on both edges, and White Leaguers — my personal friends and acquaintances belonged to the League by scores and hundreds — told me it was a badge of the League. It may have been entirely unofficial, or may have belonged to only one or a few companies. The eye-witness from whom I have the facts of the Royal-street High School evictions may have seen this, or may have entirely mistaken the purpose of the White Leaguer's gesture. Whether the League officially adopted a badge or not seems to me a very trivial point. What potential fact does it discredit?

Mr. Southmayd quotes the text of the second article

of the League's constitution. But I submit that when the League, with foot, horse, and artillery, routed in bloody battle the whole force of the *city police*, it did not stick to its text. If its text had been slightly richer — if the declared purpose had read, "to support the constitutions (Federal and State), and to maintain and defend the *equal legal* rights of *all* citizens thereunder," there need never have been a shot fired, nor an eviction of a single High School girl from the already sufficiently "haunted" house in Royal street.

"Not a black man was harmed"? If mere bodily harm is meant, I eagerly credit the assertion. But there are harms deeper and far more lasting than bodily injuries, and I say there was not a black man in the State — no, nor a white man, badged or unbadged — who was not, and does not remain to this day, harmed by the whole policy and action of the White League. This is only a deep conviction. History will decide whether or not it is well founded.

G. W. Cable.

#### Congo.

MR. HERBERT PROBERT, author of "Life and Scenes in Congo," writes, in relation to Mr. Tisdell's article in the February CENTURY, that Pallaballa does not contain five hundred people. He adds that there is a large and flourishing Baptist mission about one hundred and fifty yards from Pallaballa, and that there are missions at Banza Manteka, Lukunga, and Leopoldville. Mr. Probert thinks more highly of the intelligence of the natives than does Mr. Tisdell. He says: "Several natives of Congo are now in Shaw University. Their progress in various branches of study is most commendable. Some of our converts at Pallaballa speak fluently in English, Portuguese, and Kikongo."

## BRIC-À-BRAC.



"I'LL HIT THAT RABBIT."



HIT!