Benjamin Tucker
Liberty Vol. I. No. 24.
Not the Daughter but the Mother of Order
July 22, 1882

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Not the Daughter but the Mother of Order

Benjamin Tucker

July 22, 1882

Yours, disrespectfully,

Benj. R. Tucker.

Republished!

The Suppressed Book!

Walt Whitman's Poems:

"Leaves of Grass."

"Truth, crushed to earth, shall rise again."

A new edition, reprinted from the Osgoods' plates without alteration or emendation, of the book which Ralph Waldo Emerson, during his life, hailed as "the most extraordinary piece of wit and wisdom that America has yet contributed," and which, after his death, was suppressed as "obscene" by the authorities of Massachusetts at the instigation of the Society for the Suppression of Vice.

To Oliver Stevens, District Attorney of Suffolk County; George Marston, Attorney-General of the Commonwealth of Manchusetts; E. S. Tobey, Postmaster of Boston; Anthony Comstock, Secretary and General Agent of the Society for the Suppression of Vice; and all other enemies of Liberty whom it may concern:

You are hereby distinctly notified — all of you in general, and you, Oliver Stevens, in particular — that I have in in possession, and do now offer for sale, copies of the work advertised above. If you, or any one of you, believe, or affect to believe, that, in so doing, I am committing an unlawful act, you are invited to test the question whether twelve men, fairly chosen by lot, can be found in Massachusetts sufficiently bigoted, or intolerant, or hypocritical, to share with you, or pretend to share with you, such belief, or affectation of belief. And, to avoid unnecessary trouble and make the evidence of sale indisputable, I offer, on receipt from any one of you of an order for a copy of the work, to deliver a copy to you in my own person, at such place in Boston us you may designate, and take payment therefor.

Contents

the enemies of the Irish cause at one time admitted that not above one-third of the Irish tenants were paying any rent at all. To this mighty fact is due the lowering of rents all over Ireland twenty-five per cent. To this fact is due the advertising of Irish estates at low rates in Chicago and San Francisco. To this fact is due the exodus of certain great Irish land-thieves to America, there to better ply the game that was becoming a desperate one in Ireland. To this fact, I believe, was due the willingness of Gladstone and the land-thieves to pacify the Irish leaders at any cost. I do most solemnly believe that had the No-Rent Manifesto been insisted upon to the death, Ireland could have been liberated from English rule or got any terms from England that she had demanded.

But Mr. Gladstone says that the doctrine of No Rent is the doctrine of public plunder. If No Rent in Ireland is plunder, then the land does not belong to the people. Here is the crucial dilemma upon which the whole business hangs. I beg the charity of the "Irish World" and of all dissenters from my views when I confess that I deem it a lamentable mistake that the No-Rent cry was not pushed with double power as soon as the suspects were released. If Michael Davitt believes in no more tribute and could not declare it on British soil and keep out of jail, it would have been his glory to have cried it from the hill-tops of America, and flooded Ireland with No-Rent Tracts and Manifestoes.

But it was not to be. Speaking only for myself, I am extremely sorry. Yet possibly it is all for the best. In God's good time the right track will be settled down upon, and, whether it be your way or my way, the oppressor, and all his damnable trappings of plunder, is doomed. Let us all Spread the best Light we have, being charitable to all and bearing malice to none.

lication. But as every philosophical tree is known by its fruits, if I state to the reader distinctly what would he the line of aggressive policy which my system demands at the present hour, it would exhibit the substance of all that is of any value in it. Let me state my "plan," then. It will not require many words. No, verily, as few words as these:— **Pay No More Rent!**

And how would this policy, if insisted upon to the bitter end, secure the land to the people? Let me illustrate by a very familiar example.

This is the season of berries. Suppose a landlord in a certain locality to "own" a fifty-acre lot covered with berries. He divides it into little holdings of ten rods square, and rents to the people of the neighborhood the privilege of gathering the natural fruit. But on a certain year the people of all the surrounding townships unite with the neighbors, and declare that they will pay no more rent for a privilege that properly belongs to God. The berries ripen, but nobody will pay a cent of tribute-money for the privilege. Thereupon the landlord attempts to hire laborers to gather them, but nobody will do it. What then? Will he let them rot? Possibly; human nature is hardly ever so depraved where there is no motive of gain. In all probability, seeing that there was no possibility of extorting the rent, he would open the gates and let the people go in, each claiming natural title to so much of the land (in usufruct) as he was *de facto* occupying and improving.

But berries are not necessary to life. Now, take the land of Ireland, whose fruits *are* a necessity to life with her people, and apply a wholesale rent revolt. How long in that case, would the reigning landlords care to hold their lands? If, though a universal and settled conviction of the whole people that the land was theirs, they all revolted against the unholy tribute, of what value would the lands be to the landlords, and how ready would they soon be to make terms with the people?

And is this "plan" impossible and impracticable? Ah, friends, it has already been so near a living fact that even

"For always in thine eyes, O Liberty!
Shines that high light whereby the world is saved;
And though thou slay us, we will trust in thee."
— John Hay.

On Picket Duty.

Thomas Jefferson, were be alive today, would probably be an Anarchist. His philosophy pointed straight in the direction of absolute Liberty. In this connection one of the most interesting of his sayings that inscribed by him on the desk on which the Declaration of Independence was written: "Politics, as well as religion, has its superstitions."

Lady Brassey mentions that in one of the South Sea islands the missionaries had to substitute coconut milk for wine, as the cup never reached the third communicant without replenishing. We do not doubt the story. Indeed, it would be surprising if the South Sea islanders, true to their cannibalistic instincts, did not find the Blood of Christ most palatable.

The demand for Lysander Spooner's pamphlet, "Natural Law," has been so great as to necessitate a second edition. This is now ready. The price, as may be seen in our advertising columns, has been reduced from fifteen to ten cents. It was this forcible treatise that led the editor of "Le Révolté" to write the excellent articles on "Law and Authority" which Liberty recently republished.

We have received from George Chainey, the Paine Hall lecturer, a new volume of his Sunday discourses, published under the general title, "The New Version." It presents the same handsome appearance externally that characterized the original volume, and is as full as that of fresh thought and stirring eloquence. There are passages in it with which we hope to grace Liberty's pages as soon as our limited space will allow.

The extended remarks in which we indulge elsewhere *à propos* of a recent pamphlet on "The Mormon Problem" apply with equal pertinence to an able essay by James W. Stillman of Boston on "The Constitutional and Legal Aspect of the Mormon Question," with a copy of which we have been favored. The author shows conclusively the outrageous character of the invasion of human rights perpetrated in the crusade against the religion of the Mormons.

Those of Liberty's readers who understand French should send for a copy of Michael Bakounine's "Dieu et l'État" (God and the State), advertised in another column. It discusses theology from an anarchistic standpoint, and holds God, or the illusion called God, responsible for all the authority that oppresses and most of the evil that afflicts mankind. In fact, the tyrant of the skies receives an excoriation at the hands of Bakounine only surpassed in the pages of Proudhon.

Michael Davitt tries to avoid the charge that he is inconsistent in working for peasant proprietorship when he believes in land nationalization by saying that the former is sure to end in the latter, because the government, finding itself unable to collect interest from the tenants on the money loaned them to buy the land, will be compelled to foreclose and take possession. But what of it? Can the government, any more than the present landlords, evict a whole nation? And if not, can it, any more successfully than they, exact tribute from the tenants by naming the tribute *taxes* instead of *rent*? By no means. The result of such a policy would be simply the supersedure of the No-Rent manifesto by a No-Tax manifesto; and the day when a No-Tax manifesto appears will prove the day of doom for all governors and usurers and rent-thieves and tribute-takers whatsoever.

In the early days of the Irish land agitation Michael Davitt used to say unqualifiedly: "Rent is an immoral tax upon industry." In his speech to the laborers of New York a few days ago he said timidly: "Rent imposed upon labor — *such rent as that*

man affairs, so long may we expect to have Freemnas, and Guiteaus, and judicial murders, and the blasphemy of Justice in her own courts and by her own appointed officers.

Most assuredly you may, if you will, enter my name on your petition to President Arthur. Not that I believe your brother insane, but believe him the victim — as all of us are, and have been victims — of a false theology, and a false system of religious instruction, from which, as a basis, he has, logically enough, drawn conclusions in harmony with the fundamental doctrines of the Christian Church, but at war with all the best interests of society and the race.

Yours in sincerest sympathy,

Elizabeth M. F. Denton.
Wellesley, Mass., June 20, 1882.

Nationalization Versus No-Rent.

It is as Liberty expected and predicted. The "Irish World" writers are beginning their protests against the new departure. "Phillip" has already commenced a series of letters which, though handling Davitt as yet with an almost fulsome tenderness, are to culminate, it is plain, in a damaging criticism of the theory of land nationalization. His facile pen and fascinating style will make sad (or merry) havoc with it. "Honorius," meanwhile, has dealt it the following direct and vigorous blow:

The sticking point — the knotty problem — the thing that is not settled by resolutions and the movements of leaders, is this:— *How are the Irish people to secure to themselves what is theirs — the land?* Now, I have a plan which starts out on an entirely opposite basis from that of George. The plan of George is Socialistic — mine is Individualistic. I could not elaborate it in the "Irish World" without going into a whole analysis of sociological philosophy which is outside the sphere of this pub-

your brother's life. Even the hue of his crime pales in comparison with this fierce, blind rage of a nation to wreak revenge for his terrible deed. It cannot be claimed that the taking of his life is at all necessary to our protection against any further outrages from his tongue or at his hands. He is in the nation's power, and can, therefore, be restrained in future from any acts of violence against the peace of the public, or of the individual. By what right, then, does the nation demand his life?

More than all this, however, the awful responsibility for his deed rests not alone with him. Far from it! In his case, scarcely less than in the case of the Freemans, of Pocasset, is the creed of Christendom on trial. Surely words have little meaning if the legitimate inferences from the teachings of our thousands of pulpits do not justify the main point in your brother's conclusions. *If* God commanded Abraham to slay his son, and Samuel to hew Agag, the Amelekite king, in pieces, as the Scriptures inform us, who shall say that he did not command the Freemans to slay their little daughter, and Guiteau to "remove Garfield," the American president? Has God so changed that he cannot be thought to authorize the same crimes now that he did in ancient times? And if it was "blasphemy," as was so flippantly charged during his trial, for your brother to claim that God commanded him to "remove President Garfield," is it any less blasphemy when our ministers assure us that God commanded Samuel to commit that bloodier crime in the "removal" of King Agag? As to the methods employed for the "removal," by which the two men executed the supposed Divine command, your brother's deed bears no comparison in the matter of fiendish barbarity with that of the man he had been taught to believe was especially *"called of God,"* and commanded to perform the frightful deed. And so long as people are allowed to reason, but, by the pressure of public sentiment and the influence of early instruction, are compelled to accept the Bible records of an ignorant and barbarous age, and a still more ignorant and barbarous people, as any evidence of Divine interference in hu-

exacted by Irish absentee landlords — I have declared in Ireland to be an immoral tax. To throw off that immoral, unjust tux Ireland has leaped to its feet, and, thank God, we are today half-way to victory." Yet in this manifest retreat many long-time admirers of Davitt — among them "Phillip" of the "Irish World" — strive hard to see, not the truth (they know it is not that), but a step in advance! For once you are mistaken, most tolerant, patient, and impartial "Phillip"! It is decidedly a step backward; and you, perhaps of all men, known to the readers of the "Irish World" chiefly as the steadfast and sturdy opponent of all varieties of usury and all species of nationalization, ought to see this most clearly, and, so seeing it, to so pronounce it.

In a recent issue of his journal, "This World," George Chainey denounced the action of the authorities in suppressing Walt Whitman's "Leaves of Grass," and printed in a supplement the poem chiefly objected to, "To a Common Prostitute." Postmaster Tobey declined to let the publication through the mail at pound rates on the ground that the supplement was not a supplement in the sense of the statute. In this absurd position he was sustained by the postmaster-general. But the real animus moving this pious and hypocritical Tobey developed itself when Mr. Chainey offered his paper at the post-office at third-class rates. Then the postmaster decided the matter unmailable because obscene. Another appeal to Washington was taken, and this time, through the efforts of W. D. O'Connor and R. G. Ingersoll, the postmaster-general was induced to decide against Tobey and order the matter transmitted in the mails. It was immediately telegraphed all over the country by newspaper correspondents that "Leaves of Grass," against Mr. Tobey's decision, had been declared mailable. This so annoyed our asinine postmaster that he immediately sent paragraphs to all the Boston newspapers denying that the book itself had been pronounced mailable, the decision affecting only a small extract from one poem. Another instance of the man's quibbling hypocrisy. He knows

perfectly well that, if the portion to which the State authorities objected can pass, the whole book can pass. If he does not believe it, he can readily test it by accepting the invitation extended to him and others in our advertising columns. "Leaves of Grass" has been republished without a word of alteration, and the publisher of Liberty now publicly offers it for sale in the very city where it has been temporarily suppressed. The authorities must now bring the question to an issue, or confess their defeat. Let all who wish to sustain us in this tight order the book from us without delay.

Anarchism in Court.

We fear that Nihilism is insidiously working its way into our halls of justice. At any rate, the municipal court reporter of the Boston "Globe" reports frequent conversations held with one "Max," apparently a member of the dangerous classes, whose utterances are at times as atrociously revolutionary as those of Bakounine himself. This mysterious personage reminds us slightly of Carlyle's Herr Teufelsdrockh, and sometimes even we shrewdly suspect that he stands in about the same relationship to the "Globe" reporter as that of the Clothes Philosopher of Weissnichtwo to the Sage of Chelsea. Here is a sample of his extraordinary outpourings, which we find in the "Globe" of the day following Guiteau's execution,— an event which seems to have put him into a desperate mood that, if long continued in, might prove dangerous to social order:

"What do you find reflected in the mirror this morning, Max?" inquired the Counsellor, when he came into the court-room and observed the old gentleman in a preoccupied mood.

"Nothing very pleasant. A dark red cloud obscures the picture, and casts a gory gloom upon the faces of men. Just look down upon this swarming ant-hill of a city, and no-

nationalization, he will make them subservient for the time being to the interests of the Land League.

A momentous mission, this, for Michael Davitt, who is to find evictions going on at the rate of twelve hundred a week in Ireland, the repression infamy just signed by the Queen and going into operation, and one hundred and eighty-two suspects still languishing in prison!

We can conceive of a Michael Davitt, who, going back to his outraged country, would talk after this wise: "I am going over to tell Parnell that he and I have parted company forever,— to tell the Irish people to pay no more rent to the bitter end, and that the only way of realizing 'the land for the people' is for the people to take the land, evict the landlords, and defy the English government as it mob of plundering bandits."

Such a Michael Davitt would probably go back to jail with the hundred and eighty-two suspects (who are just as good as he is), but would be infinitely more powerful for good and more glorious in himself than in the trivial and trimming *rôle* of a compromiser with the English brute at his country's throat.

Guiteau One of God's Own.

At our request, Mrs. E. M. F. Denton furnishes us a copy of the following letter written by her prior to the execution of Guiteau. Heretofore the bitterest things said against Guiteau have come from women. With the more pleasure, therefore, we print these dispassionate words of wisdom from a woman's pen:

Mrs. Frances M. Scoville:

My Dear Madam,— I have seen your card to the public in reference to your proposed petition to President Arthur, asking for a "stay of execution" in the case of your brother, Charles J. Guiteau.

Permit me to assure you that I have not one moment's sympathy with the murderous demand of the general public for

of swimming, [his feet and hands being bound], it was deemed an evidence of his guilt, but if he sunk, he was acquitted."

"The forms of law" have sanctioned the hanging of Quakers and witches in Massachusetts. They have sanctioned the hanging of witches in other countries. They have sanctioned the hanging of great numbers of insane persons in this and other countries. They have sanctioned the hanging of multitudes of innocent men, who were not insane. They have sanctioned the torture of men by the thumbscrew, by breaking them on the wheel, and by burning them at the stake. They have sanctioned the torture and murder of great numbers of conscientious men and women for holding and avowing religious opinions in little more decent and reasonable than those held by the men in power. They have sanctioned the use at the thumbscrew and other tortures to compel men to confess themselves guilty of crimes, of which the government had no other satisfactory proof. In short, "the forms of law" have sanctioned a great many more horrible crimes in the past, than mankind are likely to tolerate in the future.

Guiteau himself is dead. But the Guiteau case has not yet had its final trial. The final question to be tried will be, whether Guiteau, on the one hand, or Davidge, Porter, Corkhill, and those who have urged them on, on the other, were the real murderers.

But what concerns us all now is, that there shall no longer exist any power, that is capable of establishing such "forms of law," as will interfere with the substance of justice.

Gone to Parnell.

Michael Davitt, say the dispatches, has gone over to tell Parnell that he will tell the Irish people that, though he has, and will continue to have, his own opinions as to the scheme of land

tice the excitement that pervades the whole heap. There is something grim and hideous in the gloating expectation with which the pismires swarm about the bulletin boards, licking their bloodthirsty little chops while waiting to learn that a wretched fellow-creature has been slaughtered in answer to their unreasoning clamor for revenge."

"Dropping metaphor, you refer to the crowds waiting for news of the execution of the assassin Guiteau, do you not?"

"I do, of course. I have been listening to the comments of the crowds as I passed along the street, and I have heard little but breathings of brutal passion, uttered in tones of virtuous indignation, and with much pretence of profound respect for the law which gratifies their lust for blood. There is a good deal of tiger left in human nature after all, and it takes advantage of such occasions as this to manifest itself, when it will be accounted a virtue. I have heard men today express their strong desire to commit murder, and openly proclaim their thirst for a human being's blood, as though it were: very commendable spirit that actuated them. Patriotism, some said. Others claimed that their intense love of justice moved them to feelings of profound joy at the prospective strangling of a miserable crank. Respect for the infallible wisdom of the law was the pretence under which some tried to conceal their ghoulish appetites. Good citizens all, devoutly praying on Sundays to be forgiven their sins, as they falsely pretend to forgive those who trespass against them."

"But you do not stop to consider, Max, that the man who is to be hanged today murdered not only a fellow-being, but a president."

"Indeed, but that is just what I have considered; and, moreover, that is the very reason that the passions of the people have been aroused to such a pitch. It is my belief that, had Guiteau's victim been an obscure man, no scaffold drop would be yawning for him today. But the crazy fool struck a blow at government, that idol of the ignorant, set up by force and maintained by fraud and error to be worshipped by those whom it

most oppresses. Sane or insane, it matters not. A nation of Masons and Bill Joneses clamors for his blood, and he must die. Not that his loss is to be deplored, for he certainly is of no benefit to the community, but the public sentiment that backs up the hangman is not as virtuous and calmly judicial as it pretends to be."

"The man has been declared sane enough to be responsible, and is therefore sane enough to be hanged. When the drop falls, let us hope that will be the last of the whole Guiteau crowd so far as the public is concerned. I for one hope that they will all disappear with a dull thud about noon to-day, never to be heard of more," quoth the Counsellor. "I am afraid, Max, that you are growing rather crazy yourself — turning Nihilist, perhaps."

"Perhaps," said Max, musingly, as he sketched on the margin of his newspaper a design for an improved dynamite bomb.

> "A free man is one who enjoys the use of his reason and his faculties; who is neither blinded by passion, not hindered or driven by oppression, not deceived by erroneous opinions." — Proudhon.

The Red Cross Fund.

Receipts to July 18, 1882.

such a monster in depravity as had never before been seen in human shape.

And why has such a spectacle as this been endured? Certainly not merely because a man had been killed — for such occurrences are too common to cause either alarm or surprise — but because tens of thousands of ambitious and avaricious plotters have seen that if all their selfish schemes, which they have hoped to accomplish through a president of their own choice, can be defeated by a single pistol shot, their occupations are gone.

But let us see still further what crimes "the forms of law" have been made to sanction.

"The forms of law" have sanctioned the murder of accused persons — who, from insanity, or any other cause, refused to plead either guilty, or not guilty — by laying them upon their backs on the ground, and then piling weights upon their breasts, until they were crushed to death. Giles Corey was deliberately murdered in this manner in Salem, Massachusetts, in 1692, for refusing to plead either guilty, or not guilty, to a charge of witchcraft.

"The forms of law" have sanctioned "the trial by battle," so called; that is, duels between the accuser and the accused, under the conviction that Providence would give the victory to the innocent party.

"The forms of law" have sanctioned the trial of accused persons by compelling them to "walk barefoot and blindfolded, over nine red hot plough-shares laid lengthwise at unequal distances."

"The forms of law" have sanctioned the trial of accused persons "by plunging the bare arm up to the elbow, in boiling water," in the expectation that they would escape unhurt, if they were innocent.

Also, "by casting the person suspected into a river or pond of cold water, when, if he floated therein, without any action

with filth, and overwhelmed him with abuse. The most scandalous scenes occurred on the gallows; The hangman often quarrelled with his victim over the garments which the former looked upon as a lawful perquisite, and which the latter was disposed to distribute among his friends….. The populace were like degenerate Romans in the amphitheatre waiting for the butchery to begin. They fought and struggled desperately for front places; people fell and were trampled to death, hoarse roars came from thousands of brazen threats, which swelled into a terrible chorus as the black figures of the performers on the gallows stood out against the sky. "Hats off!" "Down in front!" these cries echoed and re-echoed in increasing volume, and all at once abruptly came to an end — the bolt was drawn, the drop had fallen, and the miserable wretch had gone to his long home.

The story is told that a hangman, in England, being once inquired of, as to how many persons his hanging apparatus could hang at once, replied that "it *could* hang a dozen at a time, but could not hang more than ten comfortably."

But in all the accounts we have read of the brutal murders committed under "the forms of law," in England, we do not remember to have read that when, as in Guiteau's case, the question of guilt was one of sanity or insanity, two professional ruffians were hired to aid the public prosecutor, not in investigating candidly, rationally, and honestly the question whether he was sane, and therefore guilty, but to forestall and shut out inquiry, by heaping upon him every epithet of abhorrence which the dictionaries could furnish, and thus convince the jury that, although human in form, and sane in mind, he was, in reality,

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George Foulke, Cicero, Ind., … .40
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War upon Superstitious Women.

Most men feel either pity, contempt, or abhorrence for the absurdities and errors of all other religions than their own. And they are especially incredulous as to the sanctity and sincerity of those men who make their godliness profitable to the attainment of "wealth, of high" places in Church or State, or to increase the number of their wives. And although we cannot look into the hearts of each ind every one of such men, and know precisely how much sin or superstition there may be in each case, we doubt if the class, as a whole, have been credited with any more hypocrisy, avarice, ambition, or unchastity than they were really guilty of. And if they alone were the sufferers from religious persecutions, we doubtless might not cry our eyes out in bewailing their fate. But it is quite another thing to visit either our contempt or detestation upon the ignorant and superstitions victims, whether male or female, of these religious impostors. While to make direct war upon *women*, on account of their religious superstitions, is brutal. If their religious errors cannot be corrected by reason, they must be suffered to take their course. They are no subject for legislation.

That women are naturally more credulous and superstitions than men, and more easily carried by their superstitions into wild and unnatural conduct, may be admitted. But of their sincerity there is, unless in very exceptional cases, no reasonable doubt. And their sincerity, if nothing else, should be their protection. When, for example, women crush and crucify their natural affections — their natural desires to

The practical results of these "forms of law" are well described in an article on Newgate prison, in the "Fortnightly [London] Review" for June, 1882. This prison was always crowded with prisoners, having sometimes as many as "eight, nine, and even twelve hundred souls." For the poverty and misery of the_people drove great numbers into crime. Of these prisoners the Review says:

> For the bulk of the criminal prisoners there was one speedy and effectual system of removal, that of capital punishment. Executions were wholesale in those times. The code was sanguinary in the extreme. Male coiners [counterfeiters] were quartered as traitors, and females were burnt. Larceny, forgery, bankruptcy, all these were punished by death, and the gallows tree was always heavily laden.
>
> There was every element of callous brutality in the manner of inflicting the extreme penalty of the law. From the time of sentence to the last dread moment the convict was exhibited as a show, or held up to public contempt and execration….. The actual ceremony was to the last degree cold blooded, and wanting in all the solemn attributes befitting the awful scene. The doomed was carried in an open cart to Tyburn or other appointed place; the halter already encircled his neck, his coffin was at his feet….. For the mob it was a high day and holiday; they lined the route taken by the ghastly procession, encouraging or flouting the convict according as he happened to be a popular hero, or unknown to criminal fame. In the first case they cheered him to the echo, offered him bouquets of flowers, or pressed him to drink deep from St. Giles's bowl; in the latter they pelted him

The speedy arm of Justice
Was never known in full;
The gaol supplied the gallows,
The gallows thinned the gaol.
And sundry wise precautions
The sages of the law
Discretely framed, whereby they aimed
To keep the rogues in awe.
For, lest some sturdy criminal
False witnesses should bring,
His witnesses were not allowed
To swear to any thing.
And lost his wily advocate
The court should overreach,
His advocate was not allowed
The privilege of speech.
Yet, such was the humanity
And wisdom of the law,
That, if in his indictment there
Appeared to be as flaw,
The Court assigned him counsellors
To argue on the doubt,
Provided he *himself* had first
Contrived to point it out.
Yet lest their mildness should perchance
Be craftily abused,
To *show* him the indictment they
Most sturdily refused.
But still, that he might understand
The nature of the charge,
The same was in the Latin tongue
Read out to him at large.
'Twas thus the law kept rogues in awe,
Gave honest man protection.
And justly famed, by all was named,
Of wisdom the perfection.

become wives and mothers — in order to serve God, as they think, and save their souls, by lives of labor for the sick, the wounded, and the orphan, the lawmaker, who, instead of according to these women the respect and protection which their sincerity deserves, would seek to oppress them in order to gain favor with the bigots and tyrants of other religions, is not only a political villain, he is also an inhuman wretch.

We have been led into these remarks by a well written, and strongly written, pamphlet on *"The Mormon Problem: By a Citizen of Massachusetts;"*[1] protesting against the persecution now carried on against the Mormons by Congress and the Courts.

We look upon this war upon the Mormons as being, not a war upon the vices, or supposed vices, of Brigham Young, or Heber Kimball, or other Mormon men — who, for the purposes of this argument, may be admitted to be selfish, ambitious, and lascivious hypocrites — but against their victims, the sincere and superstitious women, who have been deluded into the idea that one masculine Mormon saint can secure the eternal salvation of ten or twenty Mormon women, if they will so far put their trust in him as to become his wives in this world.

However vicious or sensual a Mormon *man* may be supposed to be, who wishes to take to himself ten or twenty wives, the wives themselves cannot be suspected of becoming wives from any similar motives. It is utterly contrary to the nature of women to suppose that, in this country, if not in any other, any woman would, from sensual and vicious motives, consent to become one of the ten or twenty wives of one man. Nothing more unnatural than this can be conceived of, as the act of a vicious or lascivious woman, But the Mormon women are not vicious. However the sincerity and morality of the polygamous men may have been doubted, nobody, so far as we know, has ever doubted the sincerity and chastity of the Mormon women.

[1] Sold by James Campbell, Boston. It is alleged — and correctly, we suspect — that the author is Alfred E. Giles, of Hyde Park.

Nothing, therefore, but religious superstition can account for their being willing to enter into polygamous marriages.

Such being the facts, the war of Congress upon polygamy is not a war upon sensual or vicious men, or sensual or vicious women. If Congress were really waging an honest war against unchaste men, or even unchaste women, or even religious hypocrites and impostors, they would not need to go to Utah to find them. And the fact that they do go to Utah to find them — passing by the hundreds of thousands of vicious persons of both sexes at home, and the religious hypocrites that are not supposed to be very scarce anywhere — is the proof of their hypocrisy; and of their design to make political capital for themselves, by currying favor with bigots and hypocrites, rather than to promote chastity on the part of either men or women.

If all the polygamous women of Utah had been common prostitutes, we have no reason to suppose that the lawmakers at Washington would have ever had their religious sensibilities disturbed on account of them. Or if the polygamous men of Utah had been rich merchants and bankers in New York, each of them having one wife and one family of children whom he lived with openly, and a half dozen other women, with children, whom he supported secretly, we do not think that this immorality would have so aroused the pious hypocrites at Washington as to induce them to get up a political crusade to put it down.

Congress has just as much right to inquire into, and prescribe, the chastity the private morals, and the religious sincerity of all other men and women, throughout the country, as it has to do it in Utah.

If the Mormon women are in any way restrained of their liberty, or forced into, or compelled to remain in, their polygamous marriages, against their wills, they ought to be protected against all wrongs of that kind. But to make war upon them, because they think they are serving God, and securing their salvation, by being "sealed," as they call it, to a ransom line

"The Forms of Law."

That the forms of law were all complied with, is the reason, and substantially the only reason, given why we ought to be satisfied that Guiteau was sane and guilty. The testimony of the many eminent physicians — superintendents of lunatic asylums, and long experienced in the treatment of the insane — that in their opinion he was insane, and had been for years, must all count for nothing — must not be admitted to have raised even a reasonable doubt — in the face of the fact that "the forms of law were all complied with"; and that twelve men with no personal experience with insane persons, and presumably destitute of all the knowledge necessary for deciding such a question, have been made by fossil judges, and ruffian lawyers, and howling editors, and bloodthirsty politicians, and unintelligible, if not unintelligent, "experts," to declare that they believed him sane; or at least sane enough to be hanged.

To all this we answer that "the forms of law" have had many and fearful crimes to answer for. "The form of law," in England, have had to answer for the hanging of great numbers of innocent men, without permitting them even to bring a witness, or employ counsel, for their defence; lest such witness or counsel should induce juries to thwart the determination of the government to hang everybody suspected of a crime.

These "forms of law" were once described, by an English lawyer, in this wise:

that Ireland has not a leader to-day who dares lead her people to defy that audacious mob known as the English government and trample it under foot by refusing to feed it with further rent and taxes. Truly disappointing is it to reflect that Michael Davitt "should have abandoned the no-rent resolve to disseminate philosophical vagaries, the purpose of which is to extend the sphere of government in Ireland rather than curtail it.

The plundering purposes for which the English government is alone maintained is for the time most evident in Egypt. Through alliance of English bondholders with the Khedive, a country having about the same population as Ireland, and, like it, chiefly devoted to agriculture, has been so deeply plunged into debt that its entire revenue is absorbed in paying, over to the Bank of England the interest on its bonds. The people, ground down with usury, protest; and no sooner do they threaten a refusal to pay the tribute than the same brute that has Ireland by the throat proceeds to "defend the interests of the British citizens" at the cannon's mouth. "And who are the citizens whose "interests" all governments are instituted to defend? They are the bankers, the bondholders, the plunderers of the people. In Ireland and India it is rent, in Egypt it is bonded interest, but everywhere it is usury. Is it not about time that the plundered peoples of the earth should begin to get their eyes open? Can anything less than a square repudiation of the whole conspiracy called government avail? Is it not the part of brave men to trample the whole force under foot and refuse to recognize it as having any further right to live? In 1839 Wendell Phillips exclaimed at a Boston mass meeting: "Thank God, we are not a law-abiding people!" Lend us your support, friends, and Liberty shall live to herald the day when it will not be irony to exclaim:— "Thank Reason, the masses in all lands are not law-abiding people!" The end of usury and slavery will not be far off then.

saint, or to one whom they believe to be a saint, who can take them to heaven under his wing, is making war upon them, not for their vices or their crimes, but for their superstitions and delusions. And this, we repeat, is not the act of virtuous and honest legislators, but of canting bigots, snivelling hypocrites, and unprincipled politicians.

The pamphlet above named has especial interest for its exposure of the whiffling, wriggling, squirming, quibbling, prevaricating, pettifogging practices of the Supreme Court of the United States. That court concedes of course the authority of the first amendment to the Constitution, viz., that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." But they are sorely perplexed to understand what can he meant by "the free exercise of religion." They *guess* it must have been something that Mr. Madison or Mr. Jefferson once talked about in Virginia. They are quite sure it cannot mean any liberty to disobey a law of Congress! for that would be denying the authority of the Government! Consequently, if Congress forbids Mormon women to save their souls in the way their religion teaches, they must be restrained, not from "the free exercise of their religion," but from disobeying the law of Congress!

How perfectly clear it is that this court knows all about "the free exercise of religion!" And how determined they are to maintain it against any infringement by any law of Congress! What a glorious thing it is for a people to have such a guardian of their religious freedom! How could we have any religious freedom, if it were not for Congresses and Supreme Courts!

When we get rid of Congresses and Supreme Courts, as we no doubt sometime will, it is to be hoped that men will learn that there is but one single kind of *legal* freedom; and that that is simply the *natural* freedom of each individual to do whatever he will with himself and his property, for his body here, and, his soul hereafter, so long as he does not trespass upon the equal freedom of any other person. It is to be hoped that they will

sometime learn that this *one natural freedom* comprehends all of men's moral freedom, social freedom, religious freedom, industrial freedom, commercial freedom, political freedom, and all the other freedoms (if there are any others), to which every human being is by nature entitled. Until men learn this — and especially until they learn that moral, social, religious, industrial, commercial, and political freedom mean freedom from the laws of Congresses, and the decisions of Supreme Courts — it is very clear that they are to have no *legal* freedom at all.

Liberty and the People.

So-called governments are established and maintained for the sole purpose of robbing the people. So-called governments are mobs, conspiracies, usurpations. The people have practically no voice in their constitution and administration. But the people tolerate them, fight for them, and pay taxes to support them. The people are the ignorant victims of superstition, fraud, and consequent slavery. The people need waking up. They need to have all the leases of passing events shown in their true light for their emancipation. It is to inaugurate this righteous mission of coming reform-journalism that our little plant of Liberty has been sown on this continent. We have set ourselves up to be laughed at, to be called fanatics, Utopians, and fools; but the germ is planted, and woe will come to the oppressor before the tree stop growing.

And yet the laugh is by no means all on one side. On the contrary, we venture to say that no radical paper ever started in America has received, on its own merits, such surprising attention and favorable comment as has Liberty, in the first year of its existence. We have been constantly astonished at the number of people in this country of all grades and conditions of cultivation, who subscribe to our views, and whom Liberty found, only to make happy, as the first published exponent of what they had in their solitude long ago thought out. Scarcely a day passes but that from various quarters come congratulations and messages of approval, and it is more than certain that so ripe are thousands for full-handed revolt against the whole system of existing governmental that it only needs time to develop an agitation that will be anything: but ridiculous to politicians, commercial sharks, scholarly skulks, and plunderers generally. The fact that this paper can live at all on the merits of its philosophy would, in itself, have been astonishing, but the fact that some of the most cultivated thinkers in the land, together with scores of representative reform workers in every sphere, should have come to our side unsolicited is indeed significant and inexpressibly gratifying.

Had not political government been deep-rooted in theological superstition, its head would have been cut off long ago. The herculean obstacle that rises to confront us everywhere is that instinctive delicacy which hesitates to offend religions sentiment. The Irish, for instance, are in a frame of mind which naturally inclines them to a short cut to the emancipation of their outraged country; but, without violating our own consciences, we cannot suppress the fact that Popery is the very essence of all that is vile in the State, and that the assumed authority of the Catholic hierarchy is the beginning of the human disease that alone makes the political State possible. When a Catholic gets so far out of the slough — as fortunately some of the most advanced ones have — as to admit that the very organization of the church is inimical to Liberty, the way is then easy; but such bravery and fidelity to reason is equivalent to ceasing to he a Catholic, and ceasing to be a Catholic is, with most of these deluded votaries, a horrid nightmare which means eternal perdition. Considering the outspokenness in which we have indulged, it argues a toleration strikingly in contrast with Puritanic bigotry that many of our most esteemed and steadfast subscribers are Catholics, who seem to say: "Not that we love Rome less, but Ireland and Liberty more." It is to be regretted