from Roosevelt in The Outlook to those lazy editorial writers, especially in the South, who work over for their own papers editorials from New York papers—we should like to know if some classes do get indulgences for crime. Whom do we mean? Well, at this moment we especially mean bankers, and our allusion is to the following statement which we quote from the Chicago Tribune of December 14, 1911, page 6, first column, first paragraph:

> George M. Reynolds, president of the Continental and Commercial National bank, told the national business congress last night in an after dinner speech that bankers have to violate the law in times of stress.

Is that confession true? If it is true, why are not bankers punished? Do they escape because they violate the law only "in times of stress"? But every other criminal who confesses would make that plea. The McNamaras make it. What, then, is the difference between the McNamaras on one side, and the president of this great bank and his banker brethren on the other? Is it that the criminal McNamaras kill people by their kind of crime, whereas criminal bankers protect people by theirs? There may be such a difference, to be sure, but isn't it a dangerous difference to base any other appeal upon than an appeal for mercy and lighter punishment? Any community which allows some classes to "violate the law" for the public good, must expect to suffer from violations of the law from baser motives. And who shall decide what is for the public good—law makers or law breakers? While you are thinking over the McNamara case with its sinister significance—and sinister indeed it is—would it not be well to consider whether it is true that our laws punish McNamaras but exempt Reynoldses. If it be true, then is it not high time for a housecleaning, and not in trade unions alone as dilettante moralists urge but throughout society?

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The Assault Upon Lloyd George.

It may be that the cable reports which attribute last week's assault upon Lloyd George to the violence wing of British woman suffragists, are in that respect untrue; but the act itself, the hurling of a box into his face with evident intent to do him physical injury, is so manifestly in line with the tory policy of that group as to make their responsibility for it fairly probable.

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Whether this inference against them and their leaders be valid or not, there is no obvious escape from the conclusion that the assault could not have been inspired by any democratic purpose. When attacked, Lloyd George was coming away from a Liberal meeting at which he had been speaking for woman suffrage. His speech was made in a campaign for equal suffrage for adults regardless of sex, which he is leading and which has every reasonable prospect of immediate success if the House of Lords do not use their limited veto—of success during the life of the present Parliament if they do. Tories are opposed to that policy, for tories stand for the classes and against the masses always. Those that oppose woman suffrage, want property suffrage for men alone; those that favor woman suffrage, want property suffrage for men and women alike; and both are opposed to adult suffrage. The special ire of both kinds of tory is excited against Lloyd George at this juncture because he is campaigning for adult suffrage on a democratic basis and is likely to succeed.

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Lloyd George demands the abolition of "plural" voting, and in this the whole Ministry are with him, while the tories of both sexes are against him. He demands manhood suffrage, and in this also the whole Ministry are with him, while the tories of both sexes are against him. He at the same time and through the same Parliamentary bill demands woman suffrage along with manhood suffrage. On this the Ministry is divided, but the tories of both sexes are a unit against him. The difference between the two is that the Ministry have agreed to acquiesce if he gets the support of a majority of the House of Commons (which he has undertaken to do and doubtless will succeed in doing if violence by woman suffragists doesn't have the effect of driving away his weaker supporters), whereas the tories of both sexes are determined to thwart him if they can, to the end that the highly prized privilege of government by property instead of people may continue. This is the otherwise inexplicable meaning of the revival of systematic violence by a certain group of woman suffragists in Great Britain. It is the meaning, too, of the assault upon Lloyd George last week at the close of his London speech for adult suffrage regardless of sex.

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Death of John R. Waters and Herman V. Hetzel.

These are names that have been known in the American Singletax movement since long before it took that name—Mr. Waters especially in New York and Mr. Hetzel especially in Philadelphia. For ten years they were associated in the business of fire insurance through individual and recipro-

cal underwriting, a method of mutual insurance of which Mr. Waters was the pioneer and leader in this country. Both were well known in that connection from coast to coast. Mr. Waters died on the 7th of December and Mr. Hetzel on the 14th. Their contributions to the cause in which both were deeply interested for thirty years, differed as the men did. Of reserved disposition and executive in habits, Mr. Waters helped largely by personal and business intercourse and through the distribution of literature, one of his contributions having been an extensive distribution of "Progress and Poverty" over a wide field of his own selection. But Mr. Hetzel, a personal "mixer" and a public speaker, will be remembered better by the spoken word with which he sowed seed broadcast. As a "stump speaker" he had few equals. His power to draw crowds by the charm of his speech, and as they grew to hold them by the spell of his thought, was phenomenal. Although he came to be less aggressive in this method of propaganda as the years went by, none of its value was lost; for he was always ready to answer a call for service on the "stump," and between calls he lost no reasonable opportunity to show others in personal discourse the star that he himself had seen. This was true also of Mr. Waters, in his own quite different way. Both were reckoned by Henry George among his personal friends.

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Jurors and Judges.

When we applauded a woman-jury in California for refusing to obey the judge who had ordered them to acquit a prisoner they believed to be guilty,* we had no expectation that a man-jury would so soon vindicate the function of juries against similar judicial usurpation. But that this has been done, and how, may be seen in the News Narrative of the present number of The Public. A judge had commanded a jury in St. Louis to find a verdict for the defendant in a civil case, but the jury defied him by finding a verdict for the plaintiff.

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As this judge explains, the law does not give judges authority to order non-suits in the kind of case on trial before him and that jury. The very fact that the law gives no authority to order a non-suit is highly suggestive of the intention of the law to leave the decision to juries, a purpose which this judge seems to have intended to evade by his order to the jury. Think of that! Twelve men are impaneled to decide a lawsuit, and their decision must be unanimous; but if the judge, one man, doesn't agree with them, and the law doesn't allow him to take the case away from them, he may compel them to find a verdict to suit him! Could anything ostensibly reasonable be more preposterous?

*The Public of December 1, 1911, page 1211.

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What else is needed to disclose the tendency of judges to do what Thomas Jefferson said they always do—draw power little by little away from the law unto themselves. That trained lawyers honestly approve this tendency, and that some of them argue as to the very case we are writing about that the judge could have punished the disobedient jury for contempt of court, confirm Jefferson's judgment. So of those who argue that it was the duty of the jury to obey the judge whether he could compel them or not. It all goes to show how judicial usurpations work their way surreptitiously into the warp and woof of the law—as the law is taught in the schools and at the bar. Of course we are not insisting that a jury's verdict must be absolutely binding under all circumstances. The law may very well give to judges, since it must place it somewhere, the power to non-suit for total lack of legal proof. It may very well allow judges to set aside verdicts where there is evidence of a jury's corruption or prejudice, or where either may be reasonably inferred from a verdict flat in the face of the proof. But that judges should arrogate to themselves, by judge-made law, the authority to command a jury to bring in a verdict to suit him and not them, is irrational and despotic.

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The jury in that St. Louis case, by refusing to find the verdict the judge ordered, and by returning one on their own conscience and according to their own judgment, have performed a badly needed and most useful service. It remains now for some equally sensible and brave jury or juror to resent in open court the next instance of a common practice—some judge's insolence in rebuking a jury in open court for finding a verdict their way instead of his. Jurors in a panel are as truly officers of the court as is a judge on the bench; their function of finding verdicts is as high as his in interpreting law; and a rebuke in open court by him to them for finding a verdict he disagrees with is as truly of the nature of contempt of court as if they could punish it. If the judge who is guilty of it won't punish himself, as a judge with any sense of humor who had blundered into excoriating a jury for its verdict would do, the jury ought to go at least as far as to protest in the name of American citizenship and the law of the land. A judge may indeed denounce a jury