selections, are indicated by their choice of John C. Harding for the position of member of the Board of Review. Mr. Harding has been annually elected secretary and organizer of Chicago Typographical Union No. 16 for ten years. He has just completed a service of three years on the school board, having been one of the members whom Mayor Busse removed for exceptional faithfulness to official duty and whom the Supreme Court reinstated. Personally, he is a man of ability and probity. There are special reasons for placing Mr. Harding on the Board of Review. This is the body that controls the assessment of taxes. For years it has been conducted in the interest of the great tax dodging corporations, and against the interests of small tax payers and of the community; and efforts will be made again this year by the machines and bosses of both parties to secure nominations for this office of a character that will guarantee further taxation immunity to the corporations, no matter which party wins, and further tax burdens upon home owners. For this reason it is urgent that all Democratic voters in the whole of Cook County, who want the tax laws impartially enforced, vote for Mr. Harding at the primaries on the 8th of August. This is not a personal matter, nor a party matter, nor a labor union matter alone. It is a matter of public concern to all who are opposed to the further prostitution of the Board of Review to the service of the Big Interests—a matter of public concern until August 8th to those who are Democrats, and after that, in the event of Mr. Harding's nomination, to those also who are Republicans.

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INJUNCTIONS AND THE COMMON LAW.

The genius of the Common Law is the genius of liberty. The history of the development of the Common Law is the history of the growth of liberty. It stands at the foundation of liberty today, both in the United States and in England. This is because the Common Law throws strong protection around all persons charged by those in power with crime; and, as far as possible, insures justice, no matter who the prosecutor may be.

The Common Law's protection to the accused was threefold:

(1) The writ of habeas corpus.

(2) The right of the accused to be confronted by the witnesses against him.

(3) The right of the accused to be tried by a jury of his peers.

In the long struggle between liberty and autocracy these three principles were preserved inviolate; and because they were preserved inviolate, the United States and England are free today.

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The original policy of the Common Law was to inflict punishment wherever a crime was committed, and in other cases to accomplish justice by awarding damages. It was found, however, that this did not always do justice. Wrongs were frequently committed which did not amount to crimes at Common Law, and for which money damages would not compensate.

In those days the King was an absolute monarch. Seeing that such wrongs were being done or threatened, he, by virtue of his absolute power, superseded the courts and made royal decrees, doing what he thought was justice in each case.

Now the King did not usually do this himself. In those days every one, including the King, confessed regularly to some priest; and the King had a royal confessor, who was the "Keeper of the King's Conscience." It was the King's sense of justice, his conscience, which impelled him to override the law to do justice; and so this was relegated to the "Keeper of his Conscience," to his confessor, who was called the Lord High Chancellor.

The chief of the writs with which the Chancellor, representing the absolute power of the King, overrode the Law, was the writ of Injunction. Where the act threatened was one which would do harm that could not be remedied and for which therefore money damages would not pay, and at the same time was not criminal and therefore could not be punished at Common Law, the Chancellor stepped in with his Injunction, which threatened punishment as for a crime if the act was done; and then inflicted punishment if the Injunction was disobeyed.

Then began a fierce contest; the Chancellor in the name of the King trying to wrest authority from the courts, and the courts in the name of the Law trying to retain it. This contest was finally settled right by the English people, with their genius for law and liberty. The jurisdiction of the Chancellor, including his authority to issue Injunctions, was retained, as necessary to do justice in certain cases; but it was rigidly restricted to the cases where it was necessary, the cases which called it into being. The Chancellor was, therefore, allowed to act only where the damage could not be compensated in money—or, to use the legal phrase, "where the damage is irrepara-

ble"—and where in addition the Law could not punish—or, to use the legal phrase, "there was no adequate remedy at law."

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Thus several hundred years ago the law was settled that an Injunction must not issue except where the law cannot inflict punishment, or, as the lawyers put it, "an injunction will not issue to prevent a crime."

This has been the law for several hundred years, and is as well settled as any principle in the law. And the reason is plain. What object can there be in issuing an injunction in cases of threatened crime? Why is not the legal punishment for the crime sufficient?

There are three motives: (1) The injunction deprives the accused of the right to be confronted by the witnesses against him, and thus makes it easier to convict him on false testimony. (2) It deprives him of the right to trial by jury, the great foundation stone of liberty. (3) It prevents his doing the act even if he has a right to do it—it adjudges that the act is wrongful, without ever giving the accused a right to be heard. But it is not just to deprive an accused of the right to be confronted by the witnesses against him. It is not safe to deprive the accused of the right of trial by jury. It is not right to punish a person for doing that which he has a right to do.

Therefore, it became settled law, that injunctions would not issue when there was an adequate remedy at law; would not issue to prevent that which the law can punish; would not issue to prevent a crime—or to prevent rioting, for instance, which is a crime.

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There is no principle of law more firmly established or of longer standing. It has stood, unquestioned in England for several hundred years, and in this country from the foundation of the country until within the last few years.

In the last few years, in the labor strike cases, a few of our courts have undertaken to overthrow this established law of centuries, and to substitute the autocratic power of the Chancellor for the orderly procedure of the Law.

If the acts of the strikers, against which an injunction is sought, are wrong they are crimes, and can be punished as such at Common Law, and an Injunction should not issue. If they are not wrong, of course an Injunction should not issue to prevent strikers from doing what is right. Such wrongs as strikers commit are wrongs of violence, and therefore are crimes, and under the law of this land should be dealt with by indictment and trial by jury, not by the Chancellor.

The attempt to overthrow our blood-bought liberties, and to substitute the arbitrary word of the Chancellor (representing the King's absolute power) for the orderly court proceeding of indictment and trial by jury, is dangerous, and should be firmly checked by legislation forbidding injunctions in all such cases.

Such legislation is demanded both to preserve the dignity of the law against arbitrary interferference, and the liberty of the people against arbitrary power.

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Legal distinctions are fine.

Injunctions will issue to prevent acts which may be done in a way that is not criminal, and may be done in a way that is criminal, provided the essence of the act is not criminal, and the harm can be done without committing a crime.

But such a situation does not arise in labor disputes, where, if the striker does anything wrong he commits a crime, and the crime is of the essence of the act.

This by way of warning.

WILLIAM G. WRIGHT.

NEWS NARRATIVE

To use the reference figures of this Department for obtaining continuous news narratives:

Observe the reference figures in any article; turn back to the page they indicate and find there the next preceding article on the same subject; observe the reference figures in that article, and turn back as before; continue until you come to the earliest article on the subject; then retrace your course through the indicated pages, reading each article in chronological order, and you will have a continuous news narrative of the subject from its historical beginnings to date.

Week ending Tuesday, July 14, 1908.

The Democratic Convention.

After the speech of Mr. Bell as temporary chairman of the national Democratic convention at Denver on the 7th (p. 345), the convention received the announcements from the various States of their selections for appointments on standing committees, and a memorial resolution on the late President Cleveland was adopted. In connection with the naming of members of committees, a contest arose over the Pennsylvania appointments. Two sets of appointments had been submitted from the State delegation, one representing the Guffey (p. 346) faction and the other the Kerr faction, and upon a viva voce vote of the convention the matter was referred to the committee on credentials. Five women had seats in the convention. They were Mrs. Mary C. C. Bradford of Denver and Mrs. Henry J. Hayward of Salt Lake