

State Historical Society
By 1331
City

THE WEALTH MAKERS



IN THE SWEAT OF THY FACE THOU EAT BREAD IF ANY WILL NOT WORK NEITHER LET HIM EAT

LET US EXCHANGE VIEWS

In the time intervening between now and the date of the People's Independent State Convention this and succeeding columns will be open to the Populists of the state to propose candidates for the ticket of '94, and for United States Senator, and to show reason for individual preferences. We shall not have space for anything more than names and brief reasons for the choice made, because we wish to hear from a great many. LET NO MAN BE PRESUMPTUOUS FOR OFFICE WHOSE CHARACTER IS WELL AS INTELLECTUAL QUALIFICATIONS TO WRITE WILL NOT PERSONALLY VOUCH FOR. If any candidates seem to be leading whom our readers cannot conscientiously support, by all means let us know why they are strenuously objected to. But let us respect one another's views, avoid anything leading to disharmony if it be possible without sacrifice of principles, and hear willingly those who differ with us. "In a multitude of counselors there is safety." But which in any to fear from each must be brief.—Editor WEALTH MAKERS.

He Wants Gaffin For Governor.

LANCASTER Co., April 2, 1894.
Editor WEALTH MAKERS:
In your editorial of last week under the heading, "Let us Exchange Views" you have, in my judgment, sounded the key-note which will lead to a more intelligent choice, and I trust a better and more available set of nominees for the several state officers at the coming state convention, than could be secured in any other way. Having at heart the best interest of the People's party, and no "ax to grind," your humble servant feels impelled to take a hand in this political, educational course which you have suggested.

I deem it of great importance that our party ticket be headed this year with a clean, honest, competent, tried and true Populist. Mr. Editor, we farmers want no mugwumps. We want a true blue Populist. With a mingled degree of pride and shame, I hear the name of Mayor Weir of Lincoln mentioned for the exalted position of governor of our proud state. I am proud that my own county might have the distinguished honor of heading the ticket, but ashamed that Populists should for a moment seriously contemplate such a suicidal course. But enough of this for this time. If it becomes serious you may expect to hear from me again with some reasons why he should not be nominated. For governor we want a man who stands firmly on the Omaha platform: is in full sympathy with the toiling masses, whether found on the farm or in the cities; who has executive ability and is unpurchasable. I feel, Mr. Editor, that I am naming such a man in the person of our honored speaker of the House, J. N. Gaffin, of Saunders county. Let us nominate and elect Hon. J. N. Gaffin for governor.
T. C.

Mayor Weir.

Editor WEALTH MAKERS:
We fully agree with your correspondent, Edwin LeFevre, when he says, "If the Populists desire to reap a harvest of stay at home votes they have only to nominate conservative candidates" (we add), and place them on a meaningless platform.
Whether conservatives will fit or not, the Populist party is destined by an unseen power to be a radical party or nothing.

But if Mayor Weir would go before the Populist convention and pludge himself to sign all Populist bills of a reform nature, and see to enforcing the law providing for the investment of the school fund, and see that all available state funds are placed on interest according to law, with these pledges given we do not think your correspondent gives sufficient reasons why Mayor Weir may not become an available candidate. Of course his business record as Mayor and his strength in Lincoln are questions for careful consideration. The coming convention should not depart from the precedent already established, of calling its nominees before open convention and asking pledges on the Populist line of action.

The party should adopt a plain, outspoken, clear-cut state platform, with a preamble particularizing the shortcomings of the present Republican, law-breaking, law-breaking incumbents.
Then nominate active men whose record at home for honesty, sobriety and business ability is above reproach. Such men, pledged to carry out the principles of the party, are sure to win in the coming contest. J. STEADMAN, Skelton, Neb.

The Kind of Men Weir Appoints.

Editor WEALTH MAKERS:
I give herewith a list of delegates appointed last month by Mayor Weir to

attend the Irrigation convention at Omaha. Comment is unnecessary. All of them are extreme partisans, either Republican or Democratic, and there is not one that has the least sympathy with Populist ideas. It is well that those who advocate Mr. Weir's nomination for governor should know just what kind of men will be his associates and advisors and appointees, should he become chief executive:
E. Bignell, superintendent B. & M. railroad.
N. S. Harwood, president First National Bank.
A. J. Sawyer, special pet of J. Sterling Morton.
E. R. Sizer, banker and real estate speculator.
J. B. Erien, Republican official.
J. G. P. Hildebrand, Democrat.
J. J. Gillilan, real estate.
C. T. Boggs, bond broker.
H. M. Bushnell, editor railroad daily paper.
A. B. Heath, editor.
C. H. Gere, editor State Journal.
Ed. Slosson, agent U. P. R. R. Co.
R. O. Phillips, land speculator.
C. A. Rutherford, agent Rock Island R. R.
Geo. H. Hastings, attorney general.
J. S. O'Shee, Republican alderman.
Paul Holm, real estate.
H. C. Young, real estate.
Fritz Westermann, attorney.
A. Hogeland, Republican.
Yours Truly,
L.

Honest John Powers Re-nominated.

STODDARD, Neb., March 25, '94.
Editor WEALTH MAKERS:
Responding to your leading editorial of March 22nd, requesting views of Populists as to who should be our candidates for governor and other state officers, I have this to say: That there is one man above all others that should be elected and seated. His name is honest John Powers, or ex Governor Powers.
In short, I would like to vote as near as possible for that first ticket. It was a winner and will be a winner if nominated this year, sure.
As for congressmen; W. H. Doch, from the Fourth district, is good enough for me. From what I know about it these men are my choice. But I will vote the Populist ticket if good and honest and reliable Populists are nominated.
I will not vote for a Bryan Democrat, because they have nothing to hold them but the name of their party, while I have everything to forsake to vote for them.
No fusion for me, not much. I had rather be run over in the middle of the road than to be lost among the stumps outside.
Yours Fraternally,
NORMAN COWDIN.

Mr. Fairchild Wants Gaffin for Governor.

OAKDALE, Neb., March 31, '94.
Editor WEALTH MAKERS:
For the last five months many of our people have been discussing the political situation, and the question of fusion with the Democratic party appeared in the distant horizon; but it suddenly disappeared, like vapor before the noon day sun. And as we take a survey of the situation in Nebraska, we find the Populist forces strongly entrenched in all the rural districts throughout the state. The people are confident in the righteousness of their cause and the justness of their demands. They are proud of the acts of their senators and representatives in Congress, while they are forced to look upon the acts of the two old parties and the present administration with distrust and disgust, and the same is true when applied to our state. All things serve to solidify and strengthen the Populist army. While confusion, dissensions, distrust and desertion are everywhere apparent in the ranks of the Democratic and Republican parties. The honest, fair-minded voters of these two old parties will not continue to be held in their ranks any longer than till they see that their vote would help bring about the much needed reforms by being cast with the Populist party.
Let us now prepare our forces for the coming contest, and so choose our

CREATION'S FINAL LAW

The Written Law and the Spirit of Lawlessness.

THE THREE NATIONAL CONCEPTIONS

The Christian Conception of Law—The State Does Not Make Law, but Discovers it—Final Law of Society.

Dr. Herron as a Teacher.

The readers of THE WEALTH MAKERS may have had occasion to observe the notices concerning Dr. Herron's books which have appeared in its columns. In view however of the lectures which we are to publish, it is desirable that our readers should get a glimpse not so much of Dr. Herron the public man, but Dr. Herron the teacher. The department of applied Christianity in Iowa College, Grinnell, Iowa, the chair of which he fills, is something unique in the educational world. It is not a divinity school, not a department for the examination of the dogmas of Christianity the system, but for the consideration of the principles of Christianity the life, and their application to the present needs of the world. Its work is thus eminently practical and of incalculable value to young men and women about to enter active life. The work of this department is divided into two courses, "The Philosophy of Christianity," and "Christian Sociology." The former is an examination of the principles upon which Christ based his teachings; an investigation of the philosophical value of the principles of brotherhood and sacrifice which distinguishes the teachings of Christ from all previous systems, and the interpretation according to these principles of the leading Christian doctrines of atonement, forgiveness, redemption, &c.

The course in Christian Sociology consists of three parts: first, a discussion of the nature of Sociology as a science and a short review of its history; second, an examination of the Sermon on the Mount, which is the written constitution of Christian society, and the principles laid down in it; and third, a discussion of present social institutions—the family, state, church and organized industry—in the light of Christ's teachings. The article in this paper is an abridgment of three lectures on "Law" as one of the departments of the Christian state. The report does not claim to be strictly verbatim, still most of the phraseology is Dr. Herron's. It will probably speak better than any possible comments for the quality of teaching which Dr. Herron's classes receive; yet his students almost without exception would bear witness that there is something in the character and personality of the man, something more effective and more inspiring than any language can represent.

Besides filling the chair of Applied Christianity in Iowa College Dr. Herron is also instructor of the National Institute of Christian Sociology, which will hold a summer session at Grinnell this year and will number among its teachers such men as Prof. Ely and Commons, Pres. G. A. Gates, Revs. B. Fay Mills, J. P. Coyle, Claton Williams, Josiah Strong, &c. Further announcements concerning this school will be given in this paper.

THE CHRISTIAN CONCEPTION OF LAW.

(Reported from lecture by Prof. Geo. D. Herron, of Iowa College.)

We Americans are the most lawless people in the world. Even China and Russia are more law-abiding and show a smaller proportion of crime. More murders in proportion to the population are committed in the United States than in any other civilized nation of the world. We are becoming drilled in a spirit of lawlessness; our legislatures are venal and have lost almost all conception of obligation to the law of justice. There is abroad in the land a spirit of fatalism which men falsely call optimism, but which really consists in blindness to the real state of affairs. It is a sign of the degradation to which we have fallen that we do not realize that we are fallen at all. We have become accustomed to think of organiza-

tions which are strong enough to override the law—and habitually do it—needing the special protection of the law, and thus it has come to pass that we Americans more than any other people need to get a true conception of the majesty of law.

The growing prevalence of lynch law and the organization of vigilance leagues in many of our cities is a sign that the people are losing faith in our courts as instruments of justice. The heroic struggles of Dr. Parkhurst to enforce what is the written law made in the face of opposition from those officers who have sworn to execute the law is a noble spectacle, but a sad comment on the lawlessness which reigns in our greatest city. The cross is always a glorious sight, but the background of moral degradation behind the cross is awful to look upon. The railroads of Chicago are yearly defying the authority of that great city, utri refusing to raise their crossings in the face of a city ordinance. A railroad superintendent recently said, "The Interstate Commerce act is violated by every road in the United States once every fifteen minutes." All this is a sad comment on the loss of faith on the part of the people in the power of the courts to enforce justice.

Three different conceptions of law appear in history, the Hebrew, the Roman, and the French conceptions of pre-revolutionary days, which was largely embodied in the foundations of our nation. There has never been an Anglo-Saxon theory of law. For the most part the Anglo-Saxons have followed the Roman concept, tempered occasionally by the Hebrew spirit, as in the days of the English commonwealth, and by the French, as in the Constitution of the United States.

To the Hebrews law was simply the utterance of the mind of God concerning man. In their minds obedience to law was communion with God—it was worship. Law was the method by which God and man worked together, understood each other and moved forward in the progress of the world. It was something more than letter. "Oh, how love I thy law!" does not refer to the Bible, nor to the written Hebrew code. "The word of God" to them meant nothing written, but the expression of the mind and will of God. The Psalmist loved what God willed; he loved the law because it was the method of righteousness. Hebrew law was subjective rather than objective. In it the protection and police functions were only incidental. It was the education of man in the will of God; the education of the nation in righteousness. Nowhere has the sacredness of human life been so clearly enunciated as in the Hebrew law, and yet the emphasis is always upon the awful subjective effect of the sin of murder on the murderers, rather than its objective effect on the victim. The emphasis in the Bible story of the first murder is not upon the fact that Abel was killed, but that Cain killed him. The Hebrew would have regarded with honor any conception of law as being secular; it was a part of their religion and always looked to God as its source.

2. In its origin Roman law also was a conception of obligation to moral power and justice. It was born out of a great moral majesty of character in the early Romans, but it lacked discernment of the essential nature of law, justice and authority, and thus like the Hebrew law needed fulfillment in the higher conception of Christ. It regarded law as power over men rather than as men thus distinguishing justice from mercy. While the Hebrews regarded law as the expression of the mind of the people. To be sure, the Romans did not include their dependent classes as among the "people" who were to be represented, and it is also true that the ancient conception of law became much degraded in the days of the emperors; but something of this idea always remained, at least in the legal forms. The Hebrew and Roman conceptions are combined and fulfilled in the Christian theory of law.

3. The French theory of law is best expressed in Rousseau. It regards law a guarantee of individual liberty and an extension of individual license. This essentially anarchistic conception of law has wrought itself out in the false theories of liberty which dominate

the world—especially America—today. The law of the future as well as of the past is not to make men independent of each other but to associate them together in divine dependence. "Freedom without will," says Hegel, "is an empty word;" and he was right if he had gone on to define what will means. Will is righteousness. There is no will where there is sin, for sin is the failure of the will. In the last analysis of things there is but one will and the personality of man is free only as it moves towards working out that will of the world.

4. The Christian conception of law continues the Hebrew idea of the educational function of law, and is clearly brought out by Paul in his letter to the Romans where he speaks of the law as our schoolmaster to bring us to God. Law cannot make men righteous; the prophets and the apostles never thought that it could. Law is not something fixed and mechanical, but something vital; its purpose is not to compel men save only incidentally and as makeshift, but for men to study, feed upon and love, as the old Hebrew Psalmist who conceived of law as the sacrament by which he drew his life from God. Again, law must be progressive. It must be a continuous growth. We cannot break from the past, nor can we remain fixed where we are without falling into decay and death. The moment that a law says "I am complete, I have said the last word on this subject," that moment it becomes a tyranny, a despotism and a blasphemy upon the earth; and the tyranny of a court, code or interpretation of the law may be infinitely worse than that of a personal despot. The man who is obedient truly to the letter of the law is not law full, he has only the husk of law, and has missed its whole heart, which is love. The judge who insists in determining his decisions in this age by the precedents of a past age is an anarchist, grossly ignorant of the real nature of law. If you study the history of revolutions you will find that the immediate occasion of most of them has been this very thing of making precedent instead of progress the decisive element in law. Many such systems have attempted to tie up the world to tombstones, but the result is that the tombstones are uprooted and overturned. This condition of things is rapidly coming about in our country at the present time. Even in our supreme courts there is scarcely the thought that the decisions of a court have any relation whatever to justice. The only way that we can get progressive laws is by beating them into the heads of our legislatures by extra-governmental means.

The interpretation of yesterday is never justice for today; the logic of being bound by precedent is always revolution. Lawyers and judges all know that if they will they can cast away the technicalities and strive to get at the heart of the law in the administration of justice; but when men have lost all regard for law itself, they immediately become sticklers for the letter of the law.

The state does not make law. It discovers and interprets law, but it no more makes a law of justice than a chemist makes a law of chemistry. We reach the true conception of the end of law in that expression of Paul's which has suffered more from pious general debility than almost any other of the much abused Scripture texts: "Love is the fulfilling of the law." Paul is not speaking here as a priest or a sentimentalist, but as a philosopher. By love he does not mean a feeling in the individual heart, but the union of humanity in love, mutualism, brotherhood. Society is the fulfillment of the written law. The end of all law is the association of men in virtue, righteousness, love, and the function of written law has always been that of a scaffolding, to build up and carry forward humanity to that one law of association. There is no moral freedom or right save that which is born of this fundamental law, and no individual will do justice or have justice until all laws have been realized in that consummation of perfect society. Before our statutes can become Christian, our lawyers and judges truly wise and our theologians vital, we as a nation must get the conception of the true purpose, vision and end of law, which is the divine social order.

This, then, must be the final aim of any Christian theory of law. No law which we can enforce external to a man's voluntary moral nature can make him right. The righteousness of the world today is above all laws. Statutes today as in the time of Paul are not for the good, but for the evil; for righteousness transcends all written law, and law is but a means to righteousness. Law fulfills itself in the association of men in justice which is voluntary, mutual; which cometh not from the law court and policeman, but from above—and the expression is not mystical—from the very spirit of God. Law can save itself only by losing itself. To fulfill its own ends it must educate the people so that they will no longer have need of it. The association of men in love will promise a quality of liberty and justice which no code can ever produce, and it is this consciousness of unity among men which will characterize the coming social epoch. It is a very crude conception of ours, that which makes law consist in written or traditional forms. The higher laws which actually govern the world to day are unwritten and unseen; they are the laws of the moral nature of man which can never be transcended. Conscience is the medium of the real law of the world. It would surprise us did we know how little of the world's work is done with any reference to written law. We do not go to bed at night by faith in any police protection, but in a scarcely defamed trust in the divine government of the world. Take the history of revolutions and reforms in the world; the crises in which men spring up unknown to each other in remote parts of the world, as they are doing today, in a mighty movement toward a common end, what organized them if it be not the unseen government of the world? When we come to see how little we really depend upon the seen and known, how history is organized by one law and moving towards one event, we marvel at the blindness and crudeness, at the prevalent conception of law. As history moves on law will tend less and less to be written and the final government will be a government of inspiration.

People are getting tired and impatient of the obstruction of justice in our law courts. Such cases as that of the Tilden will, where a man's clearly expressed purpose was defeated by technicalities, or the long protracted litigation of the Illinois Central R. R., and the city of Chicago, concerning the tracks on the lake front, where justice is apparent enough. It is a falsehood to say that courts are bound by such technicalities. It is in the power of the judiciary to render their decisions according to justice if they will. And if the laws and courts will not procure justice the people will some day arise and sweep them away. Already in England many of the courts have been reorganized on a more Christian basis, notably the recently established county courts, and in our own country the Tuley law of Illinois to the same effect has recently been brought into prominence in the case of the Farwells and Sturges now pending. In this case all technicalities are to be waived and the case is to be judged on its own merits. It is the plan of neighborly arbitration which Jesus commended to his disciples so long ago.

To conclude, the Christian conception of written law is that of an education of the people in a higher and final law of society. The final law of society will be the common social conscience; the final law of the conscience will be inspiration; the final law of inspiration will be the person and character of Jesus; the final law of Jesus is love; the final law of love is the redemption and reconciliation of the world to God.

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