

see that "Field Marshall Earl Roberts, V. C., K. G., war office, Pall Mall, S. W.," is a director of the British India Steam Navigation company (ltd.), Kanan Devan Hills Produce company (ltd.). If you refer to the King's Regulations, para. 419, you will see that "Officers on full pay are not permitted to join the directorate of any public, industrial, or other company, without permission from the war office."

It would be of interest to know whether Mr. Brodrick gave Lord Roberts permission to join the directorate of the above companies, one of which has had, and doubtless will again have, its ships employed by the government. Certainly such a state of things is unprecedented, as the commander-in-chief figuring on the directorate of trading companies, his address being given "War Office!"

Not so very long ago, when Lord Roberts was commanding in Ireland, his name was published in a prospectus as a director of a tea company. On that occasion the war office intervened, and Lord Roberts withdrew from the directorate. Do Mr. Brodrick's views on this matter differ from those of his predecessor?

Yours obediently,  
OBSERVER.

The Dean of Durham has written as follows to a correspondent:

"The Deanery, Durham, 21st Oct., 1901.

"Dear Sir: I am afraid I cannot give you much answer to your question, but will try, briefly.

"1. I regard the proclamation as wrong in itself, and certain to do much harm, by embittering the struggle.

"2. Arbitration would have been most useful at the beginning. Now I fear our policy has made it very difficult. Our government has always held that we cannot submit the matter to arbitration.

"3. I have no suggestions to make. We are left in a dreadful darkness, and do not know what is being done. The ancient way used to be by intervention of some neutral power. But of this I see no sign. So long as the country supports the ministry I see no hope of escape, and in that I see many serious risks both in South Africa and elsewhere. It is clearly an advantage to the states of Europe that we should be so occupied and exhausted; and one cannot tell where the next trouble will begin or when. In fact, the sky is dreadfully dark all round, and every month adds enormously to our losses and risks. If we could convert the people of England to their ancient indignation at violence and attacks on the weak, we might compel the government to make peace, and release us from the present evils. But all organs of speech are against us still, and the saner part of the population are left helpless and speechless. One has still faith in the true benignity of the gospel, but with it there is the feeling that the Divine Will punishes us for our errors, and I can see that this is upon us now, in the paralysis of activity, and the helplessness caused by the tremendous waste of income and of human life. I wish I could write more cheerfully.

Yours faithfully,  
"(Signed) G. W. KITCHIN."

In addition to these criticisms of the government the same paper contains a dispatch from Brussels saying that a movement has been organized by the Amsterdam dockers' union to boycott English ships, and that the union has sent representatives to Belgium and the French ports. Another dispatch, this one from Berlin, says that the firm of Koch & Co., of Erfurt, has declined to execute an order for helmets for the British on the ground that he cannot be in any way connected with the extinction of the Boer nation.

A careful perusal of the protests being made against the destruction of self-government in South Africa ought to lead the republicans of this country to repudiate the policy of their party, which is advocating in the orient the same suicidal policy which England is carrying on in South Africa.

## Anti-Anarchy Bills.

It is probable that a number of bills directed against anarchy will be introduced at the coming session of congress, and all of them should be examined carefully to see that freedom of speech is not attacked under the guise of an attempt to extinguish anarchy. Congressman Curtis of Kansas has given out for publication a bill which he has drawn for the suppression and punishment of anarchists. The text of the bill is as follows:

Sec. 1. That every person who shall, within the United States, unlawfully and wil-

fully kill or assault with intent to kill the president or vice president, a member of the president's cabinet, the chief justice or a justice of the supreme court of the United States, shall be deemed guilty of a crime against the government of the United States and upon conviction thereof shall suffer death.

Sec. 2. That if two or more persons within the United States conspire to put the president or vice president of the United States, a member of the president's cabinet, the chief justice or a justice of the supreme court of the United States to death, each of them shall be deemed guilty of a crime against the government of the United States and upon conviction thereof shall suffer death.

Sec. 3. That every person who shall, within the United States, incite, encourage, promote or advocate an assault, with intent to kill, upon the president or vice president of the United States, a member of the president's cabinet, the chief justice or a justice of the supreme court of the United States, shall be deemed guilty of a crime against the government of the United States, and upon conviction thereof shall suffer death. Provided, that nothing in this section shall be held or construed to prevent a candid, full and fair discussion of public events and public measures, nor to prevent just and fair criticism of any public officer.

Sec. 4. That every person who shall, within the United States, incite, encourage, promote or advance the overthrow of the government of the United States, or who shall diffuse the doctrine of anarchy, shall be deemed guilty of a crime against the government of the United States, and upon conviction thereof shall suffer death. Provided that nothing in this section shall be held or construed to prevent a candid, full and free discussion of public events and public measures nor to prevent just and fair criticism of any public officer.

Sec. 5. That every person who shall join, organize or aid and assist in organizing or belong to an anarchist society, club or organization, or who shall join, organize or aid or assist in organizing or belong to any other society, club or organization, the object of which is to overthrow, subvert or change the government of the United States, shall be deemed guilty of a crime against the government of the United States, and upon conviction thereof shall be punished by confinement at hard labor in any United States penitentiary not less than twenty years or during life in the discretion of the court.

Sec. 6. That every person who shall knowingly write, print or publish, or shall cause to be written, printed or published, any editorial, article, letter, circular, picture or cartoon, intended and designed to expose the president or vice president of the United States, any member of the president's cabinet, the chief justice or any justice of the supreme court of the United States, to public hatred, scorn or contempt, shall be deemed guilty of a crime against the government of the United States, and upon conviction thereof shall be punished by confinement at hard labor in the United States penitentiaries not more than ten years, nor less than one year. Provided that nothing herein shall be held or construed to prevent candid, full and free presentation of public events and public measures, nor to prevent just and fair criticism of any public officer.

Sec. 7. That all prosecutions under this act shall be in the United States circuit or district courts of the district wherein the crime was committed.

A federal commission is now revising the laws and has suggested a bill which provides that killing, or assaulting with intent to kill, a president, vice president, member of the cabinet or judge of the supreme court shall be punishable with death if the assault is made upon the official for the purpose of obstructing or interfering with the administration of the government. This qualification is an essential one and should be added to Congressman Curtis' bill. The commission suggested it upon the theory that it was necessary in order to give the federal government jurisdiction, but it is defensible upon the ground of public policy as well. If the public official is attacked by one who aims to strike at the government through the official, the attack becomes an offense against the people. If, however, the assault is a personal matter, and not directed against the officer in his official capacity, it is entirely different. To protect officials against anarchists it is not necessary to separate them from other persons insofar as the ordinary relations of life are concerned.

Section 3 of Congressman Curtis' bill contains

a proviso which is open to criticism and may establish a censorship of the press. The provision "that the section shall not be held or construed to prevent a full and candid discussion of events," etc., is not necessary to that section. No one has a right to incite, encourage, promote or advise an assault with intent to kill the president or any one else. The man who does so should be held equally guilty with the man who commits the act. A clear line can be drawn between criticism, no matter whether it is fair or unfair, and the advocacy of violence of any kind, in any form or under any circumstances.

Section 5 also provides a punishment for anyone who incites, encourages, etc., the overthrow of the government of the United States. That much is plain. But when the section fixes a penalty for the diffusion of "the doctrine of anarchy," it becomes obscure. The word anarchy should be defined. In the campaign of 1896 the advocates of the Chicago platform were, by some partisan republicans, denounced as anarchists. The law ought not to be such as to give the dominant party an excuse for prosecuting as criminals all the members of the opposition party. If anarchy is defined as the doctrine that the government ought to be overthrown, it is covered by the first part of the section. If it is anything else, or includes anything else, it ought to be defined so that the lawmakers will know what they are punishing.

Section 5 provides a punishment for any one who organizes or belongs to a society or club, the "object of which is to overthrow, subvert or change the government of the United States." The words "overthrow" and "subvert" are plainer than the word "change." The language is broad enough to apply to the advocates of imperialism, for they certainly want to "change" the government of the United States from a government based upon the consent of the governed to a government based upon the doctrine of brute force. But it would hardly be fair to indict and prosecute all imperialists. The word "change" might also be construed to apply to amendments proposed to the constitution. Some of the republicans say that the constitution will have to be amended before the trusts can be destroyed. While we have no assurance that an amendment is necessary, still it would be unfortunate to have a law which would enable republicans to withhold an amendment (if one is necessary) on the ground that it would be a criminal change in our government. There is a popular demand for the election of United States senators by direct vote of the people. It is to be hoped that the republicans will not give any of the senators a chance to oppose the change on the ground that they would incur criminal liability.

Section 6 is the section most likely to be abused. It is directly aimed at the public press and it cannot be enforced without a strict censorship. Who is to decide whether an "editorial, article, letter, circular, picture or cartoon" is "intended or designed to expose the president or vice president of the United States, any member of the president's cabinet, the chief justice or any justice of the United States, to public hatred, scorn or contempt?" It would be difficult to write a law that could be more easily used by a political party for the suppression of criticism. The provision that "nothing herein shall be held or construed to prevent candid, full and free presentation of public events and public measures, nor to prevent just and fair criticism of any public officer," would be no protection, because the administration would construe to suit itself the words "candid," "just" and "fair," and upon appeal from the lower court the members of the supreme court would have a personal interest in sustaining a law that would shield them from criticism. It is hardly possible to suppose that any congress ever elected in this country or ever to be elected would enact a law containing such a restriction upon the freedom of the press as is set forth in section 6 of Mr. Curtis' bill, but it is well for friends of a free press to be on their guard.

Let the law punish those who commit murder, who attempt murder, or who advise murder; let it restrain violence or the counselling of violence; let it discriminate between those who would reform government and those who would entirely overthrow it, but let it not attack in any way, directly or indirectly, the freedom of speech or the freedom of the press. No administration or official should be shielded from criticism. If criticism is just and fair it ought to have weight; if it is unjust and unfair it will not only be harmless to the accused, but, in the long run, helpful to him. Even if unjust and unfair criticism were harmful, the remedy proposed is more dangerous than the disease. We can better afford to subject a few men to unmerited criticism than to risk the operation of a censorship which, administered by partisans, would suppress honest criticism and silence complaint by the threat of a criminal process.