

LIVE QUESTIONS.

A Series of Articles Contributed to These Columns by Advanced Thinkers.

NUMBER IV.—SOCIETY AND THE STATE.

An error prolific of evil consequences to society and also to the state is the failure to distinguish the one from the other.

The tendency to confound them may be due to the fact that the state comprises the same individuals as those composing society, and is strengthened, no doubt, by the manner in which popular knowledge or social progress in the past is chiefly acquired—namely, through the study of histories devoted for the most part to a narration of the rise and fall of states. Nor is the error confined to merely vulgar opinion. Students of sociology are subject to its influence. Even so able and analytical a thinker as Herbert Spencer speaks of the state as "society in its corporate capacity," and says that "political speculation, which sets out with the assumption that the state has, in all cases, the same nature, must end in profoundly erroneous conclusions," implying that the nature of the state changes as society advances, being merely a mode of social action no less natural than society itself.

To this misconception of the real nature of the state is largely due that practical disregard of the limits of state duties of which Mr. Spencer himself justly complains. Society is a natural organism; the state, an artificial mechanism. The former is in no way dependent upon the will of man for its existence or progress, which are but the aggregates of individual being and advancement; its development is subject to the universal law of evolution. The state, on the other hand, is entirely the result of man's will; it is established and maintained by him, and, unless for reasons sufficient to warrant his action, without authority entitling it to respect. A clear conception of those reasons, of that warrant and authority, would greatly simplify this inquiry. It is plain enough, however, that there must be some urgent reason, amounting to a necessity, to warrant the compulsory action which gives rise to the state, and through which it makes its existence known and felt. We talk of self government; we do not, however, govern ourselves, but each other. With respect to any one man the action of the state is but the action of other men, which is none the less true when they compel him to contribute to the support of that power which they use to coerce him.

Time has been when government was administered in conformity to the will of one man, who might indeed and in truth say, "I am the state." From the rule of an individual we have advanced to that of a majority, the only advantage gained thereby being the probability of a wiser use of power. Wisdom and power have been styled the attributes of sovereignty, but it would be interesting to know with how little wisdom a government could maintain itself, provided only it had sufficient power. The essential element of government is power, but good government consists in its just and efficient use, not only as regards the manner of accomplishing the legitimate ends for which it is maintained, but also in respect to methods of maintaining it. There has doubtless been in every age at least one man of so great integrity and wisdom that, given the requisite power, he would have maintained a better government than any majority of his time could ever have agreed upon, and, having such power, any man would have the right to maintain a just government, even in opposition to any majority, no matter how great, advocating an unjust government.

Let us, then, conceive of a state in which some man has absolute control of the civil power, which he uses only for legitimate purposes, and always uses efficiently. Such a state would approach more nearly to perfection than any the world has ever seen or is likely soon to see, and yet how clear it is that the action of such a state would be in no proper sense the action of society, whose members might or might not approve the government to which they were subjected.

But instead of one man exercising the sovereign power, let the number be increased to two or more, to a majority even of the members of society, and yet their relation to the state and to society would in no way differ from that of the one man; nor would the relation of the state to society be changed from what it was under the rule of one man. But by what authority is any one man or any majority of men warranted in assuming to control and direct the conduct of members of society, at the same time compelling them to contribute to the support of the power necessary to such control? It is idle to talk of a social "contract," whereby society as a whole surrenders certain natural rights in exchange for the advantages of civil government.

If it were possible for such a contract to be made, it would have to be renewed every hour, for it could have no binding force upon a man born after it was made. Even the maxim that governments derive their just powers from the consent of the governed is not true in the sense that "consent" or "agreement" can affect the justice of any act of government. It is clear that any one man has no right to coerce or interfere with the conduct of another, except in self defense—that is, to protect himself in the enjoyment of some natural right.

It is no less clear that increasing the number of men cannot change the nature of their individual rights in that regard. If each individual of a majority, never so great, has no right to coerce a member of society, they cannot all together have that right; a million times zero is but zero still. The rights of a majority consist only of the rights of the individuals composing it. The right of action by the state must be traced to and depend upon individual right.

Individuals, not as members of so-

ciety, nor acting primarily for the benefit of society as a whole, but in their individual capacities, for their own interest, form a body corporate, to the support of which, in order that its power may be supreme, they compel all the members of society to contribute. This incorporation constitutes the state, which may indeed be called "society in its corporate capacity," but is in no sense the result of voluntary action on the part of all the members of society, being rather the method adopted by certain members for the control of all. The majority, in power and influence, of this corporate body name its directors, who, through the enactment, interpretation and execution of laws, manage its affairs. For this body, the state, to undertake any enterprise or to do any act not necessary to the accomplishment of legitimate ends, which must of themselves be so necessary as to warrant the compulsory organization and maintenance of the state, is for the latter to abuse its power; and no matter how beneficial to society the particular undertaking or act might be, its performance should be left to some other agency than that of the state. Correct solution of industrial, social and so-called government problems depends upon a clear and definite conception of the just warrant for maintaining civil power and of the purposes to which its use should be limited. That warrant and those purposes remain at all times and everywhere the same, under all forms of government and in all stages of society. JOHN SHERWIN CROSSBY. Kansas City.

NUMBER V.—ENLARGEMENT OF GOVERNMENTAL FUNCTIONS.

In the current number of The Arena Professor Ely asks and answers the live question, "Should the government control the telegraph?" His answer, which is squarely in the affirmative, is strongly supported by an article from the very able pen of Judge Walter Clark of the supreme court of North Carolina, in which the latter meets and overcomes every objection seemingly which can be urged against the constitutionality of such public control. Judge Clark plants himself on the act of congress of 1866, chapter 230, and the opinion of Chief Justice Waite in the case of Pensacola versus Telegraph company, 96 U. S. L. He also quotes sparingly from an address delivered to the graduating class of Yale Law school June 24, 1895, by Judge Brown of the United States supreme court, and published as the leading article in The Forum for August, 1895. To my mind the reasoning of Judge Brown is unanswerable and conclusive, and I therefore reproduce his exact words on that occasion, thus:

"If the government may be safely intrusted with the transmission of our letters and papers, I see no reason why it may not also be intrusted with the transmission of our telegrams and parcels, as is almost universally the case in Europe, or of our passengers and freight (through a state ownership of railways), as in Germany, France, Austria, Sweden and Norway. If the state owns its highways, why may it not also own its railroads? If a municipality owns its streets and keeps them paved, sewered and cleaned, why may it not also light them, water them and transport its citizens over them, so far as such transportation involves a monopoly of their use? Indeed, wherever the proposed business is of a public or semi-public character and requires special privileges from the state or a partial delegation of governmental powers—such, for instance, as the condemnation of land, or a special use or disturbance of the streets for the laying of rails, pipes or wires—there would seem to be no sound reason why such franchises, which are for the supposed benefit of the public, should not be exercised directly by the public. Such at least is the tendency of modern legislation in nearly every civilized country but our own, where great corporate interests, by putting prominently forward the dangers of paternalism and socialism, have succeeded in securing franchises which properly belong to the public.

"The fear, too, that these monopolies may be used for political purposes has hitherto proved an insuperable objection to their exercise by the state, but the development of civil service reform has been so rapid and satisfactory that its introduction into this new field of usefulness would follow as a matter of course and would obviate the most formidable difficulty in the way of the proposed change.

"Should the assumption of these natural opportunities by foreign states and municipalities prove as successful as they now promise, the question which will confront the legislators of the twentieth century will be, not whether these extensions of governmental functions are socialistic in their tendencies, but how long this country can afford to lag behind others which we have been taught to look upon as conservative and inert."

In all thoroughly well informed circles it goes without saying that Judge Brown is among the most conservative federal judges, yet there is no mistaking the significance of the above language, and it may be accepted as a fair indication of the present trend of judicial opinion. GEORGE BULLOCK. St. Louis, December, 1895.

Labor Saving Machinery.

Every day more men are forced out of work by machinery. The machinery produces what they formerly did, but the men remain to be provided for, and every year matters are growing worse. Just so long as all that machinery and everything which it produces are controlled by monopoly, workmen will stand at the door of the trusts begging for employment. This country has outgrown the wage system, but the men are still here, clamoring for the work which machinery deprives them of, while capital, by controlling that machinery and its product, holds the upper hand.—Commonwealth.

LO'S TELEPHONE EXPERIENCE.

He Thought the Major Was Indulging Feats of Ventriloquism.

Major Pollock, who was superintendent of free delivery in the Post Office Department under the last Administration, was for some time stationed on the frontier as an Indian agent, and was well and favorably known to many of the principal chiefs among the red men. Whenever they sent delegations to Washington to have a pow-wow with the great father, the Major's office was sure to be visited by them, and they came sometimes in crowds.

On one occasion, while the Indians were making a call on the Major, he went to the telephone in another room and called up the Indian Office. When his call was answered he said:

"Tell Frank to come to the 'phone.'" Frank was a half-breed employed in the Indian Office.

"Hello, Frank," said the Major. "Hold the 'phone' a minute. Your uncle is here, and wants to talk with you."

Then he went into his office and led one of the chiefs to the telephone.

"Want to talk to Frank?" said the Major, placing the transmitter in the chief's hand.

After many grunts and suspicious glances at the mysterious contrivance, the little ear trumpet was finally held to the chief's ear, and then the Major said:

"Now, go ahead, Frank."

A grin spread over the Indian's face and he dropped the transmitter. After trying in vain to look behind the instrument, he stuck his head out of the window and looked around. Then with a bewildered look he ran to the door and looked up and down the corridor.

The Major explained to him that Frank was uptown in another building, but the chief wasn't convinced, and called another Indian. While the second Indian was listening, the first chief watched the Major's lips closely, evidently suspecting some tricks of ventriloquism.

"Ugh!" grunted the second chief, as he dropped the transmitter and looked under a desk and out of a window.

The Major couldn't satisfactorily explain the matter to the chiefs, and was finally forced to put on his hat and take them over to the Indian office, where they found Frank at the 'phone, waiting for more talk.—Washington Star.

Census of Colleges.

There are 2,200 students at Harvard. It has an increase of only 69 in its freshman class, in both its academic and scientific departments, over the freshman class entering last year.

In the academic department at Yale there 1,130 undergraduates, as compared with 1,159, and 505 are enrolled in the scientific department, as compared with 550 last year, but the total attendance at Yale will be 144 larger than last year.

Michigan University has over 3,000 students.

The number of undergraduates at the University of Pennsylvania is 2,472, an increase of 75 over last year.

The entering class at Princeton is smaller than the last entering class, but there is a slight increase in the total attendance at the university.

At Brown University, in Providence, the freshman class numbers almost 300, and the total number of students will be between 850 and 900.

Chicago University has about 1,100 undergraduates, and Columbia College, in New York, more than 2,000.

Williams College also has the largest entering class on its records, and the same statement is made in respect to Amherst.

Dartmouth has a freshman class of 185, the largest in its history.

The Safest Place in Battle.

General Lee told an amusing story to a reporter. When he was about to deliver his address at the Confederate reunion in Craig County some one came to him and asked him if he would speak to an old colored man who wished to speak to him. The general consented, and the old negro, whose name was "Sam," and who had fought throughout the war, came and received the proffered hand. General Lee at once began to put questions to the old fellow, who answered with wonderful skill. The general then asked him where he had seen the best time during the war.

"At Chickamauga," at once replied the darky, "because I ran as soon as the firing began."

"But how did you know which way to run in such a hot battle?" asked General Lee, with a merry twinkle in his eye.

"I went directly to the safest place, and the first place I could find," answered "Sam," coming to his climax.

Again he was asked how he could tell which place was safe.

"I knowed it was safe," answered "Sam," "cause I skipped for the place where the generals was."

General Lee enjoyed the joke and laughed heartily at the darky's wit.

Occupations of Congressmen.

There are 238 lawyers in Congress, 41 farmers, 27 editors, 28 manufacturers, 1 railroad manager, 2 steamboat owners, 14 teachers and college professors, 25 bankers, 29 merchants, 1 householder, 3 clergymen, 7 who say they are "engaged in business," 8 doctors, 1 architect, 1 music teacher, 1 owner of oil wells, 5 miners, 2 insurance agents, 1 theater manager, 1 manufacturer of ice, 3 civil engineers, 9 lumbermen, 3 owners of stone quarries, 2 real estate agents, 1 pharmacist and 1 steamship captain.

Many a man prays "Thy kingdom come" who wouldn't have his prayer answered on any account. It would ruin his business in three months.

There is more merit in giving a ton of coal to some poor family during the cold spell than in all the professions of religion that were ever made.

heed the signal

Many persons take a variety of remedies and try many novel procedures to reduce their weight. We do not refer to these. If you have been in fair health, with a normal amount of flesh, and yet have been losing weight of late, there is something wrong. If there is an inherited tendency to weak lungs; if your cold hangs on, or if you are weak, without appetite, losing color, and easily exhausted; this loss of flesh is the signal of distress. *Heed it, promptly.

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Rye " " "50
Wheat flour per bbl.	3.60
Hay per ton	12 to \$14
Potatoes per bushel30
Turnips " " "25
Onions " " "50
Sweet potatoes per peck25 to .30
Tallow per lb.42
Shoulder " " "11
Side meat " " "07
Vinegar, per qt.07
Dried apples per lb.05
Dried cherries, pitted10
Raspberries12
Cow Hides per lb.3 1/2
Steer " " "05
Calf Skin " " "80
Sheep pelts75
Shelled corn per bus.60
Corn meal, cwt.	2.00
Bran, " " "	1.00
Chop " " "	1.10
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" " " old10
Turkeys " " "	12 1/2
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