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PHILADELPHIA, THURSDAY, MARCH 25, 1915.

Poverty has been called the sixth sense, but if the poor had the money sense they would not be in poverty.

Bang! The Gang's All There!

DANG! The gang's all there, and likewise wassail in Harrisburg.

By a vote of 29 to 3 the Senate yesterday passed the toothless housing bill, thereby condoning and indersing the action of our own City Councils in nullifying the housing act now on the statute books and likewise surrendering the interests of tenement dwellers to the more important interests that happen to own the tenements. It is so easy to put things over, and if there did not happen to be a Governor with a spine at Harrisburg the present Legislature would eclipse all previous records in a revel and carnival of bad legislation. He is about the only effective instrument for good government left in the

Conditions in Philadelphia have been fairly exhibited in picture and in type. No legislator who voted for the toothless substitute bill can justify himself on the ground of Ignorance. If he did not know what he was doing he ought to have known. Yet 29 Senators voted for squalidness and dirtiness and discomfort. Anything is good enough for the

There is but one thing for the Governor to do, of course, and that is veto the bill. He should accompany the veto with a ringing condemnation of the whole scheme to prevent decent housing in the tenement districts of Philadelphia, for that, in truth, is the object of the bill.

Holding Tight to the Record

THE building record so far for March shows I Philadelphia at the front of American cities, with only New York ahead of her. Permits have been issued for the construction of 984 two-story houses, and two-story ises make Philadelphia the city of homes. There are apartment houses, plenty of them and as good as can be found anywhere, but the pride of Philadelphia is her individual houses, in which single families reside. They make up the homes that give the community its peculiar characteristics, not the least important of which is stability in viewpoint and industry, a conservatism that refuses to be disturbed. But two-story houses, with such a vast population to be taken care of, mean a large city area, and that in turn implies the most modern transit facilities possible. From circumference to centre must be a quick trip. A comprehensive rapid transit system, with universal transfers, will assure a future city of homes instead of a city of apartment houses.

This Is a Federation of States

TT HAS remained for the Democratic Senator from Ohio to remind the Democratic President of the United States that the States are not merely geographical divisions of territory, but that they have certain pawers reserved to them by the Constitution. The President has urged the passage of a law providing for the nomination of candidates for the Presidency in primaries, apparently forgetting that all the machinery for the election of Presidents is controlled by the States. The States choose their electors in such ways as their Legislatures direct, and Congress has no power over them. They are theoretically State agents or ambassadors in an assembly that chooses the President, but actually they are agents for recording the vote of the State. Senator Pomerene has written a letter to the oneon professor of politics and jurisprudence now trying to practice what he taught, in which these elementary facts are set forth and informing him that there can be no Presidential primary legislation by Congress until the Constitution is amended.

But what Democrat, with the memory of Thomas Jefferson, Andrew Jackson and the Civil War fresh in his mind, can get up in his place and offer a resolution amending State sovereignty out of the Constitution?

The Air Raiders

FITHE raid on Antwerp by British airships Lhas more apparent justification in military strategy than the German alrehip raid on London. The British airmen deliberately were bent on the destruction of German submarines in dock at Antwerp. They held persistently to their course until they came to the place where the submarines were resting; then they descended to within 200 feet of the ground, dropped bombs on the vessels and

But It is difficult to understand what purpose the Germans are seeking to accomplish by dropping bombs in the residence districts of London and Paris. They might even destrey the Houses of Parliament without weakening the military efficiency of the Britand they might wreck the Louvre withgut affecting the power of the French armies,

Power Depends on Power

The political force of a power in time of peace is always in proportion to the military torce it would exercise or would be expected exercise in time of war.-Gugliele

THE distinguished Italian historian faced the facts when he made this suplent resee in the course of a discussion of the war, But he sald only what every opean observer of any standing has long Justicest. It is only on this side of the ocean nt the delusion prevails that a nation can e powerful in international councils when ed only by the high moral sentiments of The world has not yet reached or of development where moral sentiis will stop bullets or where high-soundpermuting a beautifully sugressed on parchment, can stacken the speed of a battle-

ship headed for our coast. Colonel Roosevelt reminded the nation sev eral years ago that it was destined to play a large part in the world's affairs through events over which it had no control, and that the question for it to decide was whether it would play that part nobly or meanly. If we are to play it nobly, we must be prepared to mistain our position by force it necessary. This means a large navy of modern ships, for power depends on power.

"Facts and Fallacies"

THE railroads have learned the value of Loublicity. They have found public opinion to be more dependable than anything else, and believe that they can be assured of a square deal when the electorate is fully informed of the facts.

The Philadelphia Lager Beer Brewers' Association appears to have reached a similar conclusion, and is now publishing a series of advertisements under the general caption, 'Facts vs. Fallacies." It is seeking to educate the people to believe that temperance is the true solution of the liquor problem, although temperance, most people have conceded, is a matter of character, possible for one individual and entirely impossible for

Everybody believes in temperance as a goal. It has been taught by philosophers for ages. Yet we do not speak about temperance in murder or temperance in crime, and to talk about temperance in vice is merely to be ridiculous. The man who is temperate in all things, if there is such a man, need not ask the community on that account to let him try burglary or a little footpad work. There are some things so dangerous to the health of society as a whole that society will not permit even their temperate use.

The Philadelphia Lager Beer Brewers' Association is entitled to a hearing, although it would be well for citizens to realize that its advertisements are directed against Prohibition, whereas, of course, the issue before the people now is local option. The people are trying to solve the liquor problem temperately; the liquor inverests are trying to compel them to decide it intemperately by their ill-advised opposition to the American principle of local self-government.

There are probably few fathers who would care to instruct their sons in the use of "booze" in the belief that this would induce temperance. They prefer to follow the good old principle which teaches that to keep out of the way of temptation, when possible, is a good thing

When a Woman Is a Man

THE taunt that women who desire the vote Are endeavoring to make imitation men of themselves is rather laughable in view of the call for aid which has gone out to the women from all the warring nations of Eu-"Take the places of the men," is the cry, and the women are answering. Theirs are not the tears and the heartburns only, for they at home must fight the wolf at the door, be fathers as well as mothers to children, be also wage-earners and producers industrially. They are taking the place of men, of course, and doing the work they are called en to do without grumbling. No wonder, then, that they expect from their several governments recognition of their faithful devotion, for they have carned it. When the necessities of Governments make men of their women, they must make voters of them

Dogs, Dead Men and Repeaters

T in Indianapolis, where the utter col-Our in Indianapous, which the in Terre Haute is being proved in court, the defendants have been arrested for attempting to tamper with Government witnesses. The effrontery of the corruptionists has been exhibited in the series of articles appearing in the EVENING LEDGER. It remained, however, for Ad Rogers, who has pleaded guilty, to show how utterly scornful of even ordinary respect for established forms the corrup-

Rogers, according to his own tes made out an application for registration in the name of a dog: it was placed on the registration books and was voted by a Negro.' Too often when election returns in this country seem to show that citizens love grafters. the fact is that their chief fault consists in not having taken proper precautions to prevent the aforesaid grafters from nullifying the popular will by voting dogs, dead men and a long array of repeaters.

Relaxation in Conversation

DOLITICS and religion have long been in the list of subjects to be avoided in a promiscuous company. This is because perons differ so widely in their views and hold them with such great tenacity that discussion of them is liable to degenerate into dispute and disturb the genial friendliness of the company.

As social gatherings are for relaxation, the allowable topics of conversation are these which touch upon one's amusements. There is little opportunity for controversy in talking about the concerts one has heard, the lectures one has listened to, the plays one has seen, or what one thought of the fatest novel.

If the women, tired with household cares. would talk of their relaxations when they meet, instead of their servants, or their clothes, or of the cost of things, they would find life less wearing. Indeed, the cost of things should be forgotten when they are paid for, and clothes are worn for covering and adornment, rather than to supply topics of conversation; and in the well-ordered household the blunders of the servants are kept in the kitchen where they were made. The worrying things are as improper topics for conversation as the controversial ones.

Root for Root!

Nothing is too good for the man who can

As the Swedes would say to McNichol: Be-Vare! Be-Vare!

You not only get more bread for your money in Philadelphia than in New York, but more of everything else worth while.

Put it down to the credit of the Blankenburg Administration that the city now gets % per cent. more interest on its deposits.

We have "the litney 'in our midst,' " says the New Haven Journal, apparently falling to realize that it is a much more serious ailment than appendicitis. New York experts say that every fourth

passenger in a street car is a germ carrier. But why make the number so small? Do not the doctors say we all carry germs?

So far as the Bulgarians are concerned. it is perfectly safe to prophesy that they will live longer by sticking to buttermilk than by becoming targets for shrapnel.

SCOTCHING OF AN INFAMOUS TRIO

How Should Pennsylvania's Elective Compensation Act Deal With the Old Defenses of Common Law Liability?

By RAYMOND G. FULLER

N INFAMOUS trio are those three com-An inframous trio are those in suits involving employers' liability for personal injury to employes. Their names are anathema: "contributory negligence," "assumption of risk" and "fellow servant." As was shown in a previous article in these columns they contradict the ordinary conceptions of justice. They are archaic, having been laid down in the days of the small shop, few empleyes and simple machinery. Under the common law of employers' liability no recovery at law is possible in \$3.19 per cent. of the instances of accidental injury or death in industry. The proportion of actual recoveries is, of course, still smaller. The logic of these three rules is one-sided

In the annotated edition of the workmen's compensation act proposed by the State Administration the commentator remarks, in reference to the defense of contributory negligence, that the courts of Pennsylvania have in their recent decisions shown a distinct tendency toward the recognition of the impossibility of expecting a constant watchfulness from persons absorbed in the performance of industrial labor. So we have in our own State a judicial acknowledgment of the menace lurking in a too-long established rule of common law. Despite the modern tendency, however, the Pennsylvania courts have held that a brakeman is multy of contributory negligence in coupling cars not having a safety coupling device conforming to the Federal safety appliances act, if he raises his head a little too high, death resulting from the crushing in of the top of his head, an accident that would not have taken place had the requirements of the Federal not been followed.

Too Fast to the Scrap Heap

To the scrap heap with the infamous trio of common-law defenses! Wipe them completely out of existence! For 25 years these cries have been heard at many legislative sessions in many American States. Mending and tinkering have falled to produce employers' liability statutes adequate to meet the demands of present ideals of social justice. Hardly five years ago came the real beginning of workmen's compensation laws in this

In Article II, Section 201, of the proposed Pennsylvania act it is provided that in any action at law against an employer to recover damages for injury to an employe, such injury arising "in the course of his employment," the defenses of fellow servant and assumption of risk are abolished. The defense of contributory negligence is removed with this exception: "Unless it be established that the injury was caused by such employe's intoxication or by his reckless indifference to danger." The modification is merely declaratory of the law as already interpreted by the courts of Pennsylvania.

Article II is practically an up-to-date liability law. Article III sets forth the compensation plan. Acceptance of the compensation plan on the part of employers and employes is presumed unless they take definite steps to relect. If an employer accepts and one of his employes rejects in the prescribed manner, the employe may sue at law for damages in case of injury. In such a situation the common-law defenses are not restored to the employer. This is wrong.

Give Employer What Is Offered Ideal results in social legislation com-

slowly, at best. A variety of difficulties beset its progress. A compulsory compensation act is more desirable than an elective act, but in Pennsylvania there is a constitutional obstacle which prevents our having a compulsory act at once. We are dealing at present, therefore, with an elective plan of compensation. The absolute and immediate abolition of the old common law rules, antiquated as they are and certain as they are to disappear within a few years, turns their one-sidedness against the employer in such cases as that above indicated.

It is true that the employe would still have to prove that the employer was negligent, and that he himself was not intoxicated or recklessly indifferent to danger. An impartial investigation of industrial accidents, nowever, has shown results which prove that these considerations would apply to only about one-fourth of the total number of accidents. It is manifestly unfair to force the employer into acceptance of workmen's compensation, which is offered him as a substitute for the former condition of expensive and troublesome litigation, and then leave the employe a road, not an easy one, indeed, but nevertheless a road, leading back to the old state of things where now the employer's resources have been taken from him. It is a breach of good faith toward the employer, It is not fair play. It is not sportsmanslike. When we have compulsory compensation we are playing one game, but when we have elective compensation we have to take care that neither side secures overmuch advantage by selection and elimination among the rules of both the old and the new game.

In its draft of an outline of an elective workmen's compensation act, the National Civic Federation, which had worked with the American Federation of Labor in an exhaustive study of compensation in this country, recommended that the effect of rejection by an employe, as to any employer who had accepted the act, should be to enable the employer to interpose in a suit for damages

the previously available defenses. Experience of Massachusetts

Under the Massachusetts act an employe of an insured comes within its provisions unless he gives notice that he elects to stand upon his common law rights, in which case his employer continues to be fully protected by the common law, and the prospects of an injured workman recovering damages are open to all its uncertainty and delay. Less than 500 employes out of 700,000 whose employers have insured in Massachusetts have elected to retain their previous status. Considering accidents in the aggregate, the employes of Pennsylvania, under the proposed act, would be four times better off in the situation brought about by rejection of compensation than the employes of Massachusetts. But the issue is not merely temptation. Whatever might be the practical and statistical effect of this flaw in the Pennsylvania act, the principle violated is much more important.

The moral effect is not to be considered ghtly. The abelition of the old commonlaw defenses is a club wielded over the head of the unwilling employer-a beneficent club, perhaps, but still a club. It is wielded over

ANOTHER UNRECOGNIZED BLOCKADE

the employer alone. The defenses may be iniquitous in themselves; but use is made of their abolition to compel acceptance of compensation acts where an outright computsory act is impossible. The employer is told, "Accept or take the consequences."

He feels that, as compensation acts are based upon the theory that industry should be charged with the cost of industrial accidents, regardless of fault, and that, if negligence of the injured workman is to be ignored and he is to recover compensation, regardless of his acts, then likewise the employer's negligence, which in modern industry is generally the negligence of his servants and agents, should also be ignored. So runs the argument. Now remember that the success of workmen's compensation depends largely upon the spirit in which employersas well as employes-approach the new system of claim adjustment. Consider also one of the positive reasons why employers accept workmen's compensation. A prime inducement is to get away from the old system of litigation, waste and uncertainty. If the employer's attitude toward the innovation is to be favorable any retention of the old system should work as well one way as the other, and there should be as little of it as

Going in With Open Eyes

Voluntary acceptance of a workmen's compensation plan is preferable to coercion, for reasons which are entirely obvious. Under the proposed Pennsylvania act employers and employes are presumed to accept the provisions of Article III unless they shall in writing notify each other of their intention to reject and shall file a copy of such notice with the bureau created by an auxiliary act. It has been said in favor of presumptive acceptance that it more fairly regulates competition among employers and more uniformly protects workmen. But Michigan and Massachusetts, for example, with the method requiring an affirmative action on the part of employers in place of presumptive acceptance, have been as successful as New Jersey in bringing employers and employes under compensation. In Massachusetts 90 cent, of the emp dustries are insured under the act. In all, about 19,000 employers of labor have voluntarily provided its protection for 650,000 em-

ployes. In view of these facts, and of the further facts that the sure tendency in compensation legislation is toward compulsory acts. and that Pennsylvania is already preparing and planning for its compulsory law, it would seem wise to permit employers to elect voluntarily in this State. We want a good beginning. The spirit of co-operation between employer and employe in Michigan and Massachusetts is remarkable, and that spirit is one of the chief nims and benefits of the new legislation. In those States the plan led to a more widespread interest in the principle of compensation than in New Jersey, with a corresponding stricter observance of the law; so reports the National Civic Federation. The employers of Pennsylvania, granted the same privilege, would come under the new plan with their eyes open, testifying by a voluntary act that they believed in the principle and submitted willingly to the law.

THE BIRD'S HOUSING PROBLEM From the Ohlo State Journal.

The city of Cleveland proposes to enemy riendliness toward birds, and no one will lieve it misdirected effort. There is appreciation everywhere of the desirability, eco-nomic and sentimental, of bringing back our native some birds in a large ative song birds in as large numbers as pos

East Technical High School is making for the ity forestry department 200 model bird which will be placed in various parks. Some of them have already been delivered. It is a fine piece of co-operation between two branches of municipal activity

Forester Boddy has prepared a list of fruit-bearing trees, shrubs and vines that furnish food for birds, which will be a help for these who wish to put out bird houses about their own premises. The time is at hand when the native birds return from the warmer climate, and will be seeking perion speciand will be seeking nesting spots

It is all an excellent bit of city government sefulness of which the public will approve. It should result in a widespread revival of interest in the whole subject of bird conservation. It may be considered to represent the same senti-ment which demands of the present Legislature that quall be further protected from hunters.

LENGTH OF LIFE INCREASING From the Pathfinder

According to Dr. V. C. Vaughn, of the Uni versity of Michigan, the average length of life in this country is now 15 years greater than it was 15 years ago. The death rate from tub culosis, he says, has decreased 54 per cent. since 1886. Dector Vaughn regards crime as a disease, and asserts that the only way to discuse, and asserts that the only way to eradicate it is to treat it as such and "disinfect its breeding places."

TRUE LEARNING

Ross cuil their several sweets from this flower and that blossom, here and there where they find them, but themselves after make the house, which is all purely their own, and no longer thyme and marjoram; so the several fragments the nupil borrows from others he will transform and blend together to compile a work that shall be absquitely his own; that is to say, his judgment, which is his instruction, labor and study, should alone tend to form.—Montaigne. form.-Montaigne.

WHO'S WHO IN CANNED LOBSTER

Uncle Sam's Tender Regard for the Niceties of Taste-Masquerade of California Crawfish - Chewing Gum Habit Unaffected by Government Comment.

BEWARE the Panulirus Interruptus! He isn't a lobster. He's a crawfish. There is only one lobster, recognized as such under a new ruling of the Department of Agriculture contained in one of the "service and regulatory announcements." He is of the Homarus family, which has its exclusive habitat on the Atlantic coast.

The P. I. impostor haunts the shores of the Pacific and flaunts his flappers in the gilded cafes of Los Angeles, San Francisco, Seattle and Portland. He is a runt specimen, but toothsome. You may sometimes pick him up two for a quarter, or a pair for two-bits, if you go down to the beach at Santa Barbara or San Luis Obispo or some place like that. We Easterners have been eating untold tons of him out of cans in recent years and knew it not. Now a paternal Government warns us not to be deceived when we read on a can "Pacific Lobster," "Spiny Lobster," "Rock Lobster" or "Cape Lobster." The Government also warns the canners that they must not label any member of the Panulirus Interruptus family as plain lobster. A qualifying adjective must be attached to put this mere crawfish of the Golden West in its place.

The Impostors Look Genuine

In justice to the canner we must point out that the lobsterologists of the Department of Agriculture do not object to the Pacific coast crawfish on the ground of flavor. There is no taint in his flesh, nor the slightest blemish upon his pink integument. A la Newburg you could not possibly tell him apart from the highest pedigreed lobster that slides through the rocky depths of the Gulf of Maine. If you should see him brought out of the water you would probably jump at the conclusion that he really was a young lobster. When you came to tear into him, as they say in some chop houses, you would be disappointed only in the size of his claws.

It seems a good deal like splitting hairs when we are brought down to these fine distinctions. We accept our canned combeef hash as having been produced upon the framework of a beef critter, It wouldn't mean much to us to know whether the beef came from a Hereford or an Angus steer, from a Shorthorn or a Longhorn. We might object to it if we had reason to suspect that it was horse-meat or mule-meat, though there are some scientists who tell us that there is no sound reason for refusing the flesh of the horse or the mule. However, there is no use going into this, as it would bring us back to the aborigine who is ecstatically fond of rattlesnake stew. Canned lobster, on the other hand, is a fascinating subject for many rea-

Middle West Is Stirred Up

During that recent period of extreme agitation over the purity of our food and drugs there were many weird tales in the air concerning the manner and kinds of substitutes for canned lobster. We are told that large, extremely large, Mississippi and Missouri River catfish were contracted for by lobster canners. There were many who believed this to be true and who simply on hearsay would pass along a circumstantial atory of how dreadnought catfish, weighing 100 pounds and more, were cut up into neat lobster chunks, painted a delicate pink and sprinkled with a synthetic lobster flavoring. Here was a gross fraud that stirred the Middle West to its very vitals. Nowhere in our Union is canned lobster more beloved than in the Middle West, and nowhere in our Union is the channel cat that slithers along in the silty depths of the Mother of Rivers less beloved than in the Middle West. If you ever happen to glimpse a channel cat wearing its full set of whiskers and complete coating of slime you will know why,

But honest to gracious! it was all a myth Scouts went scouting up and down the Mississippi Valley, but could find no trace of the outrageous fraud. The transmutation of eatfish into lobster was not an accomplished crime, nor had it ever been contemplated. The Middle West sat down again to its canned lobster without any qualms, and today the dwellers in that prosperous and literary region "tear into it" with more zest than ever.

Sad Reflections on Chewing Gum Passing on from "crawfish lobster," which hereafter must on pain of penalty be designated as such, we find our food and drug experts down in Washington warm upon the trail of meretriciously labeled chawing gum. Shift your candied and and give pause to your jaws a moment while you read this:

The attention of the Bureau (of Chemistry) has been called to the fact that brands of chewing gum are found upon the market bearing labels which indicate the presence of fruit or flavor derived from fruit, when, as a matter of fact, no fruit or fruit flavor of any kind is used in their preparation. Such products are regarded

as adulterated and misbranded within the meaning of the food and drugs act. This notice is issued for the purpose of warning manufacturers against the sale of products of this nature under false or misleading

Expert gum-chewers may have had faint suspicions that they often champed away upon gum cuds that contained fruitless fruit flavors. The suspicion had evidently not disturbed them to any great degree, nor is knowledge of the fact and the official Government comment thereupon likely to break them of the gum-chewing habit. The flavorof chewing-gum is one of the most transitory of all things, provided you are a hardened gum-chewer. You chew gum to chew gum, not to get its flavor. Only those who chew gum for the purpose of concealing the fact that they have imbibed spirits of high and lasting flavor are primarily interested in the flavor of the gum. It is then used as a substitute for cloves, cinnamon, orris-root or something of the sort, and, alas! for purposes of deception.

In the Matter of Figs

Of course, it is unethical and not in accordance with the present-day morality of the business code for manufacturers to deceive their customers, but when the victims of deception are themselves bent upon the practice of deception we come to a nice little problem that will wind back into a snare no matter how we untangle it.

There is one other little matter we find reference to in this recent Government bulletin of interest to the lovers of sweets. Again we quote from the official document:

There has come to the attention of this bureau a form of confection designated as "fig paste lemon" and "fig paste orange." in which figs have not been used in the preparation of the product. It is considered that the term "fig paste" applied to confectionery not containing figs is misleading and deceptive, and the term should not, accordingly, be used unless the consideral products of the confection of the preparation of the product. It is considered ns figs as the principal flavoring ingredient.

You may find this pale and colorless by comparison with Doctor Wiley's poison squads and the great clamoring sensations and the Rooseveltian era of food purification. It is convincing, nevertheless, that Uncle Sam still maintains a tender regard for the niceties of our taste in selecting confectionery tidbits and the labeled products contained in cans. B. W. C.

NEUTRALITY It was a neutral meeting,

That cheered itself to fits (The cheering led, it may be said. By Hans und Franz und Fritz!) With joyous bawls, Were put upon the grill. It was a neutral meeting

It was a neutral meeting, which a Frenchman rose. He'd just unslung his facile tengue When came five thousand noes! He tried to say

But some one threw a bench! t was a neutral meeting (And how it loathed the French!)

It was a neutral meeting At which an Englishman Would fain orate, but, sad to state, On him they tied the can! They yowled and yelled Till he was quelled, They hade the wretch begond! I was a neutral meeting (And how it silenced John!)

At least they called it such Although the horde in scorn ignored Italians, Belgians, Dutch. They drowned a Russ With cry and cues! They gave a Yank a hoot It was a neutral meeting (Except that it was Teut) -John O'Keefe, in New York Werld.

BELGIUM'S "DAY" Athwart the ripening grain and flower. Fruit of a patient toil,

From wings of war dark shadows fall And blood-red is the soil. From humble, e'en from princely heart, The fugitive must flee Would they not bow to ruthless power.

And sue on bended knee? The avenging angel, sword in hand, Seems hopeless—held at bay; Have courage, faith and hope, brave land. For thee must dawn "The Day!" —"M, G. G.," in the Boston Transcript.

THE FIRST DANDELION Simple and fresh and fair from Winter's close

emerging.

As if no artifice of fashion, business, politics had ever been.

Forth from its sunny nook of sheltered grassinnocant, goldes, calm as daws.

The spring's first dandelien shows its trustful face.

-Walt Whitness