Thesis for the Degree of M.L.

The Present Danger

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Class of 1880
Today, as yesterday, in the words of Longfellow, it may be said, "Humanity with all its fears, With all its hopes of future years Is hanging breathless on thy fate."

As our country has grown great, as she has passed nation after nation in the march for place and power, so that now her cohorts are well in the van of the mighty armies of civilization, so has the anxiety for her future grown greater, so will the grief at her downfall, if it come, be all the more overwhelming. So must those who love her great name, who revered her principles, watch with greater vigilance.

One who so loves, reveres and watches cannot but view with profound dismay the appalling increase of crime in this country; the unblushing manner in which demagogues of the most dangerous type advocate the wholesale murder, by use of dynamite and prussic acid, of the law-
abiding and law-enforcing members of society; and the abolition of all we hold near and dear, the Church, our country's flag, the home, the family.

The great questions of the hour are,

1st. What is the cause of the present increase of crime in the United States?

2nd. What effect will this increase have upon the stability of our government?

3rd. How can the evil be remedied?

In the solution of the first question must, in a measure, depend the solution of the second and third.

"People hold up their hands in horror at a moral monster, as if there was no reason for his existence but his own choice, but you do not get a malformed character without a long chain of causes." If we know the causes we soon will find the remedy.
Looking through the reports of the criminal cases as published in the newspapers, our attention is attracted by two peculiar circumstances: 1st. That, for the past two decades, almost ninety-nine per cent of the convicted criminals have belonged to the so-called lower classes; i.e., poorer classes, laboring people, those who depend upon their daily labor for their sustenance; and that the crimes, for which these people are punished are largely crimes against property and not against persons.

2nd. That, while the evidence is overwhelming, that the so-called upper classes, i.e., the wealthy, furnish a large percent of criminals, very few indictments are found against such offenders, and still fewer are the convictions that follow. And when the prison doors close on the rich convict the favoritism that has followed his class through all its criminal career, does not, as
a rule, desert him, for light and pleasant labor usually falls to his lot.

Perjury is the common offense of the members of the so-called upper classes. A man who would seem to rob his neighbor of the smallest sum, unhesitatingly makes false returns, under oath, of his taxable property, and is called to the witness stand to testify as to violations of a law he may not favor, he swears to a condition of ignorance on his part which would make an honest man, no matter how illiterate, blush to sure.

The wealthy members of society, however, furnish graduates in all crimes from the lowest and most degrading bestiality, to murder and treason, and, what is worse, are often covered with glory and honor for their very crimes.

Those who had the opportunity of reading the Oregonian (Portland, Oregon) during the contest for United States Senator at the last election...
for that office in the State of Oregon, can not but believe either that United States Senator, John K. Mitchell, of that State, is a guilty and willful criminal, and should now be serving a term in the penitentiary of his State instead of representing his State in the United States Senate; or that the editor of the Oregonian, a prominent citizen of Portland, Oregon, is guilty of criminal libel against the Senator and a defenseless member of his family; yet no attempt has been made to indict either man.

The recent trial of Jacob Warpe in New York and his escape from punishment, furnishes a second notable example of the ease with which wealthy criminals escape the punishment due their offenses. While the bribe-takers, men of only moderate means, were sent in unseemly haste, to prison, the wealthy bribe-giver was granted a new trial and permitted to spend the
remainder of his days in the "bosom of his family." Many a poor private has been shot to death for sleeping at his post. Fitz John Porter, a would-be aristocrat, found guilty of willful disobedience of orders, sentenced to be shot, had his sentence commuted to dismissal. And now after over twenty years have elapsed his friends get him reinstated, because, say they, it was impossible for him to reach the battle-field in time. There is yet living as brave a general as ever drew sword for his country, whose word is undoubted by all who know him, who after fighting for hours, went some distance for reinforcements, that were refused his aides, saw and talked with Fitz John Porter, obtained reinforcements from McDowell and with them returned to the field and again took part in the battle. What the "Fighting Gray Eagle of the Army of the Potomac" did, Fitz John Porter could have done, had he so desired.
At Tacoma, Washington Territory, in 1887 a number of poverty-stricken Chinamen were convicted of smuggling themselves into the United States and sent to prison for six months. The "trial" was a travesty upon justice. The prisoners were not even permitted to introduce testimony tending to show that they had been residents of the United States for from twelve to fourteen years.

At Tacoma, Washington Territory, in 1888, one Gardner, an employee in the United States Customs service, was indicted and tried for smuggling opium. The evidence was overwhelming against him, yet the jury brought in a verdict of "not guilty" and were discharged without rebuke.

A poor brakeman, as he passes his humble home, tosses a case of necessaries from the train. He is arrested, tried and convicted of grand larceny and sentenced to hard labor for from one to five years. A Jay Gould obtains control of a railroad and
for the purpose of gain wrecks the concern, ruining thousands, that he may amass eighty million dollars. This instead of being robbery is "business".

A few laborers indignant at wrongs (fancied or real) declare a "boycott." They are indicted for conspiracy tried and convicted, and punishment follows sure and swift.

A number of wealthy sugar refiners conspire together to raise the price of sugar, one declines to join them, they combine and crush him and all other opposition, and the price of sugar is raised. This instead of being a conspiracy, is a "trust" and beyond the reach of law.

Who can wonder, then, that the people begin to think that law is a system for the punishment of the poor and the protection of the rich?" No wonder that when Congress is controlled by rich men, when the majority of the United States Supreme Court have been the salaried attorneys of wealthy corporations, when the
United States Treasury is made to play "second fiddle" in the orchestra of Wall Street gamblers speculating in the bread of the nation, no wonder that crime is increasing, that anarchism is raising undaunted its hydra head.

We find one cause of the increase of crime to be the unequal enforcement of the criminal laws with regard to rich and poor criminals, favoritism for the rich, rigor for the poor.

Another source of crime is the liquor evil. Everywhere we see the trail of the slithy serpent. Speaking of the effects of intoxicating beverages upon the moral character, an eminent physician has recently said: "Even the moderate use of ardent spirits will dislodge, will remove, the human character from the highest position it is capable of occupying." Criminal statistics show that a large percentage of all crime is committed by persons under the influence of ardent spirits; and it is clearly
demonstrable that a still larger per cent is the direct outgrowth of the liquor traffic. I have no doubt that ninety per cent of the homicides committed in the United States during the past year were committed when either the slayer or the slain was under the influence of intoxicants.

No one will dispute that the crimes growing out of pauperism are largely traceable to this same evil. When we come to that increase of crime which can be traced only mediately to the liquor traffic as students of ethics we are startled at the showing. Physicians of eminence no longer question the fact that the use of ardent spirits is demoralizing, debasing, and brutalizing in its effects upon man, kind, destroying the cardinal virtues of patriotism, love of home, and love of God. Lycurgus was wise when he decreed that the conquered people should become drunkards in order that they might cease to love their destroyed country. "The paralysis of
alcohol extends throughout the whole body and mind of the inebriate. It is seen in the loss of the moral sense and the inflow of sensualism, deceit and prevarication. The fact is drunkenness is temporary suicide. Many cases might be cited where criminals take ardent spirits to give themselves nerve to commit crime.

Already the Governments of France and Russia are taking steps for the removal of this cause, unmistakably recognizing its evil influence. How largely the "drink caused" may be traced through heredity I will not undertake to say, but I have no doubt that a genealogical study of all criminals would throw much light on the question now under discussion. Few there are, so reckless as not to admit that where temperance and sobriety rule, crime is at its minimum and vice versa.

Still another fruitful source of crime is found in the mistaken policy of the government with
regard to foreign immigration. So long as pauper
and criminal laborers are permitted to come here
so long will crime increase. Coming as these
people do from tyrannical government, their
hands, against the government at home, are,
from force of habit, against it here. The new
crime per se, of anarchy is directly traceable to
this scene of the old world that has been washed
to our shores.

Of the seven anarchist leaders who urged their
deluded followers to commit the Haymarket Massa-
cre, one, Parsons, was born in the United States, and
the ratio of native born Americans who are found
in the ranks of the Anarchists will not exceed one
to seven.

Violations of decency laws and laws regulating
the sale of intoxicating liquors are generally com-
mitted by people of foreign birth.

A fourth cause of the increase of crime is the
competition, under government sanction, of convict labor with honest free labor. As a rule, the convicts in this country are hired to large contractors for a little more than their board. They are employed in manufacturing articles, that find ready sale in the markets of the country.

One example by way of illustration will suffice.
The chair-makers of San Francisco, California, commanded three dollars per day until 1882, when the California Furniture Company leased from the State the labor of convicts, confined in San Quentin penitentiary, at forty cents per day. These convicts are well clothed and better fed, than the ordinary day laborer. At the present time chair-makers, in San Francisco, find it difficult to obtain work at one dollar and twenty-five cents per day. And what is said of chair-makers in San Francisco, may be said of all artisans whose labor is brought in competition with convict labor.
Who wonders then that the artisan who finds his wages reduced by competition with convict labor goes voluntarily into a life of crime, since, if not caught, his gains are large and if caught he is put to work at his old trade at living wages. And he more readily accepts the life of crime because to his society appears to care little about the character of those whom it honors.

To recapitulate, we find the principal causes of the increase of crime in America to be:
1st. The unequal enforcement of the laws as to rich and poor criminals;
2nd. The evil influences of the liquor traffic;
3rd. The overburdened condition of the labor market in consequence of foreign immigration;
4th. The competition under government sanction of convict labor with honest free labor.

We come now to the second question. What effect will this increase of crime have upon the
stability of our government?

History teaches us that so long as the masses are honest, upright men, and love of country is the main spring of their action, so long the foundations of the republic are sure, and indestructible; but that when hatred, dislike or even indifference, supplants true patriotism, then, though in all things else the masses are honest, man-loving, God-fearing men, the fate of the people's government is sealed; and when these masses, yielding themselves a prey to their appetites become demoralized in thought, debased, and degraded in habit, then the downfall of their republic will be swift and sure.

A government that applies the lictor's rod to the back of the poverty-stricken criminal, and allows him, who by his very crimes becomes wealthy, to climb to place and power, to go unwhipped of justice cannot long retain even the respect today
nothing of the love of its honest citizens.

What then shall we say the future has for that country which honors with its high places men, who either openly boast, or tacitly admit, that they belong to the great and growing criminal classes; whose chief executive stands self-convicted of a crime per se; whose judges are often open apologists for crime.

A country whose laborers and artisans pay the taxes, National, State, and Municipal that are levied to protect the property of the rich, who escape the payment of their share by murdering and unpunished perjury, cannot but soon become despicable in the eyes of those Artisans and laborers. Now put into the way of these artisans and laborers the whiskey bottle—like the way from shop to cottage with dramshops in whose profit the government shares in order that the burdens of taxation may fall even lighter on the pampered few, and you will soon have a laboring
(or rather a non-laboring) class who have respect for nothing, much less for the government that has made them what they are. Recruit wealthy corporations to import Hitler half a million annually of pauper, or criminal laborers because they will work twenty-five per cent cheaper than the citizen of the country, and bring all these into competition with convicts who are better fed and better clothed than the honest laborer; and wonder then if you can that crime and pauperism are on the increase, that anarchism is openly preached and secretly studied in America!

There can be but one answer to the second question. If the criminal classes continue to increase in the next quarter of a century as they have during the past twenty years, this country will witness all the horrors of the French Revolution. Unless the waves of crime are stayed, the end of free government in America is not distant.
How can the evil be remedied? A sick man sends for a physician not so much to know what is the cause of his sickness as to be cured of his ills. The writer of this paper is too modest to claim to be able to cure this disease that has fastened itself on the body politic; but realizing that as, even the merest tyros in the medical profession have occasionally stumbled upon a remedy for a distressing and until then incurable disease, he offers the following suggestions, as they appear to him at least worthy of consideration, and solutions for the third question,

How can the evil which threatens our country from the growing criminal classes be averted?

1st. As a large proportion of all crimes committed are crimes committed against the property of the rich, and the consequent burdens of taxation are for the purpose of protecting that property, the writer would change the revenue laws and provide for a
graded tax. All property exempt from execution and attachments should be exempt from taxation.
This is only just, for it certainly is not right for the state to say to its citizens so much of your property no creditor but the state can touch. None but the tax collector may take the bread from your children's mouths or the roof from their heads.

The first five thousand dollars above exemptions should be taxed at a minimum rate, and the rate gradually increased as wealth increases. It is thought that this will act as an incentive to competencies and as a restraint against large fortunes.

But we are told that such a law will lead to crime,—will cause people to violate the law by making false returns. It is evident that those who make this objection either have not studied the matter aright, or belong to a class of people who constantly pray, "Lead us not into temptation."
It is folly to say do not make this or that law lest it be broken. Certainly no one, who thinks will for a moment argue that any more false returns would be made under such a law than under our present system. Let the penalty for refusal to report property to the assessor be that the unreported property escheat to the state, add the usual punishment for perjury.

A law similar to the above and from which the writer obtained his idea, is in force in one of the states. During the first year of its existence, one of the United States Senators from the state attempted to evade a correct report. He was given to understand that the law was made for rich and poor and if he did not wish to lose the high place he held in the hearts of his constituents he must report all of his property to the assessors. He does so now and the state is richer by the annual tax on over one hundred thousand dollars.
2d. All laws should be rigidly enforced, punishments being inflicted in a direct ratio to the offense committed, without reference to the wealth or social standing of the criminal, thus removing the odium of the notion that this is a rich man's country.

3d. Make and enforce a law declaring any combination of manufacturers of articles protected by the United States tariff laws, conspiracy against the general government, and confiscate the property affected by the combination, that belongs to the conspirators (treating it the same as smuggled goods are treated) thus abolishing trusts and similar monopolies.

4th. The great crime factories, the dram shops will have to be totally eradicated, ere we make much progress in checking the growth of crime. The law should recognize the facts that the dram seller is a criminal, and the inebriate is mentally
unsound and punish the first as other criminals are punished by disfranchisement and disqualification from holding office, and place the second on the same plane with other insane persons.

5\textsuperscript{th}. The naturalization laws should be repealed and other laws should be passed forbidding the immigration either of all foreigners.

Could the worthy be segregated from the unworthy, the good from the vicious and criminal there would perhaps be reason for discrimination, but the past years have demonstrated the futility of all attempts at compromise, and the necessity of a radical change.

We recognize the fact that the changes suggested will be a departure from our time-honored custom, but we also recognize the fact that we have now grown to manhood's estate. The custom that was good for a country of five millions is not of necessity good for a country of sixty millions.
The inmates of no penitentiary should be permitted to compete with honest labor. Let property that is protected, pay for its protection. Return to our example of San Francisco chair makers. Before the arrangement herefore spoken of was made he earned three dollars per day. His board cost him one dollar per day leaving him net two dollars per day. In the year he would clear six hundred dollars. Of this amount he was taxed to support the penitentiary, not to exceed five dollars per annum, leaving him clear five hundred and ninety-five dollars. He now obtains one dollar and twenty-five cents per day. His board costs him now as their one dollar per day. During the year he clears less than ninety dollars. There is no penitentiary tax—yet this year he has paid five hundred and ten dollars to support the penitentiary while under the old way he paid five dollars. But we are asked what shall be done with convicts?
This is, of itself, a great problem, yet he who has carefully studied that masterpiece of modern fiction 'Never Too Late to Mend' by Mr. Charles Reade, will, while rejecting much of Mr. Reade's theories, not be long in answering the question 'How shall convicts be employed with profit to themselves and society?' Under no circumstances should the present system be longer tolerated.

The children of criminals and of all vicious and immoral persons should while very young be taken from their criminal surroundings and placed in industrial schools as far removed from the centers of vice as possible.

In conclusion the writer desires to add, that while there are other dangers threatening this country, he believes that in the appalling increase of crime the chief danger lies. In comparison to this all others are but as the zephyr compared to the rushing hurricane. The remedies suggested are, as before
stated, but the thoughts of one who, though an
humble student, yet feels the need of the hour.