

LUCIFER.

THE LIGHT-BEARER.

NEW SERIES, VOL. 4, No. 29.

VALLEY FALLS, KANSAS, OCTOBER 15, E. M. 286.

Whole No. 171.

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KANSAS LIBERTY AND JUSTICE.

To Jail and There.

III.

CELL 2, THE JAIL,
Oskaloosa, Kan., Oct. 9, 1886.

On Wednesday, October 6, at 6 p. m., we started for Topeka under the official guidance of deputy sheriff George Davis. We hoped the next day our case would come before the Supreme Court in such shape as would permit it to be argued fully upon its merits. But I was aware that the prosecution would do all possible to delay proceedings, and as I had but little hope that we should be released, and the event justified my lack of faith.

As our mixed freight and passenger train wound slowly in and out among the hills, traversing the broken wood and farm lands of southern Jefferson, ever-varying scenes of quiet beauty met the gaze of nature's children. The brilliant scarlet of the sumac flamed in lovely contrast against the dull yellow of the basswood and elm, and as the twilight melted almost unperceptibly away into the soft moonlight of the serene October night and the stars came out in the fathomless blue of the autumn skies, it seemed almost impossible for us to realize that we, enraptured with the color and perfume and music of earth, sensing within us the rhythmic order and stirred to the intensest feeling by the mighty sublimity of the Cosmos, should be held as CRIMINALS because our hearts are touched by and thrill in harmonious response to pulse beats of the great mother of us all. Oh, how the creeds have cursed the world! How they have blighted the flowers of human goodness and love and sympathy, how deep they have dug the grave of the hopes of the children of men, how high they have reared the prison wall and the thrones of the warrior-tyrant and the consecrated tyrant!

Arriving at Topeka at about 8 p. m., we were conducted to the Shawnee county jail and put into the keeping of jailor Curtis. I am horrified that in any city of the New West can be found such a nursery of vice and crime as is this jail. Burnham Ward well need not confine his philanthropic labors to the Eastern States, there can be found plenty of work for him west of the Mississippi river. Within the confines of this place are found old men and young boys, the hardened criminal and the mere suspect, the former contaminating and corrupting the latter, and rendering it almost a certainty that the first offense shall not be the last. Dirty and vermin-infested, bedclothes insufficient light, arbitrary government, the atmosphere choked with vulgarity, the unfortunate prisoner made to feel he has no rights, that the very fact of his being there is proof positive that he *deserves* to be there, the sense of continual insult and degradation,—all these, *everything*, combined to wreck health, harden feeling, and deprave morals.

Into this place we were put, being assigned to a cell where the slips upon the hard pillows wore, from long use, the color of leather, and the blankets had the appearance of having never been washed. It was impossible to secure privacy in dressing or undressing, or during necessary closet work. From three sides the interior of the cell could be plainly seen by those without, and we could see parties on the sidewalk above upon their knees jeering down upon us. Upon the opposite side, was a large cell or corridor in which were many prisoners during the day. From one cell a heating pipe passed through the intervening wall and around it was an unclosed space of some inches. Before we were aware of it, many of the prisoners on the other side had climbed up and taken observations through this aperture. At last one of the prisoners with the feelings of a man and the instincts of a gentleman, called out to us and informed us what was going on, and subsequently during Thursday forenoon we several times heard him ordering the others away from that corner of the room.

This was but the beginning; until late Wednesday evening and then again Thursday morning, our ears were continually saluted with every conceivable call and cry of an obscene and vulgar nature. These sounds came from all parts of the prison, and were quite largely occasioned by our presence in the jail. It was most sickening to me, accustomed as every man is to vile language, but think what it must have been to a refined woman, a girl, to whom it came as a wholly new revelation of man's coarseness and depravity. That Lillian should be subjected to this terrible outrage stirred my blood to fever heat, and when I reflected that this crime against her had been rendered possible by her old neighbors at Valley Falls, people who *knew* that she had committed no wrong whatever, I could scarcely restrain myself. The villainy was so monstrous, the sense of helplessness so complete, that it seemed that no possible torture could equal the agony of those hours.

At 2 p. m. of Thursday we entered the Supreme Court room in the State House and were seated to the right of the door near the judges. Our attorneys were Hon. David Overmeyer and G. C. Clemens, of Topeka, while the opposition was represented by Attorney General Bradford, County Attorney Gilluly and L. A. Myers. We could not get the case before the court, the judges deciding, after hearing a lengthy argument, that the complaint filed by Mr. Gilluly just after we were taken to Oskaloosa after our preliminary examination, prevented them from interfering. So we were re-committed to the Jefferson county jail in default of bail. The only relief the court granted was to reduce my bail to \$500 and Lillian's to \$250.

About six o'clock we were taken back to the jail, having parted with Mr. Harman at the office of Mr. Overmeyer, he (H.) stating that he would go to his hotel and get some clean sheets for us and also bring alunch, as but two meals per day are furnished by the county. And he had brought some clothes and other articles for me and had to get them to me that evening, as he intended to go back to Valley Falls during the night. When we were taken in, the jailor said he should have to put us in separate cells. The thought of Lillian left alone and exposed in this place was most painful; but I answered in a low and I fear a slightly broken voice, that I was sorry, and I added Mr. Harman was coming down soon and I wished to see him. Sharp, domineering, unfeeling, was the answer—"Mr. Harman can't come in after 6 o'clock." Under the sting of this gratuitous insult and utterly uncalled for severity, bringing to mind all the details of the abominable outrages of the last three weeks, the long-haired tiger of temper broke from all bounds and my reply

was hot, intemperate, defiant. Of course it was a very foolish utterance, because I was really powerless and our enemies could easily make capital out of my just anger, and the blow following his fierce threats and his "you G-d d-n s—t of a b-l-l" was yet more censurable by calm reason, but calm reason is not very likely to rule at such times. To Sheriff Fuller, quite a gentleman, I judge, I am indebted for protection from the terrific personal vengeance threatened and attempted to be executed by the enraged keeper.

Friday morning we returned to Oskaloosa, and it seemed like getting home to once more meet the gentlemanly Sheriff Lough and the pleasant and accommodating jailor Fairchild, who are not less men and gentlemen for being officers.

I suppose that our case will come up on Wednesday, (Oct. 12) and we shall then secure a change of venue or have to stand trial here. Probably the closing portion of this letter will inform our friends regarding it.

I am considerably amused at some of the expressions of the Capital and the Commonwealth. It seems that the reporters and editors have read very little of general literature, and their knowledge of anything outside of the narrow limits of their vocations is very small indeed. They speak of our marriage as "strange," "queer," "anomalous," etc., etc. The Commonwealth reporter seems to have been surprised to find me "well-dressed," as he avers, and Lillian "apparently of ordinary intelligence and modesty." Probably his preconceived notion of our appearance and manners was somewhat akin to that the southern "white trash" entertained of Abraham Lincoln and the "Yankees" generally. We were, in his imagination, beings not exactly human, of outre appearance, slovenly attired, and "brassy" manner, that he would not have been much surprised had he found us exhibiting all the outward characteristics of his traditional Satanic Majesty.

I doubt if even the editors-in-chief of these papers over heard of the free marriage of George Henry Lewes and Marion Evans, and it is certain that they know nothing of the long struggle of Moses Hull and Mattie Sawyer and the legal fight of Mattie Strickland and Leo Miller in Minnesota. In fact, they are utterly incompetent to treat any subject requiring breadth of vision, a tolerant spirit and an acquaintance with reformatory movements.

It is very cheering to us to find that so many of Lucifer's readers are, with us in this effort, to be true to ourselves and loyal to the cause of human liberty, and I hope that they and many, many, others from whom we have not yet heard, will see to it that, no matter how this struggle shall terminate, as regards Lillian and myself, LUCIFER shall live and prosper.

If the lady of whom "H." speaks in No. 179, is more anxious to retain the good opinion of "respectable" orthodox bigots, the cruel persecutors of those whom they dare not meet upon the platform of free discussion, than she is to be logically true to the principles of Free thought and to stand loyally by the victims of Church and State tyranny, I, for one, hope that she will ally herself permanently with her congeners, and no longer make a pretense of being what no person can be who denies the right of PROTEST, that is, a Liberal, a Free thinker. This woman knows, as does every other person of average sense, that we, from contact with whom she draws aside her skirts in real or simulated horror, have committed no crime, have invaded no one's rights, have done no more than we had a right to do, having simply put into practice the fundamental principles of the right of Private Judgment and freedom of Choice and of Contract, principles which she, no less than we, accepts *theoretically*, and which even she puts into practice when it suits her so to do, as for instance, when the prohibitory law is the "respectable" invader of private rights. But when the rights of some one else are involved, she suddenly and conveniently forgets all her previous loud championship of "personal liberty," and joins her voice with those of the other "respectable" people who cry, "merciful him, merciful him." And she is not alone in this most unjust inconsistency, the world swarms with just such "lovers of freedom." What those people most need is moral courage, "back-bone," and I always feel impelled to say to a person of this class, using the language of the poet,

"Throw your moral shoulders back,
Show your spine his nerve and marrow,
Just the things it seems to lack."

Calvin Blanchard, the able biographer of Paine, wittily and truly wrote, in substance, that the "respectable" members of society are always ready to receive favors from those whom they placidly style the "vicious, immoral," and whose future abode is hell, or *ought* to be, they are quite sure. I was reminded of this by reading "H." remarks concerning that "well-known Free thinker, a near neighbor and generally good friend," who was "almost a daily visitor previous to" our arrest, but who now "comes no more." This is a perfect illustration of the truth of Mr. Blanchard's observation. A man can afford to be a "generally good neighbor" when his daily visits to a printing office do not make him too much "off color" among the "respectables," and at the same time save him a bill for morning papers and other reading matter, and the value of his "friendship" can be quite accurately gauged by the precipitancy of his flight when from the clouds of persecution begin to lower a little darkly. "Friend" and "neighbor!" Bah!

In returning to Oskaloosa on Friday there were grouped a few seats from us several gentlemen who were reading the morning papers and commenting upon the speeches of the convicted Socialists and the refusal of Judge Gary to allow a new trial. There was much heartless hilarity over the apparently sure fate of the victims of Society's crimes, but not a word of human sympathy for the mothers, sisters, wives and children who are the greatest sufferers of all. The opinion was coincided in by all that *this* world and socialism in America! How blind! Do not these men know that Socialism is but the logical extension of the principles upon which the present majority rests, and that, also, those eight men did not create the revolution of which they were among the first victims, but that it is the inevitable result of unjust conditions which they (these blind ones) are helping to perpetuate? One of these gentlemen laid down the law in this way:

If a newspaper advises that a certain crime be committed, and if, subsequently, some body gets killed at a meeting of (Continued on 2nd page)

Lucifer, -- The Light-Bearer.

PUBLISHED WEEKLY.

TERMS:

One copy, one year, - - - \$1.25
One copy, six months, - - - 65
SPECIMEN COPIES FREE.

All letters should be addressed to LUCIFER, Valley Falls, Kansas.

No communications inserted unless accompanied by the real name of the author.

Each writer is alone responsible for the opinions advanced or statements made by him.

HEAR THE CALL.

(Adapted for Secular use by E. C. Walker.)

Lo! the day of truth is breaking;
See the gleaming from afar!
Sons of earth from slumber waking,
Hail the bright and Morning Star.
Up and onward strike for Truth and Right,
Let no heart in terror quail,
Freedom! shout the gath'ring legions,
In her name we shall prevail.
Onward marching, firm and steady,
Faint not, fear not Palehood's frown;
For the Truth is with you always,
Wearing eyes or victor's crown.
Conqu'ring hosts with banners waving,
Sweeping on o'er hill and plain,
We'll shall halt till wings the tidings,
"Truth o'er all the world doth reign."

CHORUS—
Hear the call, of truth ye champions!
Strike for Liberty and Light.
Still beneath the banner of Progression
March ye, till the light of Liberty is bright.

A FUNERAL POEM.

The Boston Sunday Herald says, that at a Baltimore man's funeral, lately, the solo service consisted of the reading of this poem: written by himself, about a fortnight before his death:

When o'er my cold and lifeless clay,
The parting words of love are said,
And friends and kindred meet to pay,
Their last fond tribute to the dead,
Let no stern priest, with solemn drone
A funeral liturgy intone,
Whose creed is foreign to my own.
Let not a word be whispered there
In pity for my unbelief,
Of sorrow that I could not share
The views that give their souls relief.
My faith, to me, is no less dear—
No less convincing and sincere
Than theirs, so rigid and austere.
Let no staid words of church-born song
Float out upon the silent air,
To prove, by implication, wrong
The soul of him then lying there.
Why should such words be blightfully sung
O'er one whose lively tongue
Such empty phrases never rung?

But, rather, let the faithful few
Whose hearts are knit so close to mine,
That they, with time, the dearer grew,
Assembled at the day's decline;
And while the golden sunbeams fall
In floods of light upon my pall,
Let them, in softened tones, recall,—

Some tender memory of the dead—
Some virtuous act, some words of power,
Which I, perchance, have done, or said,
By loved ones treasured to that hour,
Recount the deeds which I admired,
The motives which my soul inspired,
The hope by which my heart was fired,
And the good that I have done.

For The Defense Fund.

We have received the following generous donations from our New York comrades:

Dr. E. B. Foot, Sr., 25 copies of Plain Home Talk.
Dr. E. B. Foote, Jr., 100 copies of Radical Remedy; 100 copies of Hand Book of Health Hints and Ready Recipes.
These are to be sold and the proceeds used in the defense of our imprisoned co-workers, Lillian Harman and E. C. Walker. Sent, postage paid, at regular prices.

Plain Home Talk, - - - - - \$1.50
Radical Remedy in Social Science (Invaluable), - - - - - 25
Hand Book of Health, - - - - - 25

By buying these books, friends of the Cause, you can at the same time assist us and benefit yourselves. Address, LUCIFER, Valley Falls, Kan.

The two LUCIFER, English and German, one year for \$1.50. Send for them

LUCIFER

VALLEY FALLS, KAN., Oct. 15, 28c.

MOSES HARMAN & E. C. WALKER
EDITORS.

M. HARMAN AND GEO. S. HARMAN
PUBLISHERS.

OUR PLATFORM.

Perfect Freedom of Thought and Action for every individual within the limits of his own personality.
Self-Government the only true Government.
Liberty and Responsibility the only Basis of Morality.

The Defence Fund.

Some of our earnest comrades, realizing that this persecution is subjecting us to heavy extra expenses, and that it has removed two of the group from the field of productive labor, have sent us such sums as they felt that they could spare, while others have promised to do so soon. We are deeply grateful to these kind friends for their timely assistance, and assure them and all others who may be disposed to help, that all money thus contributed will be used to help comrades E. C. Walker and Lillian Harman through their difficulties, to vindicate the right of Choice and Contract.

Up to date there has been contributed and promised, as follows:

Previously acknowledged	\$17.69
Mary E. Preston, Maquoketa, Ia.	\$ 40
Joseph Ellsas, Birmingham, Conn.	2.00
C. T. Fowler, Kansas City, Mo.	1.00
M. Franklin, New Haven, Conn.	50
George Lynn, Joliet, Ill.	1.00
Wm. Blacklock, Warrior Sta'n, Ala.	1.00
W. H. Holtzschneider, Humboldt, Kas	5.00
Dr. Karl Vogtle, " "	2.00

L. V. PINNEY closing a long editorial on our prosecution, says:

We are sorry that these two very worthy young people are in trouble. The enormity of their sin is not apparent to us, and the fact that they are lawfully and piously married, whether they will or no, makes their relation perfectly pure, of course, and should excuse them in the eyes of those people whose virtue is attested by a marriage certificate framed and hung up over the door. In one respect, however, they are perhaps inexcusable. They agreed that the young lady need not change her name. This outrage of the deceivings (custom declaring that a married woman shall have her master's name branded on her forehead, or if not so branded the brand shall be understood in her case) cannot be overlooked. If the young lady will not consent to be branded, then of course she, and Walker too, ought to be hung. But otherwise they seem to have conducted themselves properly enough and their arrest is a piece of officious meddling with their affairs, the reverse of creditable to the parties engaged in it, and wholly unnecessary.

Mr. Walker declares that if he is held for trial he will make "a long and bitter fight," though this would appear to depend somewhat on whether his friends about the country remember that Walker & Harman are still in the book business and that liberal purchases will materially assist—a hint to the wise which will be sufficient we trust, and lead to the triumphant delivery from the Oskaloosa jail of the most brilliant and perhaps the only constitutionally honest man it ever contained.

Mr. Walker is guilty, if it is true, of believing, with every other free-thinker in the land, that church sanction and ceremony are unnecessary, even absurd, in marriage. He is guilty also of believing that state sanction and ceremony are equally unnecessary and absurd. These are his opinions. It is not necessary to indorse them in order to say he has a right to hold them. Since he is by the common law legally and by the canon law sacerdotally married he would seem to be sufficiently married for all society purposes. And since he has neither received nor injured anybody he is morally guiltless. What then is his fault? Simply this, that he holds opinions not sanctioned by the majority of his fellow men. When a man is imprisoned because his opinions are unpopular his case becomes the concern of every other man in the country, regardless of opinions. - Winsted (Conn.) Press.

"Sabbath Observance."

The enemies of Sunday Liberty are very active in these days. Throughout all the so-called "Christian nations" a desperate effort is being made to introduce or revive the puritan Sabbath. This movement is especially active on the Continent of Europe and in this country. It is international in its character and contemplates nothing less than the subjugation of the whole world to the narrow and despotic ideas of Scotch and American modellers, whom it would be a prodigious waste of charity to regard as anything else than hypocrites; for but few of them, the leaders, I mean, are so ignorant as not to know that they have no foundation in their Bible, which is at once their fetish and their text-book, for what they continually call the "Christian Sabbath."

In so far as our Constitution guarantees civil and religious liberty these Covenanters priests are in open rebellion against it, they hate with an implacable hate every principle of Secularism incorporated therein by the fathers, and to the ideal Republic of man they

are potentially traitors. Whatever disclaimers Jesuitical cunning may lead them to make they nevertheless believe and are striving to establish a theocracy in this country. They desire a united Church and State, or, more correctly speaking, they want a Church which is the State. Not only is this the object of the comparatively small number who openly advocate the Christian Amendment to the Constitution and are in actual affiliation with the National Reform Association, but it is equally the object of the almost immeasurably greater body of Christian clergymen who support the "Sabbath Observance" crusade, and are active in advocacy of prohibition and similar centralizing and ecclesiastical movements.

I pause here long enough to note that the prohibition conventions of Pennsylvania, Massachusetts, Texas, and other States, distinctly and emphatically declare that "God" is the source of all human governments, and that they recognize that their first duty is to render obedience to him as the great law-giver. All of which means that the priest, as "his" accredited ambassador and the interpreter of his will, should be placed above the enactors and excoutors of the civil law, that is, the Church must rule the State.

In the Christian Statesman of September 23d, I find considerable bearing upon this subject, and to show our readers the progress the Sabbatarians are making, as well as something of their designs, I condense and put into my own language these items:

The Philadelphia Sabbath association is endeavoring to prevent the giving of city advertising to the Sunday papers. There is a movement on foot in that city to discontinue funerals on Sunday. Louisiana Senate has concurred in the action of the House and "has passed a good Sunday law." (This state had never before adopted a general Sunday law.) The Pennsylvania H. R. Company has lately refused to run Sunday excursions on its main lines. The Iowa railroad commissioners have lately asked the Legislature to put railroad work on Sunday on the same basis as other business. The Prohibition conventions are everywhere demanding the passage of more stringent Sunday laws and the strict enforcement of those now on the statute books.

The Church is making a frantic effort to save Sunday for her exclusive use. If she can have this day all to herself for the poisoning of the minds of the children, she realizes that she has yet a long lease of power.

FRIEND WALKER: Yours just received! Sorry you are in such a fix, and I fail to see what the animus of a member of the family could be to thus cause your arrest. I wish I was able to send you some money, but am not, but will give you all the moral support possible. I am indignant at the treatment given you in the Truth Seeker, and if I can get time will give them my opinion of it. I think you will be cleared on your trial. Why, the Quakers always marry themselves. There never was a time when the tyrants in this country were so active as now, the reason being they observe the unrest of their slaves and fear they shall lose their power. My friends in Chicago writing to be hung, with several here in prison, and now you are under arrest. I feel as though I was remiss in my duty that I am still at liberty. I may not be long. Know you have my sympathy and my profound respect for your protest against the middle-class interference of the Church and State in matters that are of a purely private nature and should be sacred between the two parties alone. Oh! the hypocrisy of society, its sham virtue, its utter rottenness, its sycophancy and weakness; it prostitutes its powers in every direction, fawning at the feet of a sham respectability until one feels almost ashamed that he belongs to humanity, only for the few noble, brave souls who dare to defy its unholy, brazen demands.

Bless you for your courage to dare do what you believe to be right. Fraternally,
JULIUS H. SEVERANCE, M. D.
Milwaukee, Wis., Oct. 3.

DEAR LUCIFER: Enclosed please find two collars for my subscription. Send as long as it lasts. Your paper is the only Liberal publication I receive now, for your truly liberal view of individual liberty is the only right one. Another reason is, you are the only paper that has the courage to give the truth about that grand (?) lawyer, the false founder of that false liberal town in Missouri.

For that other lawyer, Stewart, he is only a barking dog for money. I heard him give two lectures on opposite sides, for a consideration, and give satisfaction to both materialists and spiritualists. Oh, lawyer, lawyer, Liberal, No. is not a liberal town, but only a scheme to enrich its ignoble founder and victimize true liberal people, as I found to my cost. Yours in strong sympathy,
Datto City Mont.
B. A. LAMBOTTE.

Copies Free.

The publishers of the *American Agriculturist* will forward a copy free to every person who has been a subscriber to the *American Agriculturist*, but is not now one (provided they send their name on a postal card, to the end that they may see the great improvements that have been made in this periodical.

LEGALITY vs. JUSTICE.

Convicted by the Jury.

"When the innocent are convicted the law [the Judge] is condemned."

Again has despotism, under the shadow of legality, achieved a triumph. Again has a most gigantic legal crime been perpetrated; or rather another long series of crimes has received official sanction at the hands of a district Judge in Free (?) Kansas.

On Thursday the 14th of October, 1886, the case of E. C. Walker and Lillian Harman, imprisoned on the charge of "unlawfully and feloniously living together as man and wife without being married," was called in the court of Judge Crosier at Oskaloosa, Kan. Attorneys Overmeyer and G. C. Clemens for the defense, presented a petition for change of venue on the ground that the prejudice and excitement against the defendants were such as to preclude the possibility of a fair and impartial trial by jury in Jefferson county. In evidence of this state of things extracts were read from five of the local papers published in the county—two or three of which papers freely recommended the use of lawless violence against the defendants and against the paper with which they are connected.

This petition was denied, and the motion overruled by the judge. Some time was then occupied in securing a panel of jurors. The first witness called was M. Harman, the writer of this. In answer to questions put by state's attorney Gilluly the testimony of this witness was substantially as follows:

I am the father and only living parent of Lillian Harman, one of the defendants. She will be seventeen years old in December next. Edwin C. Walker, the other defendant is associated with me in editing the paper called *Lucifer*. I was present at the autonomic marriage of these two persons on the 19th of September and gave my consent thereto. There was no magistrate, clergyman or other officer of church or state present. Not having any use for church or state officials none such had been summoned or invited. The parties married themselves in their own way, retaining and recognizing all that we deem good in marriage, as commonly understood, and eliminating that which we deem immoral, or that which may in the future result in immorality. There was no license from probate court exhibited on this occasion. We regard the license and civil officer as non-essential to marriage—that these formalities are directory to the officers and not prohibitory as against us. We claim that we have violated no law of Kansas.

Here the attorney interrupted with the question: "How long since you first made that claim? Have you not repeatedly said that you defied the marriage laws of Kansas?"

Before the answer could be given our counsel interposed an objection which was sustained by the court. If I had been allowed to answer, the reply would have been something like this:

We have said that we ignore the technicalities of the statute law in this matter, claiming as we do, that "marriage is a civil contract, in which the consent of the parties is essential," as stated by the statute itself; and as nothing else is stated to be essential we legitimately infer that nothing else is essential to marriage in Kansas. To vindicate and maintain principles we may in future find it necessary to disobey and even to defy statute law, as abolitionists disobeyed and defied statute law, but we do not think this alternative has yet been presented to us.

The next witness on the stand was W. F. Hiser, the complainant. His testimony was substantially as follows:

The last witness on the stand is my step-father. I was at his house on the 19th of September last, and saw and heard the proceedings called by these defendants an autonomic marriage. They occupied the same room during the night and came out of it together next morning.

At the dictation of attorney Gilluly Mr. Hiser said that he heard Mr. Harman say on the evening before the day just mentioned that

"This marriage will take place regardless of law—in defiance of law."

or words to that effect.

In regard to this last statement of the witness I would here parenthetically remark, that while I have no recollection of using such language to him or to any one else, it is not impossible that something was said that made such an impression on his mind. Our attitude on the matter of law, however, has been, as already said, an attitude of ignoring formalities and of protest against legal interference with our natural rights, rather than an attitude of defiance against law as law. Again and again have we iterated that we stand upon the Bill of Rights that guarantees to every American citizen the right to life liberty and the pursuit of happiness so long as he invades no right of any one else.

As at the preliminary examination at Valley Falls, Mr. Overmeyer showed by an overwhelming array of argument, based on evidence deduced from statute law and from precedents and rulings of the highest authorities, that we had done no wrong, had violated no law that is binding upon us. He claimed, as we claim, that the parties are married, and if married they are entitled to the protection of the law.

All to no avail! The judge in summing up, admitted that if either of these parties were to marry without divorce they would be liable to prosecution for bigamy, and yet with the logic of a politician and a pettifogger, maintained that in Kansas a license and legal officer was necessary to marriage! He therefore instructed the jury to return a verdict of "guilty" if from the evidence they find that the parties have lived together as man and wife without first having obtained a license and being then married by a legal officer.

By this ruling E. C. Walker and Lillian Harman stand between *Scylla and Charybdis*! They are to be punished because they are not married, and if they accept that ruling and marry other parties then they must be punished as bigamists because they are now married! Shades of Lycurgus and Solon, here's wisdom for you!

Apparently the judge sensed the dilemma, the self-stultification in which this ruling involved him, for though the jury very promptly, as in duty bound, brought in the verdict of guilty, he declined to pass sentence, but adjourned court and reserved his decision till Tuesday the 19th inst.

Meantime the proper steps are being taken to carry

the case to the Supreme court of Kansas.

And thus this Kansas drama drags its tedious length along. Whether its ending is to be farcical, tragical or melodramatic is yet to be seen. To show that some ludicrous features have been developed we only have to mention the rulings of Judge Crosier. That some features bordering on the tragical and shocking have attended it we have only to read Mr. Walker's account of what occurred in the Topeka jail, as given on our first page. If robbing a man and woman of their money, their time, their liberty and their health, and if attempted robbery of their good name by false and slanderous reports sent all over the land—if these partake of the tragical then we are having a large share of that element.

Time and space fail, and we must close this chronicle till next week. Meantime we wish again to thank most heartily all who have sent us words of cheer and material aid. Absence from office and multiplicity of distracting cares have prevented the acknowledgment due to many if not most of these good friends.

KANSAS LIBERTY AND JUSTICE.

To Jail and There.

[Concluded from first page.]

those who sympathize with the views of this editor, then he, said editor, should be hanged for such killing. According to this, when editor Roberts of the Oskaloosa Independent advises our printing plant should be destroyed and we driven from Valley Falls, he made himself accessory to our murder before the fact, and should a mob make an attack upon us and one or more of our group should be killed in defending our property, then editor Roberts should be hanged. And so should the editor of the Winchester Argus. This is the logic of the faction to which these men belong.

"We honestly believe it to be the duty of the citizens of Valley Falls to get rid of the Free Love and Anarchistic organ there as soon as possible, for the sake of the reputation of the town and country." So says the Oskaloosa Independent of the 9th inst. And it further speaks of "the impression given abroad by the sufferance of that and kindred spirits in their midst," etc. Editor Roberts says this under the stimulus of a thirty line paragraph in Sol. Miller's Troy Chief, a paragraph in which that grand and lofty political tumbler manages to tell about two dozen downright falsehoods regarding us.

I "honestly believe" that Roberts does not know anything about the duties of an editor; that he deliberately incites to mob violence because he has neither the natural ability, the education nor the straightforwardness to argumentatively attack our position; that he is utterly indifferent to every consideration of decency and humanity and would not feel a qualm of conscience should his criminal utterances lead to the maiming or murder of helpless women, and that he is a fair sample of the fruits of the "Christian civilization" of this age and land, one of the newspaper scribblers so common nowadays, a man whose ideas of honesty and fairness is to cruelly malign people who do not worship at his altar, and then deny to them every opportunity to vindicate themselves through the columns of his sheet. He dare not let both sides be heard in the Independent, he knows that it would be fatal to the existence of the entire unvierities which he fathers.

E. C. WALKER.

NOTES.

Speaking of W. and H., the Topeka Commonwealth says:

"At the first glimpse one is impressed that the prisoners compare favorably with the average man and woman of these times, but in conversation they soon prove themselves cranks," that is, in the estimation of "the average man and woman of these times," we are cranks. This neither surprises nor disquiets us. But it is noticeable that this innocent-appearing-boy reporter had a favorable opinion of us when depending upon his own reading of human character by observation of faces, but at once pronounced us "cranks" when we, briefly stating our principles, alarmed his prejudices, which are the children of education, training, not the offspring of reason.

Senator Sol. Miller says in his paper, the Troy Chief, speaking of Valley Falls:

"It has more murders, more mobs, more vice, more scoundrels, than our whole county. For years, it has had a society of Spiritualists, Infidels, Free-Lovers, and other kindred isms, that scandalized the whole community. Of late they have added Socialism and Anarchy to their attractions. They have had a newspaper called *Lucifer*, and the carryings on have been of the Lucifer kind. Last week the editor's daughter was united in a Free Love marriage to a member of the society, under circumstances which will be likely to send him to the penitentiary."

And this vicious editor also remarks that Valley Falls "can alone discount the entire county of Douphan in clean-strained beastliness and crime."

I am not quite certain whether Mr. Miller regards us as the cause of all this vice and crime and beastliness, or the result of it,—or merely mentions us to lengthen his indictment of Valley Falls. But whatever he may have meant, the Oskaloosa Independent quotes him in its effort to show that we are bringing shame and contumely upon the town and county; and so I shall consider the two editors as co-conspirators in the attempt to inflame the passions of the people against us through the agency of wholesale slander and abuse.

Why are the crimes of those who hate us thus made into clubs wherewith to beat us? Can one of these murders justly be laid at our door? As for mobs, have we participated in any? And who are they who now threaten mob vandalism and probable murder? Ah! when the true answer is given let the cheeks of our editor-enemies flush with the inextinguishable tinge of shame. "Thou art the man." "Scandal!" who are they who are now reveling in scandal, who are rolling it as a sweet morsel under their tattling tongues? In this, as in almost all other cases of "scandal," the real scandal is found in the impudent, prying, filthy nosing of sneaks into the business and social concerns of their superiors.

Yes, the "carryings on" have been of the Lucifer kind," for "Lucifer" means LIGHT-BEARER, and we have labored in the light of day, and have uncovered to that light many a foul social, political and industrial cul. We have

not shirked and lied, we have called a spade a spade, a crime a crime, and have dared to speak for liberty and justice for all men and women. This is why we are hated and hounded, threatened and reviled. We never could be popular among hypocrites, among canters and popularity-hunters.

Does not Senator Miller know that mine is not a penitentiary "offense," that it is only a misdemeanor, at most, even in the eye of that "law" he craves? Undoubtedly he does, but he thought he could make a stronger point by saying I was likely to be sent to the penitentiary. These friends of "decency" are wholly indecent in their methods of warfare.

There are ten cases docketed for this term of the circuit court in Jefferson county which possess a peculiar interest for us. One of them is our own. We are arraigned for marrying ourselves, for failing to believe that a license and other statutory humbug would make us love each other more, would make us more truthful and just, and secure a greater resultant of happiness. We did not and do not believe that they "whom man hath joined together" become better men and women because of such joining.

But most people do so believe, and therefore they get a license and go to a justice or a minister and are "legally" married. If our persecutors believe that our non-statutory union is a crime and is lead to marital unhappiness, unfaithfulness, and separation, it must be because the observed results of legal marriages are preponderantly good, because said results give substantial pledges to "society" that whoever doth marry according to law will be almost sure to be kind, generous, virtuous, honest; to have good children, and to continue together in love's union until the sun of life sinks into the sea of Rest.

Unfortunately, the facts are very much against this theory, and it will do no harm to call the attention of the smelling committee that is running the little Inquisition upon whose rocks we are stretched, to the NINE DIVORCE SUITS that are on the docket for trial in this term of the court that has our immediate fate in its keeping. In each of seven of these suits, the woman is the plaintiff, which would seem to argue that a license for cohabitation does not always secure the happiness of the woman who is by it made virtuous in an association that without that bit of paper would have been her lifelong disgrace. Suppose that these self-elected censors of our morals let us alone for twenty or thirty years, and by that time they can tell better whether the fruits of our form of marriage are better or worse than those of the average conventional marriage. They would thus exhibit a becoming modesty in the face of an immense mass of facts that in no way tends to the support of their theory, and they would for once have the feeling of intense satisfaction that comes from the consciousness of having attended to our own business.

Mr. E. C. Walker and his mistress had their preliminary examination on Monday.—Meriden Report.

Not quit correct, neighbor Gish. Mr. Walker is not so lucky—or so unlucky, as the case may be—as to have a "mistress;" and this is probably just the difference between him and the editor of the Report. Mr. Gish is a married man, we believe—married according to law and Madam Grundy—and if so he owns a "mistress"—Misses (Mrs.) Gish! Lillian Harman is no man's mistress. She would not change her name, or surrender her right to self-ownership, to become Mrs. Jay Gould or even Mrs. Grover Cleveland—"the first lady in the land." If reports be correct, (and they are not denied, we believe, by Mr. Cleveland or his friends,) our present chief magistrate has had considerable experience in the mistress business. His first mistress, one Mrs. Halpin, may have been a very excellent woman; her only indiscreet act may have been her clandestine association with Grover. Mistress Frankie, (ne Folsom) may be a very excellent woman; her only indiscreet act, if indiscreet it be, is probably the surrender of her name and identity to become Mrs. (mistress) Grover Cleveland. In either case love—not lust nor policy—may have presided over the union; then, again, love may have had nothing whatever to do in either case. Love and policy, love and legality, have no necessary connection with each other.

Let neighbor Gish post up a little in the gospel of Automatism. When he does this he will find that automatists do not keep mistresses, nor allow themselves to be kept as such, whether in the legal or non-legal relation.

We have mentioned one point of difference between Mr. Walker and Mr. Gish. Another slight difference might also be noted, viz: Mr. Walker is a gentleman, and therefore incapable of casting such things at the reputation of a man and woman who have never injured him, simply because it happens to be the popular thing to do.

It is to be hoped that the justice-impaired crank, E. C. Walker, will soon be met by the liberty-impairer, that the great Commonwealth of Kansas permits free speech, and free press, but does not permit her most sacred laws boldly violated and trampled under foot.—Kohl Rabi in Valley Falls Register.

Will the "great Commonwealth of Kansas" come into court and say how, when or where E. C. Walker has committed a crime against it? If this Commonwealth will not appear in person, will Kohl Rabi appear and show how, when and where E. C. Walker has injured him or a single human being in Kansas? Laws are made for the protection of persons and property—and this is their only use or excuse. If E. C. Walker has invaded the rights of no person in Kansas then he has not injured the "Great Commonwealth of Kansas."

If ever Kohl Rabi (whom we know to be a kind-hearted man) shall have developed beyond the rudimentary, cabbage stage of his existence he will then comprehend and realize that a law that imprisons a man for no offense whatever except minding his own business, is not a "sacred law," but on the contrary it so foul and rank that like the offense of Hamlet's uncle, it "smells to heaven."

THAT MARRIAGE.

To the "Outraged" Christians of Valley Falls, Kansas.

GENTLEMEN:—If, after the "terrible outrage" from which you have recently suffered at the hands of E. C. Walker and Lillian Harman, you are sufficiently cool to be capable of reasoning, let us for a few moments reason together, in regard to this "terrible outrage." In the first place, let us ascertain in what the said "outrage" (?) consists. Having definitely determined the nature of the offense, we can easily determine the kind and amount of punishment that should be inflicted upon the offenders. We can easily determine whether it is your duty as followers of the "meek and lowly Jesus" to arise in your offended majesty as a mob and execute summary vengeance upon these violators of the "peace and dignity of the state of Kansas," or to patiently let the law (?) take its course.

Of what, then, do these two parties stand charged? "Of marrying by contract," you answer. Very good. Let us analyze the charge and ascertain wherein the criminality consists. They married. But is marrying a crime? If not were the parties unfitted in any way for entering into the marriage with each other? If not, what was there wrong or improper in them entering into that relation? "Nothing wrong in that," you answer, "but they married by contract." The criminality, then, consists in the contract, does it? But is it a crime for two parties to enter into a contract to do a right and proper thing? And, without some sort of contract or agreement, how can any man and woman enter into the marriage relation or into any other form of partnership? "There was nothing wrong," you answer, "either in their marrying or in their contracting; but they failed to have a marriage ceremony performed by a preacher or magistrate or other person authorized by the laws of Kansas to perform such ceremonies." Their criminality, then, consists, not in anything they have done but in something that they have neglected to have done by a preacher, a magistrate or some other person.

Having now learned exactly wherein their offense consists, let us next consider the nature of that offense. All grave offenses consist either in what are called crimes or in what are called vices. The offense of these parties, then, if they really be guilty of any offense at all must be either a vice or a crime. But what is a crime? A crime consists in any injury done to one individual or to one set of individuals by another individual or set of individuals. A vice consists in any injury done to an individual's self, or, rather, by any oft repeated act, called a habit.

If, then, the omission of the defendants in this case to have a marriage mummy muttered in their presence injured any other individual in his person, his property, his reputation, etc.—if it invaded any of his inalienable rights, then, of course, they are guilty of a crime. If, on the other hand, this omission on their part injured only themselves, then, of course they are only guilty of a vice. And if this omission injured no one at all then they are guilty of no offense at all, and their arrest, their imprisonment, &c. being injuries done to them by other parties, become crimes on the part of the perpetrators of these injuries, whether these perpetrators be simply individuals acting as such or combinations of individuals called the church, the state, &c.

And now, gentlemen, will one of you be so kind as to name any injury of any kind done to yourself or to any other third party by the omitted act of these defendants? What inalienable right of any third party was invaded by the omission of that act? If you cannot name any such injury, then you must acquit them of crime, and must not inflict upon them any punishment at all.

Let us now try them on the less grave charge of vice. Will some one of you, then, please name an injury of any kind that they did themselves by the omission in question? If you cannot name any such injury then you must hold them innocent of any offense whatever. And even if you should find them guilty of vice—guilty of injuring their stomachs, their livers, their kidneys, their organs of sex, &c., by the omission in question, you have no right to inflict any additional injuries upon them in the way of punishments. Vices always bring their own punishments, and are never punishable by other parties.

"But," you reply, "the laws of Kansas require that persons, entering into the marriage relation, must have a marriage mummy muttered in their presence by a preacher or some other party authorized to mutter such mummies; and omitting to have such a mummy muttered these defendants violated the laws in question." Their offense, then, if it be an offense at all, is a purely political one; has nothing to do with either right or wrong, virtue or vice, morality or immorality. Their offense (?) is exactly similar to that of a physician, who without a license ventures to heal the sick. His act is, in itself a right and proper one, one that should not be prohibited—one that should not require any license—any mummy from any third party; one that should be merely a matter of contract between the two parties interested, the physician and the patient. He has done nothing wrong—he has not injured any one. If, then, because of this right and proper act, he be injured by fines, imprisonments, &c. in the name of punishments, then the parties inflicting these injuries are criminals, though they be millions in number, though they be organized as a state and though they then inflict the injuries according to a mummy gotten up by themselves and called a law. Longmont, Colo. JOHN R. KELSO.

(To be continued.)

We are glad to hear that the chances for a hearing of the Chicago Socialists before the supreme court are reported to be improving. If the state of Illinois allows seven judicial murders to be committed because an unknown person threw one bomb, then should the lovers of freedom everywhere put on sackcloth and ashes.

A great many letters full of sympathy and encouragement to the Lucifer band, especially for the two now held in "durance vile," are necessarily left over.

LETTERS FROM FRIENDS.

Editors Lucifer: I have read with much interest the account of E. C. Walker's and Lillian Harman's Automatism marriage, also the preliminary trial for the defense of the poor dear outraged public. As I read I wondered what sort of a specimen of the "Gone Home" man Lister could be, who is willing his name should go down to posterity as a sex scavenger, lest Mother Grundy's putrid, warped nose might scent something out of propriety's line according to the social code which all intelligent men and women have outgrown and as a rule either break it or despise it, while they chafe under the galling yoke of old king custom has placed upon them in congenial relations.

Walker's statement of his belief and intentions toward his companion is beautiful and grand, and if he can live such advanced ideas, making his partner in the labor and cares of life free, while he holds himself sacredly to all his obligations toward her, he most assuredly deserves to be revered by coming generations as the veritable hero which he is.

Mr. Harman's address to the man and woman entering upon a new life in association with each other—inculcating the idea that marriage is woman's institution, preeminently, instead of man's deserves to be engraved upon the marriage service of the entire world.

Hoping that a new impetus will be added to progressive thought upon the sex question I am yours for justice, N. C. GUZZY, Palmer, Kan.

Mr. HANMAN, Dear Sir:—I got the last issue of your paper, and reading it I am surprised and at the same time somewhat, to see an expression of the priesthood, damned mad to see them mutter about destroying your press. Look at the history of the world—Can you find when they, the clergy, were willing to listen to reason, and give people their rights except when backed by arms? I believe that every person should mind his own business, and if I have to fight to keep people from minding mine, I will. The church today has a greater following of scandal-loving hypocrites than all those outside of it. It seems curious to me that Liberals are only half awake; as when they stop at the title. To do away with that is not half the battle. The freedom we need, not the privilege is that of living, eating, drinking, and enjoying ourselves in any manner we may choose, and with that liberty we will not hinder others from doing the same. If you prefer to go to church on Sunday that is your privilege, and if I prefer to do something to add to the comfort or pleasure of my family, that is my right, although I have been threatened with prosecution if I did. I told them I could make two or three of them suffer while they were at it.

I make my final proof on my honeymoon today, and I hope that I may get through all right; if so I know I can and will help Mr. Walker and Miss Harman in a better way than sympathy. Yours for Liberty, Success, Kan. CHAS. H. DINNENY.

Friend Harman: What dastardly outrages have been committed by society, so-called, and forms of law. Two as good and true citizens as the sun ever shone upon, have been arrested for no crime at all, only for attending to their own business in a legitimate way. The clergymen and society people are now and have always been moving around into other people's affairs and trying to make them run in certain ruts of their own making. They scent the Mormons from afar, and hold up their hands and turn up their noses in holy horror at acts of theirs (the Mormons). Whilst they, respectability and society, at home are too rotten to bury. The clergy and officers in authority see in the near future if your action and friend Lillian's should be sanctioned by law, their pockets depleted and a good share of their business gone. Your article on Society I endorse, your action in the marital I also endorse, and believe your position correct. It seems that all new movements in the past have had their birth through martyrdom. I am in full sympathy with you, and would willingly help you in your defense but am unable to do so just at present. Will assist you at least when you want one dollar for the building fund. Keep good courage, remembering that the darkest time is always just before daylight. Respectfully, Kalamazoo, Mich. JAMES S. BEDEL.

To LILLIAN HARMAN: I have just read of your persecution on account of daring to be true to your convictions of right without the license of Church or State. My soul is filled with indignation at the ignorance of the people, and admiration of you for the stand you have been brave enough to take in behalf of liberty for woman. Willingly would I share those trials you are now passing through were it in my power to do so; my unbounded sympathy you already have. I am heartily sick of people professing to be liberal, applying this thing called society catering to its old stereotyped ideas of morality and virtue, for the sake of being considered respectable by this hydra-headed monster which only exists in the brains of fools; for my part I want none of it, would be ashamed to have it, should consider myself branded hypocrite should I be unfortunate enough to come in possession of it. To me the greatest virtue one can boast is to be true to one's self. What crimes and

misery carried on under legal sanction and in the name of virtue and morality. This marriage system is the curse of the race. A good tree cannot bring forth evil fruit, neither can a corrupt tree bring forth good fruit, it is the root of the whole matter. When will the people come into a recognition of this fact.

Women who wear the stamp of prostitution all over them, done under legal sanction, will faint and fall into the arms of their legal rapists should the word free love happen to be spoken in their virtuous (?) presence; this is sheer ignorance on their part, men are not such consummate fools; their motives being purely selfish the fear of losing the slaves to their lusts, so about virtue and morality.

Inclosed find \$1 to help carry the war into Africa. Wish I was able to send \$100. Truly your sister in the fight. Clifton, Ia. MATTIE E. HUNSON.

P. S. Dear Lillian: Inclosed is one dollar from Mrs. O. H. Jackson; she requested me to say to you she had not felt able to continue her subscription, but she feels that she ought to, now that you are in deep waters, as every little helps, so continue the paper to their same address until the expiration of the one dollar. M. E. H.

Friend Harman: I sincerely appreciate the bravery of yourself and daughter in the example you have set before the public in the late union, and read of the arrests with indignation such outrages must necessarily arouse with any and all prejudice-free and intelligent persons having sympathy with a pure moral reform.

Let the couple be brave to face the malicious attack which the law has joined its alleged justiceful and authorityful forces. Your daughter is young to suffer such outrage, but let me prophesy that it will in coming years figure as a strength-giving memory in her working for the greatest need of humanity—moral reform. Your paper, containing news of the arrest, gained the sympathy of a friend, a Christian and a good man, whom I could not before persuade to touch Lucifer for fear of contamination. He expressed his condemnation of the arrest and his anxiety to hear the outcome of the prosecution. We both, as we know thousands of people who read of it will, give our whole sympathy to the wedded pair, and wish them a speedy release; but even should the distorted or evil minds of their alleged judges in this strictly personal and utterly harmless setting aside of old customs, bring upon them a punishment for offending a most inconsistent universal prudery guilty of innumerable genuine crimes, the cause for which we battle will profit by the wrong and violence suffered by the directly outraged party—the couple we believe have united their social and soul sympathies in good faith.

By the arrest your whole cause has been unprovokedly assaulted. Many will now sympathize who have never before recognized other than a purely imagined licentious and lascivious aim in the private contract marriage movement. The occurrence will place your paper in the hands of people who would otherwise never see and read it, even though urged to do so, just to learn the "enormous extent of its merited condemnation."

To read Lucifer is to like Lucifer, and so the good work goes on. Let your daughter and son-in-law take courage from this assurance. Reform, under our prevailing corruption throughout every grade of society, law and industry, cannot be effected without great cost, especially to its pioneers. Reform all have their martyrs, some suffering a penalty of death, while others are allotted less life-taking tortures. But there is something wonderfully grand in facing even the multitudes for our cherished principles. You can only gather strength for increased energy in behalf of individual right by such persecution.

There is no great gulf between cowardice and crime. The two travel in each other's shadow. Hypocrisy, too, is practiced in liberalism. There are professed liberals, who to be in their own element must stand somewhere among the roughest foes to liberty—individualism. Valley Falls, it seems, is not without those most treacherous and inconsistent characters. How could even the most depraved man answer you, when seeking a bondsman, by saying he cared no more for a free lover than for a dog? Not but what I think a dog one of the most honorable species of animals. Yet, to say that the man who could make such a remark, with its doubtless venomous meaning, is a boast, would be a libel on all the beasts I know of. A person of such a vicious mind should, in protection to the innocent and honest, be put under restraint, having acknowledged himself inclined to acts of criminal violence. Santa Barbara, Cal. DOUGLAS MARSHALL.

FOUNDATION PRINCIPLES

EIGHT PAGE SEM-MONTHLY

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