

LUCIFER

THE LIGHT-BEARER.

NEW SERIES, VOL. 4, No. 30.

VALLEY FALLS, KANSAS, OCTOBER 22, E. M. 296.

WHOLE No. 172

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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.

YESTERDAY AND TO-DAY.
And in a devil-age,
Was the historic page
Splashed with the blood of men who threw
at tyranny the gage.

Thus did they die and die
On block, or cross-tree high,
Because the hell-whelps on the throne they
boldly did defy,
And though the rack and wheel
And though the headman's steel
No man within our boastful land hath yet
been made to feel,
Still, if we dare defy
A mailed and mitred lie
Of Church and State, its tools will hate and
hound us till we die.
KENNETH LAMAR.

**[From the Valley Falls Register, Oct. 19.]
To the Citizens of Valley Falls.**

We, that is to say, Edwin C. Walker, Lillian Harman and myself, are accused of having committed certain crimes or misdemeanors, and two of our number have been arrested and are now in custody, awaiting trial for said offenses. If no other court were appointed than those provided by the statutes of Kansas, we should not take this method of addressing you, but when we say that the passions and prejudices of unthinking men are constantly being appealed to by the press of this county, and that the court of Judge Lynch has been freely recommended for our case by some of those papers, and by various persons here at Valley Falls, we think we are quite justified in asking a brief space in the leading Democratic paper in the county, for the purpose of presenting a few facts, and a short plea in favor of the exercise of reason, fairness, and justice, as against passion, prejudice and lawlessness.

First, let us ask what terrible crime have we been guilty of that such extreme measures should be used for our speedy punishment? The New Era of last week calls us "social marplots, moral lepers, and conspirators." Conspirators against what? Have we conspired to burn the town, wreck railway trains, or murder people by the wholesale? "Moral lepers" -- indeed! What moral laws have we violated? Are we liars, perjurers, drunkards, gamblers, usurers, swindlers, thieves, wiretappers or common prostitutes? Van Meter well knows that the tongue of slander and detraction, even, has not yet dared to breathe such insinuations. What then? Why, simply that we have dared to attend to our own business in our own way! Marriage is declared by the statutes of Kansas to be a "civil contract," and though we deny the right of statute law to regulate marriage we maintain that we have violated no law in adopting autonomous marriage instead of complying with the usual customs and ceremonies. The law does not describe what it is that constitutes marriage, further than that the consent of the parties is "essential." In no civil contract is any particular form essential, and no requirements of "license" or legal officer, are binding upon those who choose to make their "civil contract" without such license or civil officer.

So much for the facts and the law, as abundantly shown by Mr. Overmyer at the preliminary examination. Now a word or two concerning some other facts. One of the men who began this prosecution against us, himself an old citizen and prominent man of business, informs us through a friend that it was not malice or enmity that prompted his action but a desire to save us from personal violence. Now if this man is not mistaken as to the danger, and if there is still a law fails to punish, then I simply ask these zealous moralists not to wreak their vengeance on any one but myself. I am getting old; I have tried to live an honest life; I am not ashamed of the record I have made. If Liberty and Human Progress demand another victim -- another sacrifice -- let me be that victim -- let my life be that sacrifice.

None of us have ever harmed you; least of all my daughter Lillian. Do not subject her to indignity or abuse, and do not inflict punishment upon her by assaulting or killing the man she has chosen for her companion in life. If you destroy him or blight his life you thereby also blight her life. And do not destroy our press and other material; as we learn has been freely threatened. The destruction of this property would entail loss upon others to whom we are indebted, and we do not want to die indebted to any one. I therefore repeat, if you needs must have vengeance, let me be the victim. Come in open day and let me see the faces of those who want my blood.
M. HARMAN

NOTES.
A collection was raised for young Vrooman in St. Joseph the other night, amounting to \$75. He sympathizes with the laboring classes by pocketing their money. -- Oskaloosa Independent.

What would you have? Is not the man who devotes himself to the cause of suffering humanity, the miseries of which he knows, as much entitled to fair remuneration for his labor, as is the minister who preaches of a heaven and hell of which he knows nothing? And Mr. Vrooman does not pretend to be the follower of a man who told his disciples and apostles to go out and preach his gospel without money and without price. Mr. Vrooman preaches the gospel of honest work and honest pay therefor, and he is not a hypocrite. His critic belongs to a class of men who deal in futures and take a large pay as they can get for work which they were told to do for nothing. Such slurs as the above come with a very ill grace from them. w.

A Presbyterian church built of petrified wood, is one of the curiosities of Mumford, Monroe county, N. Y. -- Floating Item.

Very fitting, indeed! What a pity it is that there is not enough petrified wood to build all the churches. Such churches would be suitable places for their congregations to assemble, and manly their cold, lifeless creed, and shed their tears over the sufferings of a man who died nearly nineteen hundred years ago; while their petrified hearts can feel no sympathy for the suffering they see all around them in their daily life. z.

Orders have been telegraphed from Washington to San Francisco to pass Prince Napoleon's baggage free on his arrival in that city, and to pay him special courtesies. -- News Items.

Why should the hard-working men and women of this country pay the expenses of this princeling? What business has any official at Washington to give such "orders"? Is this a democracy or is it an incipient empire? Have our people any sense of their own dignity and of the rights of man? Why should not the prince pay and the poor man have free fare? Are we forever to give to those who have by taking from those who have not? w.

KANSAS LIBERTY AND JUSTICE.
To Jail and There.

CELL 2, THE JAIL, OSKALOOSA, KAN., Oct. 20, '96.

First, I must correct some errors of the compositor in my last letter. First paragraph, sixth line, for "as" read "so." Second paragraph, seventh line, "imperceptibly" read "im-perceptibly;" eighth line, for "came" read "came." At end of fourteenth line insert "the." Third paragraph, twelfth line, take comma from after "infested" and put after "bedclothes." Next to last line, for "combined" read "combine." Fourth paragraph, eighth line, for "jeering" substitute "peering." Some words were left out of the last lines of paragraph four, second column, and this omission makes the sense obscure there. Seventh line from bottom of second column, for "rests" read "rest." Second page, second paragraph, eighth line, insert "ground" in place of "grand." Third page, in notes, second paragraph, third line, for "craves" substitute "adores."

After the three notes following mine in this column, the wrong initial was put. It should have been "H" instead of "W." The second poem on first page was written a great many years ago, not recently, as stated in the preparatory note.

Our readers are already acquainted with the result of our "trial" on the 14th inst. Our natural right to associate without asking permission of judge, magistrate or jurist, is contemptuously flouted. Our common law rights are denied, while we are insultingly told by the prosecution and court that the duties and disabilities imposed by it (the common law) are forever binding upon us. Power knows no moderation beyond that induced by considerations that affect its own continuance and safety. A decision so monstrous in its utter unfairness and bald injustice has not for years been rendered in a Kansas court, if, indeed, in any American court. Yesterday, October 19, we were again brought into court to listen to arguments upon the motion for a new trial. Clemons and Gephart only appeared for us, Mr. Overmyer being called away upon another case. Mr. Clemons' argument was long and conclusive, and his authorities many and strong, and it is probable that but few in the court room remained unconvinced of the tenableness of our position, but among these few was Judge C. G. -- The motion for a new trial was overruled, as was also the subsequent motion for a new trial.

Then we were called up for sentence. First, inquiring regarding our property status, the court next asked if we had anything to say why sentence should not be passed upon us. "Nothing now, your honor," I replied. "Nothing except that we have committed no crime. But we are in your power, and you can, of course, do as you please," said Lillian. "It is a melancholy sight to see a prisoner unconvinced of her guilt at such a time," oilily and pityingly remarked the gentleman who dispenses law and dispenses with justice. Addressing me as "Mr. Walker," the judge passed upon me a sentence of two and one-half months confinement in the county jail. Turning to Lillian Harman, "And you?" -- and then he paused; he was evidently puzzled to know whether to address her as Miss or Mrs. Harman, or Mrs. Walker, for he had readily admitted that we are married, so far as all duties, responsibilities and penalties are concerned, and yet he was passing sentence upon us for being married! Poor judge! He was in a dilemma, but the non-committal and polite term "female defendant" slipped into his mind, and once more the legal machinery ran smoothly, and he proceeded to sentence said "female defendant" to one and one-half months in the county jail; and we to remain there until costs are paid. We go at once to the Supreme Court with a motion for arrest of judgment, pending our appeal of the case to that court.

Our enemies seem determined to make it appear that Lillian Harman is a mere automaton in the hands of her father and myself, that she did not know what she was doing when she joined her fortunes with mine, and that she is now the victim of her youthful surroundings and of my psychological influence. All this is infamously false. Lillian is a woman, not a child, a woman with will, judgment, and a purpose of her own, and she can answer for herself, as she has already. Changing but two words in the poet's splendid lines, I will say that she is
"My peer.
And life and reason, with her loving heart,
To her possession; no soft, clinging thing,
Who would find breath alone within the arms
Of a strong master, and obediently
Wait on his whims in slavish carelessness;
No fawning, cringing spaniel to attend
His royal pleasure, and account herself
Reward by his pats and pretty words,
But a sound woman, who, with insight keen,
Has wrought a scheme of life, and reasoned well
Her womanhood; has spread before her feet
A fine philosophy to guide her steps;
Has won a faith to which her life is brought
In strict adjustment -- brain and heart meanwhile
Working in concordant harmony and rhythm
With the great law of Love's great universe,
On toward her being's end."

The age is dawning in which woman will have other choice than that of being either drudge or toy, and that that dawning may be the swifter Lillian Harman walks to-day with bare feet upon the hot plough share of malice, hatred and slander.
E. C. WALKER.

IS IT MARRIAGE?

To-day (Oct. 11) I received from one of the most prominent Anarchists in the country, a clear thinker and a valued friend, a private letter in which he takes issue with us, and says that if we persist in claiming that we are married he shall be obliged to raise his voice against us and to do all that he can to discourage Anarchists from rendering us assistance. I immediately wrote him a long reply, from which I make the following extracts:

Yes, we "propose to prove our marriage," just that and nothing less. But do not, I beg you, commit the mistake that the enemies of Anarchism do, and compel us to accept our enemies' definition of words. We do not intend to let either you or the church do that. We insist upon our right

to put our own construction upon this word "marriage." To be sure, we do not have the etymological authority for its use in the sense that we employ it; but Anarchists have for their definition of the word Anarchy, but we do have a much better authority than that.

Marriage is the union of a man and woman in a formal association. As a practical fact, it assumes various forms in different portions of the world. We hold that its ESSENTIAL FEATURE is the consent of the parties themselves and of no others. This is our first affirmation. Our second is that the common law and the higher courts agree with us in this. Now, we have not appealed to the law to say that we have complied with its provisions, we have not asked the State for leave to live together. On the contrary, we ignored all the statutes, and proceeded to exercise our natural right to associate, without asking the permission of any person or aggregation of persons. And thus was the logical practicalization of our primary postulate. But now comes the state and says that we have committed a misdemeanor and it through its minor officers, puts us under arrest. What are we to do? Defend ourselves, of course. But how? First, by denying that we have been guilty of any wrong, by affirming that what we did we had a proper right to do. And in defending ourselves, we point to every principle of the common law and to every decision of the courts that make for Natural Liberty and Justice. Just as I should do, if persecuted under the Sunday law of this or any other State; I should raise between me and my persecutors the shields of the State Bill of Rights and the National Constitution. Taking that position on the legal aspect of the Sunday question and at the same time asserting clearly and strongly my natural right to make such use of the twenty-four hours of Sunday as I say fit, would you say that I was making "absolute, wholesale, unconditional surrender?" I think not, and I am sure that I should not think that I had either surrendered or compromised. And this is precisely analogous to our position to-day. Dragged into court, without our consent of course, and threatened with the penalties of the statute law, we declare that we have done no wrong, that we are clearly within our natural right and, furthermore, that there is no principle of fundamental law that will permit us to be subjected to the pains and penalties of the statute law.

Another mistake of yours is in supposing that, hitherto those who have so lived together and who have not been regarded as married, have not been persecuted and that they should succeed in establishing their right to live together without compliance with the statutory provisions relating marriage, we shall have driven another nail in the coffin lid of Liberty by making it a principle of Kansas law that parties so living together are bound for life, and that from that marriage there is no escape save through the legal door. This is already the fact. In several suits touching the inheritance of property, and under the bastardy laws, it has been held by the lower courts that such marriages are valid. In other words, these unions are already held to be valid so far as duties are concerned, and if we succeed in our fight it will be established that in the matter of rights they are also valid, a guarantee of protection, and against such parties the "fornication" laws will be inoperative. A decision in our favor will not impose a single additional restraint, and, on the other hand, it will remove some disabilities and in every way help the cause of progress. As matters now are, although we are being persecuted for "living together as man and wife without being married," we are nevertheless amenable to the laws against bigamy and adultery if we marry other parties. In short, my dear Sir, whoever lives together in the sex-relation as regarded by the law as married, so far as property rights, the legitimacy of children, bigamy, adultery and divorce are concerned, by the "law" I mean the whole body of it, not the particular statutes of any State. In our case, we are persecuted by those who are ignorant of natural right and of the common law and the almost innumerable court decisions sustaining our position. They know only the meddlesome, barbaric, statute law, and they have a hazy idea that compliance with those statutes alone constitutes marriage. They do not understand our position that the consent of the parties themselves is all that is requisite. And were this fact known to all, and also the further fact that it is the one essential consideration in the eyes of the higher courts, and we should behold a great change almost immediately, for when it once comes to be recognized that the mutual consent of a man and a woman to live in the social relation is all that is essential in marriage, the whole arraying machinery of the state will rapidly fall into disuse, and then we can consider the succeeding steps in reform among which is the settlement of all marital difficulties by mutual consent or arbitration. Then will the divorcing machinery of the State rust in inaction.

In the logical order of progressive reform, comes first the recognition of the right of man and woman to marry themselves. Next, the recognition of their right to manage their own love affairs (a right denied by the Comstock postal statutes and similar legislation), and next their right to marry themselves as when they discover that their happiness is no longer subserved by their union.

Lillian Harman and I are making a defensive fight for the first of these rights, as Heywood and others have for the second. We have no occasion, and we hope that we may never have, to enter the lists in behalf of the third. But the need and the hour will bring the man and the woman, I doubt not.
E. C. W.

ADDENDUM.
In the above, I have taken the position that the Kansas courts already regard parties living together without complying with the statutes, as married so far as duties and responsibilities are concerned and that, consequently, a victory for us would not be a defeat for Liberty! This opinion received legal and judicial confirmation at our trial on the 14th, when both the prosecution and the court admitted that we were married enough to make us liable to all laws controlling the actions of persons legally married, but not enough to save us from the pains and penalties of the statute. That is, we have assumed duties, but have no rights! If we eventually win, it will be established that parties living together without complying with the provisions of the statute have the same rights as those who are married. In other words, the status of such persons remains as it is, but there will be no penalties. (Continued on the next page.)

LUCIFER

VALLEY FALLS, KAN., Oct. 22, 1896.

MOSES HARMAN & E. O. 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.

So many mistakes and omissions have occurred in our previous credits on the Defence fund that we here have attempted to give them all, so that the errors may be pointed out for correction. Our friends who have sent aid for this purpose will please help the book-keeper to get this matter right. Again we most sincerely return thanks to all who have so promptly and nobly come to our assistance in our unequal contest for the right of self-ownership and the right to freedom of contract.

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|-----------------------------------|-------------|
| Mary E. Preston, Magnoketa, Ia. | \$ 40 |
| Joseph Elmas, Birmingham, Conn. | 2.00 |
| C. T. Fowler, Kansas City, Mo. | 1.00 |
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Twenty letters from friends were printed in a supplementary sheet for this issue, and yet several dozen are left over. If any fail to get this supplementary sheet, please let us know.

An unusual amount of book work and the sudden departure of a printer have caused a serious delay in getting out this and last numbers of LUCIFER. Also the fact that much time was lost by the editor and proof reader in attending court for the past two weeks. We hope the additional matter will compensate for the delay.

FRIEND LUCIFER—Inclosed you will find \$5.00, which you can use to build the "new office" or for the "defense fund, as you most need; in return therefor I will only ask at present, that you send me Radical Remedy in Social Science, by Dr. E. B. Foot, Jr. At the time of Mr. Walker's arrest for "distributing the peace and dignity of the State of Kansas" I was away from home obtaining signatures to a petition for a new Post-Office at this new town of Horton, or I should have offered to give bonds for Mr. Walker before this time, but as I see that the case was called for the 8th of this month I do not know but I am too late, but if the case is continued and Mr. Walker wishes to get out of his "Christian prison" just let me know and I will give bonds for his appearance, with pleasure. I am not afraid of Christians, or Christian mob law. In my effort to get the P. O. at Horton I had a good Christian for opposition; not because he wanted the office, but "dog in the manger" like, to keep me out, because as he said to my face, the "Democrats ought to have and would have the office," but behind my back told the people that I was an infidel. This is in accordance with the christian doctrine that "the end justifies the means" and therefore lying is a christian virtue to be practiced on all occasions, and especially against an infidel. Yours for the right, ALBERT O. BALDWIN.

See "Ad" for New thought, on fourth page.

Another Blow at Liberty.

When the Abolitionists used to preach that this government was "in league with evil," some of them refused to pay taxes, on the ground that money thus paid went to support an oppressive, slaveholding compact with the devil.

Among others, Thoreau, one of the great sages of Concord, Mass., was disappointed if he did not get into jail as often as once a year. Once when he was in jail, his friend, Ralph Waldo Emerson went to visit him. His first exclamation was "Thoreau, what are you doing in there?" Thoreau's response was, "Emerson, what are you doing out there? The time has come when it is not possible for an honest man to keep out of jail." Thoreau was right. Now we begin to wonder if in the newer struggle for liberty we may not again find it hard to be honest and escape the clutches of the law.

The above remarks are suggested by the receipt of the news of E. O. Walker's incarceration in prison.

Individually we are well acquainted with E. O. Walker and we do not believe a more honest man or a man of more sterling integrity—one who stands more on principle, lives, than E. O. Walker, of Valley Falls, Kansas. On many points our opinions and his do not run in the same groove, yet we have found him ever ready to respect the opinions of those who honestly differ from him.

Mr. Walker, does not believe one bit in the church and the ministry, and his faith in the state is very small, and naturally enough it grows beautifully less every day. Religiously, Mr. W. is an Agnostic, if not an Atheist; he has no more faith in Spiritualism as a system than he has in Catholicism. He likes Spiritualism only because he sees it a step on the upward road from the superstitions of the past.

Many of the Spiritualists he likes because of the liberality of sentiment, their toleration of the opinions of others.

Before Mr. Walker's opinions were formed, or, if formed, before they had solidified as they now are, he allowed a marriage ceremony to be said over himself and another person, but it seems the ceremony did not make, "one of them twain," at least, sometime since, a divorce by one or the other of the parties was obtained, and she who was Mrs. Walker long since found a partner, who, probably to her, was more congenial.

Walker fully determined to never call upon the law to do another thing for him, to be undone. If marriage was a mistake, the interference of law only tangled the skein more; if it was not a mistake no law was needed to bind two loving hearts in one.

Not long since Mr. W. thought he found in Miss Lillian Harman, a daughter of his partner, a life companion, and as they, nor the girl's parents, saw no necessity of any interference of law or gospel, they married themselves without consulting either.

To us this seems perfectly proper. Walker is a minister of the gospel as he understands it. Besides that, the state tolerates different kinds of marriage ceremony; it allows Catholics to marry, using their own form of ceremony; it also allows the Protestant and Quaker ceremonies, and ceremonies performed by Notaries Public, and Justices of the Peace. Now why not allow two, who disbelieve in any of the above—who do not believe in Quaker or Protestant authority any more than a Protestant or a Quaker believes in Catholic authority, to marry themselves? What is there wrong in this? And if the lady concludes that dropping her own name and taking that of her husband sinks her individuality, has she not a right to keep her own name?

In this, and in this alone, consists the offense for which E. O. Walker now lies in jail, and with Lillian Harman, is to suffer the penalty of the law. When the law steps out of the way to interfere with people who are attending to their own business—when it makes people criminals for obeying their own conscience, then men and women of sense begin to drift towards anarchy.

Here follows an extract from an editorial in *Lucifer* of the 17th.

The parties arrested have no whining or backing down to do; believing they have done right they intend to stand for their rights.

Here again follows another extract from the same paper and date.

Here is a place for work. Without necessarily indorsing either the views or practices of this couple, every lover of freedom must indorse their rights to believe and do as they have; if you do, send such indorsement in words of sympathy together with a small financial indorsement, to Lillian Harman, Valley Falls, Kansas. We are very poor and sadly in debt, but some of our creditors will be compelled to wait a little longer for a part of what we owe until we send a few words of encouragement and a very few pennies to these parties.

What shall we say of the sneaking, prying, Constockish, mock morality that will stoop to do so mean an act as to the arrest and imprisonment of these honest, intelligent, innocent persons?

Language would fail us; we could not read them down in the scale of morality as low as they are, so we leave them to stink themselves to death.—*The New Thought, Des Moines, Ia.*

BRIEF COMMENT

E. C. Walker and Lillian Harman, of Valley Falls, are in jail as a result of the mistake in supposing that savages of the stone age no longer lived in Kansas.—*Anti-Monopolist, Enterprise, Kan.*

Yes, that is their mistake, but is it not a little hard on the "savages of the stone age" to put them on a level with some of the present inhabitants of "sunny Kansas"? It is true that the prehistoric cave-dwellers devoured each other. They stripped the raw flesh from the bones, then cracked the bones and sucked out the marrow; but it is not probable that they devoured each other's reputations, or that they put the minority in jail and robbed them of their earnings because said minority would not marry in the way prescribed by the majority! The old-time savages in Kansas robbed, killed and ate each other because urged thereto by hunger. Have their present successors in Jefferson county any such excuse for robbing the *Lucifer* band of their money, their time and their liberty, and for threatening to crown their robberies with murder?

Quite a sensational affair occurred in our little city on Sunday evening, the 24th inst. The negro named Lafferty who last week badly beat his wife and then threw kerosine over her clothes and set fire to them, from the effects of which she died—attempted suicide by cutting his throat. The attempt was not quite successful, however.

"The infamous editor of *LUCIFER* and his paramour convicted!"—*Leavenworth Times.*

Well, neighbor Anthony, it must be confessed that the "infamous" enters as a leading element in the case of the State vs. E. C. Walker and Lillian Harman, but as to which side the infamy will eventually and justly adhere is at present an open question. The time may not be far distant when the more prominent actors in this Kansas drama will most fervently hope and pray that the curtain of oblivion may speedily fall and hide the memory of the parts taken by themselves in this performance. Vain hope! To quote the language of Dr. Young, "infamy will snatch their names from oblivion; in the long-living annals of infamy will their triumphs be recorded." Yes, their short-lived triumphs over an innocent pair who never harmed a hair on the heads of these persecutors.

Now arrest the king bee of the tribe and close the rotten concern and Valley Falls will smell more like roses than she has for many a day.—*Osawkee Times.*

The "king bee" aforesaid does not claim perfection, but he is quite willing to compare notes any day with the self-styled "Col." Groesbeck, of the Osawkee Times, whether in our marital relations or in business matters. We may be a disgrace to Valley Falls—our threadbare and sometimes rent clothes certainly do compare badly with those of the average "society man" like Groesbeck, for instance. But while our clothes are torn or patched we have at least this consolation, viz: We do not owe Col. Groesbeck for books and borrowed postage stamps! Can he say the same of us? Did he ever observe that when a traveller passing quietly along the public highway, is set upon by some malicious cur, then every other cur, fiste and spaniel in the neighborhood must join in the chase? Can he give any better reason for joining the hue and cry against the *Lucifer* band?

The little dogs and all,
Tray, Blanche and Sweetheart, See they bark at me.

Only a few weeks ago this same Groesbeck was in our office negotiating with us to print his paper for him. He did not then seem to think our concern was so rotten that it gave a bad odor to the town.

E. C. Walker and Lillian Harman were tried in the district court last week on the charge of illegal co-habitation, and were convicted. This is the natural sequence of their conduct.—*New Era.*
"The natural sequence" of minding our own business and letting other people mind theirs is that we must be "convicted" and sent to jail! This is the opinion of a legality worshipper as to what is "natural." Nature knows nothing of the artificial laws of a meddlesome "society." She repudiates all such as unnatural, vicious and criminal.

ANARCHIST SPEECHES.

Those speeches which I send for your personal perusal, have already revolutionized public sentiment in favor of the condemned. Those of Spies and Fielden are more thoroughly humanitarian, contain greater depth and profound comprehension of social laws, are more serene, logical, brilliant, and fervid than the famous speech of Robert Emmet. He declared that the "ultimate end of civilization is toward barbarism," and if that verdict is to stand, I think he is about right. Parson's speech I have not yet read. To counteract the effect of these speeches, inquisitor Grinnell is making a lot of sensational newspaper talk about threatening letters being sent to the judge, prosecuting attorneys, jury, etc. If they have received letters, they or their friends wrote them, as the friends of those condemned know that to do any thing would be the greatest possible injury to their case. Their friends would not be such fools. It serves to show what contemptible liars are those limbs of the law.—*E. A. Stevens, in Truth Seeker.*

We are glad to see that the *Freethought* papers throughout the land are speaking up with no uncertain sound in regard to the proposed judicial murder of the so-called anarchists of Chicago. The *Labor* journals, too, whose name is legion are entering their protests against the savage vengeance that would hang men whose only offense so far as proved, is that they have used strong language in their protests against the existing disorder.

At present we have space only to say that if the old vengeful code is allowed to hang these men it will show more conclusively than any event of the last two decades that we as a people are not yet fit to be free—not yet sufficiently evolved from the plane of the wolf and the tiger to lay claim to be distinguished as human.

The great apostle of statute prohibition of the liquor traffic, even "St. John of Kansas," has been at Valley Falls and has spoken his piece, the same piece that with slight variations he speaks at all his "appointments" throughout the state. He is not a candidate himself but is doing what he can for the election of the Prohibition ticket for state officers in Kansas. The largest hall in Valley Falls was filled with attentive listeners, and the applause was loud and frequent. St. John is the most effective campaign orator we have yet heard in Kansas. He began by saying that the Republican orators have shown the people that the Democrats are not fit to govern this great nation. Then

follow the Democratic orators and they demonstrate with equally unanswerable arguments that the Republicans are not fit to govern this great nation. "Now," said St. John, "we accept as true all that these orators say of each other, and we are here to-day to show that we represent a party that is fit to govern this great nation."

While we freely admit that the arraignment of the old parties by St. John was unanswerable, we, as autonomists maintain that he utterly failed to show that the Prohibitionists were fit to govern the nation. We maintain that no party now in existence is fit to govern the people of this nation. Moreover, that no party CAN BE organized that will be fit to govern this great nation. To be still more explicit we maintain that government—government of man by man—is the crime of crimes. Chattel slavery was said to be the "sum of all villainies" because it protected and rendered possible all other villainies. In a much larger and truer sense we say that "Government of man by man"—whether that government acts in the name of a king or of a majority—is the sum of all villainies since it protects and renders possible all other villainies. A thousand fold more murders and robberies have been and are now committed by authority of government than have ever been committed by individual outlaws such as Robin Hood or the James boys. Even chattel slavery owed its chief power for evil to the fact that it was itself a government-protected institution, and it would doubtless have continued a government pet to this day if it had not concluded to run its own machine independent of that government.

St. John showed his incompetency as a statesman by the illogical claim that the prohibition movement is in line with the anti-slavery movement. The man who makes this claim (and all Prohibition orators and editors make it) is either incompetent to sense a gross absurdity or he thinks his audience are thus incompetent. The Abolition movement was for the enlargement of the area of human freedom but that of the Prohibitionist is to take away human freedom. The logic of the Prohibitionist is simply that of the churchman.

The call for the Tenth Annual Congress of the American Secular Union has been issued. The meeting will be held at Chickering Hall, New York, Nov. 11th to 14th, inclusive. For particulars address the Secretary, S. P. Putnam, New York City.

The Walker-Harman violators of the law were sentenced Tuesday, Walker to 2 1/2 months in the county jail and Lillian to 1 1/2 months. They will appeal the case to the supreme court. None of the Liberals here uphold them in this affair and they should certainly now begin to realize the foolishness of the attempt to trample a plain, liberal and wise law under foot.—*Register, Valley Falls.*

No doubt the sycophantic local press of the times of Lord Chief Justice Jeffreys used just such language as this in regard to the Nonconformists of that day. The men and women who were fined and imprisoned under the despotic rulings of Jeffreys were taunted as being fools because they trampled under foot a "plain, liberal and wise law."

This is the voice of a man who knows no higher rule of right than conformity to legal statute. It is the voice of the average time-serving editor who never felt and who never will feel the glow of inward satisfaction which attends and rewards the man who

"Dares to be
In the right with two or three."

"None of the Liberals here uphold them." It is not their fault, probably, that the Liberals of Valley Falls cannot see that our position, our acts, are strictly within the "Nine Demands of Liberalism." The eighth Demand says:

8. "We demand that all laws looking to the enforcement of 'Christian' morality shall be abrogated, and that all laws shall be conformed to the requirements of natural morality, equal rights, and impartial liberty."

If this "demand" does not sustain us in all that we have done—in all that we have claimed—then we do not understand the legitimate purport of language. If the Liberals of Valley Falls can forgive themselves for their apathy while we have been set upon by the guerrillas of "Christian morality" then we think we can well afford to forgive them! Do these Liberals think that "equal rights and impartial liberty" have been accorded to us in this case?

VALLEY FALLS, Kan., October 15.—E. C. Walker and Lillian Harman, the free lovers, were tried in the district court at Osakloosa yesterday and found guilty of illegal cohabitation, as charged in the indictment. An appeal has been taken to the supreme court. The defendants go back to jail in the meantime and they are said to have almost entirely lost that brazen, defiant and cheerful disposition which characterized them in the first stages of the proceedings.—*Press Dispatch.*

That they should lose somewhat of their cheerfulness is not strange. It is saddening to lose faith in the justice and humanity and of our fellow men. Up to the time of the trial they could not believe that a district judge would outrage the plainest principles of justice as well as ignore the innumerable decisions under common law. But there were other reasons why they should not be cheerful when contemplating the result of the trial. They knew that their help was sadly needed at home, and that the payment of costs of this prosecution would require many long, weary days and weeks of hard labor. They knew that the brother and father whom they left in the office were now having double work to do; that they were depriving themselves of needful sleep and rest and comfort in order that the regular issue of the paper may not lag too far behind time.

Yes, there is certainly good reason to expect that these fiercely persecuted ones should lose some of the cheerfulness that has hitherto sustained them—strong as they have been in conscious innocence—but as to the words "brazen" and "defiant" we fail to see the pertinency of these. If it be brazen and defiant to repel an accusation of crime when they know that they have committed no crime, not even in thought, then it is right to call these persons brazen and defiant, otherwise not.

But has not this press reporter made a slight mistake? Is it not just possible that the brazenness is in the tongue and pen, or rather in the heart and brain of

the man who can send out such slanderous, such lying dispatches as this man has sent over the wires in regard to the case? And when a man sets at defiance truth and justice, to say nothing of humanity and charity, as this reporter habitually does, would it not be well for him to take the beam out of his own eye before calling attention to the notes in other people's eyes?

THE FACTS.

As this number of *Lucifer* will probably be read by many who have not seen the previous numbers giving an account of the criminal (?) prosecution of two of our little band we propose here to give a brief statement of facts relating thereto.

On the 10th ult. at the home of the senior editor and publisher of this paper, E. C. Walker, junior editor and Lillian Harman, daughter of the senior, entered into the marriage relation on the autonomistic plan. That is to say, they united their fortunes in a sex-union without the aid or authority of church or state. As the Quakers do they married themselves. Next morning they were arrested on a charge of "wifully and feloniously living together as man and wife without being married."

It is now more than a month since the arrest was made. Edwin Walker has been confined in the jail nearly all that time and Lillian has been under guard at the jailer's house after the first week; during that week she was at home under guard at our expense. They have had a preliminary examination, been bound over to appear at the district court, have there been tried and found guilty by the jury under instructions from the court to return a verdict of guilty if from the evidence they find that the parties had been "living together as man and wife without being married" by a civil officer authorized by law and duly armed with a license for that purpose. Last Tuesday they were sentenced to be punished by imprisonment in the county jail—E. C. Walker for the term of two and one-half months and Lillian Harman for the term of one month and a half. Mr. Walker was returned to the jail and orders were given for the prompt incarceration of Lillian, but under the vigorous protests of the sheriff and deputy who declared that there were no accommodations at the jail fit to receive a woman, the judges so far yielded that these officials were allowed time to clean up the jail and furnish a cell for her accommodation. The latest advices are that she was still at the jailers house but expecting every day to take up her abode in the jail.

One of the first questions that will be asked by a stranger to the case will be, "Why were they not out on bail till trial and convicted?"

Briefly stated as possible, the explanation is this: *Lucifer* has been for some years a terrible thorn in the sides of the Christian element of Valley Falls and especially of the Christian clergy of the town. They have not only denounced it and its editors from their pulpits in the most insipid terms but some of them, clergy and laity, have tried to have it suppressed as an "obscene" sheet. Mr. Walker, as the more radical of the two editors, on the social question at least, was the special object of hatred and denunciation by these God-and-morality champions. So when the opportunity offered to take vengeance on him by law they determined to make the most of that opportunity. It was at once given out that it would not be safe for any man to go on Walker's bond. An effort was made made by a friend and relative of Lillian's to have the bond for the two separated so that he might be bondsman for her alone, but this was refused by the justice.

As soon as the news of the arrest could reach our patrons in other states, we had no lack of offers to go on our bond for appearance at court. The first to volunteer was W. T. Michen of Carroll, Iowa, who offered to indemnify through the banks any citizen of Jefferson county who would go bail for the prisoners. Then Col. J. R. Kelso of Longmont, Colo., S. G. Green of Valley Falls, Kan., Porter Martin, Farmington, Minn., Seth Eggleston, Popoka, Kan., A. O. Baldwin of Kennebec, Kan., came to the rescue with offers of bail. These are all men of undoubted means and standing in their communities. Their united wealth would probably exceed \$200,000. But after the preliminary examination our attorney advised us not to accept bail. He believed that he could get a hearing of the case before the supreme court of Kansas on an application for release by writ of habeas corpus. To do this the parties must remain in custody. The application for writ was heard by the supreme court on Thursday, the 8th inst. but was denied on some technicality that had been used by the prosecution to defeat the ends of justice and keep the case in Jefferson county. Then as the date of trial was set for the 12th we did not think it worth while to go to the trouble of arranging for bail. Of course, after conviction by the jury no release on bail can be obtained except on an order for arrest of judgment by supreme court, an application for which has been made, but the reel of red tape turns so slowly that life seems consumed in waiting for justice from this source.

A more specific account of the latest action of the court and the pleadings in the case will be found on first page, written by Mr. Walker, and also on fourth page written by myself.

And now a few words only in regard to the rumors that have been set afloat to prejudice a too willing public against Edwin C. Walker in this case. It has been currently reported here in Valley Falls and published in most of the papers in eastern Kansas perhaps, that the charge against these parties is "adultery." The press dispatch agent of this place so worded it. Then Mr. Walker was reported to have a "wife and five children in Iowa." Others had it that he had already deserted two wives and two sets of children. Then he was a "promiseulist," a defaulter or "crooked" man in business dealings, etc., etc.

Briefly I would say to the people who make or who give credit to these charges that so far as I know they are ALL WITHOUT THE SHADOW OF FOUNDATION except in the diseased imaginations of their originators. I have known Mr. Walker personally and intimately for

four years or thereabouts, and from my dealings with him and from all that I have been able to learn from others about him I regard him the very "soul of honor" in all his dealings toward men, women and children. It is true that he has two children and a "divorced" wife now living at Melior, Kansas, but when his conduct in relation to them is known we feel sure that all right-minded persons will not only acquit him of all blame but award him the highest praise for his manly and honorable treatment of them. To all who may wish to know the real facts in this matter we would say, write to E. T. Daniels of Melior, Barber county, Kan., or to Seth Eggleston, Insurance Adjuster, Popoka, Kan., who knew Mr. Walker many years in Iowa. As to his manner of doing business we refer to Hicks, Gephart & Co., Bankers, at Valley Falls, also to Eli Evans, leading merchant, to Postmaster W. C. Butts, or to any other man of business in this town.

Finally we say that if the meddlers in other peoples' affairs who are now doing their utmost to blast the reputation of Edwin C. Walker, will carefully examine their own hearts they will probably find that the chief cause of their spite against him is the patent fact that he is in ALL respects a truer, nobler, cleaner, purer, better man than they know themselves to be.

M. HARMAN.

THE MARRIAGE.

[Concluded from 4th page.]

The people of California, too, strong in a robust respectability, are not in the least demoralized by any number of such marriages, while you, weak in a decayed respectability, are utterly demoralized and reduced almost to a howling mob by this one marriage. And how many of you are innocent of illicit cohabitation at some period of your lives, without even a contract marriage? Let some innocent man speak.

Having thus fully proved the entire innocence of the defendants in this case, of any offense whatever, I will now close this letter. In my next I will just as fully prove the criminality of those who have invaded some of the dearest inalienable rights of these defendants.

LETTER II.

Having in my last letter fully proved the innocence of E. C. Walker and Lillian Harman, the defendants in this case, I will now, gentlemen, proceed to prove that, in tearing asunder these true and loving companions, in tearing them from their business,—their means of livelihood, in causing them to spend in their defense the little money they have, in cruelly outraging them by making them a public spectacle, and in incarcerating them in dungeons, you are guilty of a crime surpassed in enormity only by that of murder in the first degree. Since you do not deny any of these acts, I will not stop to prove that you have perpetrated them, but will proceed to prove the monstrous iniquity of these acts.

For thus depriving these innocent parties of their inalienable rights to liberty, to sunlight, to fresh air, congenial companionship, and to the pursuit of health and happiness generally, what have you to offer in your defense? "The law," you reply, "we did these things according to law." But who enacted this law? "We, with a majority of the voters of Kansas, enacted it ourselves, through our representatives." And why did you enact it? "We, being the strong, enacted it for the express purpose of using it as in this case, as a means or weapon with which to thus persecute and crush the weak who might dare to differ with us in regard to the best form of marriage, and who honestly believe that they had discovered a better form, might dare to exercise their inalienable right as freemen to adopt that form." A true answer, but how damaging it is to your own cause! If there had been no law authorizing you to commit these cruel acts, would you have had any right to commit them? "We would not. Being an invasion of the inalienable rights of our fellow men, these acts, in themselves, are undeniably wrong. It is only when they are done in accordance with law that they become right." But can the number of enacting a so-called law create, "all out of nothing," a right that had never before existed, or change an acknowledged wrong into a right? "We have never dared or cared to think much on that subject and we are not prepared to answer." Let us, then, examine this matter a little more closely.

Which existed first, marriage or marriage laws? "Marriage, of course. It must have existed in some form before there were any legislatures to enact marriage laws, or any churches to ordain priests to utter marriage nuptials." True. In those primitive conditions of society, could it have been wrong, immoral or improper to marry without a marriage nuptial—to marry, as did the defendants in this case, by contract on the part of the uniting parties? "It could not have been wrong, immoral or improper." True again. Does the moral nature of an act undergo any change? "It does not. Right and wrong, morality and immorality, are eternal principles inhering, unchangeably, in the essential nature of acts. Whatever tends to augment the well-being and the happiness of the human race is right, moral and proper." If then it was once right, moral and proper to marry by simple contract, can it now have become wrong, immoral and improper to marry in the same manner? "It can not, unless, perchance, it has been made so by law." And if it has been made so by law, is it not still right, moral, and proper in all those countries, states and localities in which no such law exists? "It must, of course, be so." Very true. Then, if two states lie contiguous to each other, the one having this law and the other having it not, the act in question would be right, moral and proper clear up to the dividing line of the two states, on the other side, and wrong, immoral and improper on the other.

JOHN R. KELSO.

Longmont, Colorado, Oct. 5,

We print a large edition this week to supply orders for samples. Please send us names of Radicals.

Imagination.

I imagine I see the self-elected vigilance committee composed of the wealth and aristocracy of Valley Falls—the sleek parson with the lesser lights of the town in consultation met to devise ways and means to crush two offending persons. Hark, too, from every whiffet of an editor that wields a pen within the county comes the demand, crucify them, crucify them!

They have succeeded in obtaining the arrest of two persons for attending to their own business; one an innocent young woman committed to the custody of the sheriff, the other immured within the walls of a prison. Then with lying tales if not bribery they have caused them to pass through the ordeal of three courts, denied justice at each, remanded back to prison. Now what? Why, still another court. Something must be done. Punished they must be!

Hark again! Methinks I hear their Savior say, Let him who is without sin among you cast the first stone.

I would ask, what have these persons done that they should be so inhumanly persecuted? Have they ever caused a friend to lose his or her life insured for their benefit? Have they or their friends ever stolen a horse and paid the penalty in the penitentiary? Have they ever plotted murder? Have they been drunk or disorderly? "Promiscuity, promiscuity," I hear them say! In the name of him who now looks through prison bars I challenge mortal man to prove that he ever committed such an act in this town. He is never seen lounging on the streets nights, drinking or using the filthy weed in any form. By day he is ever actively attending to his business; at night always at home, as can be proven, ready and willing to assist his mother.

I say to all these vindictive persecutors, whether priest or layman, as ye have meted so also shall it be meted to yourselves, in some form, ere from earth ye pass away.

Mrs. MELISSA WALKER.

Sometime ago I promised Lillian that I would do something in her and Comrado Walker's defense. For this purpose I there with enclose \$2.00.

Your Comrade,

J. W. COOPER.

I will do more if necessary.

Enclosed please find one of those lamps of Aladdin—dollars, which I have at last succeeded in running down and capturing for your benefit. Apply the same to the defense fund of my "too practical" comrades, E. C. Walker and Lillian Harman, and oblige

Your friend,

J. W. LLOYD.

Grahamville, Fla., Oct. 10.

I send you \$1.50. Wish I were able to send more, but it is all I can spare as garden is burned out by the drought. Apply the \$3.50 as you wish between the defense fund and *Lucifer's* home. Take one hundred copies of my pamphlet (Death and Secular Funerals) for defense fund.

JOSEPH HENRY.

Salina, Kansas.

Enclosed find \$5.00 to help sustain Walker and Lillian in their day of persecution. The bigots at Valley Falls are determined to crush out the individual and make every one who holds opinions and dares to act different from their standard to suffer for their independence, but I think they will fail to compel conformity in this case. Excuse my haste. Will try and write Walker in a few days.

Yours fraternally,

L. W. SIMPES.

Will help you some on your new office.

L. W. S.

Lo Mars, Iowa.

Your letter of Oct. 13th received. Enclosed find drafts for \$12.00 for subscription for *Lucifer* for which please send to G. Goekritz, Humboldt; \$1.50 for three copies of Plain Home Talk; \$1.00 for 4 hand books of Health; 50 cents for 2 Radical Remedies; balance to aid you in defense of your rights, in which I wish you success.

Truly yours,

W. H. HOLZSCHNIDER.

I enclose \$2.00 from and sympathy of Dr. Karl Voegtle.

W. H. H.

Humboldt, Kan., Oct. 16.

I have just read *Lucifer* of the 1st inst. and feel duty bound to assist you in your efforts to spread the truth to the people. I enclose the last dollar that I have. Hope it will do its full duty.

Your radical friend,

ANSEL J. POPPE.

Oct. 23.
I had written the above when before mailing it I was sent away to A. H. Wood's, Lumburg, to assist him in securing his apples, etc., for winter, and thinking I might need the \$1.00 to use on the way, did not send the letter. I went, did what he needed, and worked two days for his neighbor, for which I received \$2.00; I sent with the other dollar. One half of the \$3 to be credited to A. H. Wood and wife for their care of me when working for others, and as their loan. Now we do not want you to charge us anything for the taking care of our money, and we will demand no interest from you for it. As you have got into trouble on the love question would it not be to your interest and for the advancement of truth and justice, for you to

call extra attention in *Lucifer* (I see you advertise it in the list with other good books) to "Cupid's Yokes?" It is the best eye-opener on that subject that I ever read, and it has already a very large advertisement and notoriety. Mr. E. H. H. has sent you as a donation some 20 copies of it. Over 40 years ago I united with a woman just as E. C. W. and L. H. have done, excepting we said the marriage contract was for life, which I now know by experience we could not keep and be happy. The "for life" part was not fulfilled, as we have been separated some 8 years. We asked no state nor church whether we should separate, as we had grown into the knowledge that that was our own business and no one else's.

Your radical friend,

ANSEL J. POPPE.

Heywood's Princeton, Oct. 10.

I have just perused paper of Oct. 1. I like Mattie mill's poem; it has the right ring to it, and then the marriage of Mr. Walker and Lillian, the contract between them is lovely and beautiful, in the wisdom of heaven and the angels, and will in time supplant the present system of marriage which in its (ownership) tendency has crushed out of mortal existence tens of thousands of women. The sad tales of women that have been poured into my ears during my twenty years of pilgrimage as a lecturer and healer have long since convinced me that a radical change is needed, and should be forthcoming, and that legal prostitution must sooner or later become an institution of the past. Think of it, a poor tired mother completely worn down with the cares and labors of a half dozen in the family, subject to masculine dictation, usurpation and tyranny through the darkness hours which nature designed for restful sleep and recuperation. No wonder that sick head-aches and nervous prostration unfit her for that cheerful buoyancy of spirit which so charmed him in her girlhood days, no longer petted but owned and despised. I wish I had gold to sustain the editors and Lillian in this, their trial hour for justice and equity, but such as I have I freely give unto thee to aid in building the new office, out on the farm, at home, or for present necessities, and will make this offer, that any or all who will send to your office 50 cents for a nice cloth bound book of "Prophecy Visions" the editor may retain 25 cents, and on receiving the remaining 25 cents and the address of purchaser will send direct postpaid to the person wishing the book. I have retained the same for \$1.00. May good angels guide and protect all workers in the prayer of your friend.

Mrs. F. A. LOGAN.

West End, Alameda, Cal., Oct. 15.

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. Foot, Jr., 100 copies of Radical Remedy; 100 copies of Hand Book of Health Hints and Handy 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

From Sada Bauloy Fowler 500 copies of "Irene, or the Road to Freedom."

This is one of the best reform novels of the day. Price \$1.00. See ad. on 4th page.

From E. H. Heywood twenty copies of "Cupid's Yokes."

D. M. Bennett served 13 months in the Albany (N. Y.) penitentiary for sending this book through the U. S. mail. Everyone should read it. Price, 15 cts.

From Dr. T. R. Kinget six copies of "Medical Good Sense."

This is an excellent work on the subject of which it treats. Price \$1.00

From a friend fifty copies of "Self Contradictions of the Bible."

This pamphlet is indispensable to any one who wishes to know what the so-called "Word of God" really contains. In this work are 111 propositions proved both affirmatively and negatively without note or comment. Price, 15 cts.

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 Kansas Turner has reduced its subscription price for single subscribers to one dollar a year, the offer to continue good until the last day of this year, 1906. This puts that sterling old agricultural journal within the reach of all, and no farmer ought to be without it. It is the only paper of general circulation published in the State devoted wholly to farming interests, farming in the large sense which includes every department of rural labor, agriculture in general, stock raising, horticulture, poultry, bees, etc., with considerable space every week devoted to the family. It is unquestionably at the head of that class of papers west of the Mississippi, and this reduction in price ought to increase its circulation largely.

The Kansas Turner is published weekly, published at Topeka by the Kansas Farmer Company. Sample copies free. Subscriptions received at this office, or by direct order to the publishers. Don't fail to avail yourself of this Special Offer.

"The Mormon Question," by a Gentle, author of "Utah and its People," 91 large pages. 20cts. For sale at this office.

[Concluded from first page.]
 be substantial beneficial results, even in fact, under these circumstances, the struggle will have been of almost incalculable value to the cause of Liberty and Justice. It will have challenged attention to the monstrous injustice of the law, and will end in the recognition of the principle that where there are duties there also are rights and protection. E. C. W.

LEGALITY VS. JUSTICE.
 A Drama of To-day, Enacted Upon the Boards of the Great Kansas Theatre.

ACT IV.
 Sentenced by the Jury.

Another act in the serio-comico-tragic drama with the above title, has just been played at Oskaloosa, Kansas. On Tuesday, October 19, in the district court, the case of E. C. Walker and Lillian Harman was again called. G. C. Clemens, for the defendants, made a learned, eloquent and manly appeal to the court on a motion for a new trial. "To every fair minded, unprejudiced hearer, we think he showed most conclusively that the rulings and instructions given by the court, and under which the defendants had been convicted by the jury, were contrary to the law, the evidence and the precedents established in similar cases. We much regret that a synopsis at least of this argument cannot here be given. Just one or two points, however:

"The judge had ruled that the statute under which this conviction was sought, applies to all who consummate or attempt to consummate marriage without a license and legal officer. To show the absurdity of this ruling Mr. Clemens read the statute defining the punishment for incestuous marriages. The minimum fine for marriage between a father and his daughter, between a mother and her son, or between a man and his grandmother," was one hundred dollars, while the minimum fine for marrying without a license is \$500. Thus making a simple neglect to comply with a technical preliminary when all the real essentials to a true and pure marriage were present, a five-fold greater offense than the most revolting incestuous connection. The conclusion from this comparison and from others like it, was simply irresistible, that the design of the statute against what is called "illegal cohabitation" was to punish "concubinage"—to punish those who live as husband and wife without assuming the responsibilities of that relation. Mr. C. showed that while there was nothing to indicate that the "contract" between Lillian Harman and E. C. Walker was designed to be but temporary or ephemeral—on the contrary that it looked to *permanence* so far as the interests of true morality would allow. While he showed this he also proved from judicial rulings here in Kansas that the law does not require or contemplate a promise, expressed or implied, to live together "till death doth part."

The argument of counsel was listened to with profound attention, and we have reason to believe it had a marked effect upon the audience, whatever the court may have thought. In reply the judge simply reiterated his previous ruling, viz: That in Kansas a license and legal officer are *essential* to marriage. "The defendants have ignored these essentials," in fact," said the judge, "it is not too much to say that these parties have expressly defied the laws of Kansas in entering into this arrangement in the manner they did."

County Attorney Gilluly then demanded a "sentence," and the judge proceeded to give it. Addressing the defendants he said: "Edwin Walker and— and—the female defendant, you will rise to your feet. You have been found guilty of violating the statute prohibiting cohabitation without being married; what have you to say, Mr. Walker, why sentence shall not be passed upon you?"

"Nothing, at present, your honor," was the reply, spoken in a firm voice.

Addressing himself to Lillian, without once calling her by name, the judge said,

"And you—what have you to say why sentence should not be pronounced against you?"

With head erect, with the proud yet not defiant look of conscious innocence, and with a clear, unquavering voice, Lillian Harman answered:

"Nothing, except that we have committed no crime."

The judge was evidently surprised. This was a new revelation to him. He doubtless expected her to cover before his august majesty as the personification of the "offended dignity" of the state of Kansas! Hesitatingly he replied,

"It is certainly a— a melancholy thing that you take this view of it?"

Which interpreted into plain English means that Judge Crozier pronounces it an evidence of fearful depravity on Lillian's part that she does not acknowledge her guilt, or show penitence in some way, when he, the exponent and defender of the laws of Kansas, tells her that she has been guilty of a crime so heinous that it deserves to be punished by a heavy fine, and by imprisonment in the county jail!

Our readers will please excuse us perhaps too partial father when I say that, while feeling at the time most keenly the terrible outrage that was being inflicted upon us—while every emotion of mind and soul cried out in protest against the dastardly injustice of unmerited wrong—this was nevertheless in some respects the *roughest moment of my life!* That my daughter, my only daughter, my motherless child, not yet out of her teens, should so nobly bear up against all the efforts of church, state, and even of neighbors and professed friends, to crush her to the earth—that she should at this trying moment so grandly vindicate her womanhood, her right to *bona fide human being without dictation or interference by any outside power whatsoever*—this, dear reader, was full and complete compensation for all the mental agony I have suffered since that ever memorable September morning when city marshal Boles marched us off to the police judge's office, as though we had been a set of highway robbers, horse-burners or train-wreckers! Yes, friends, no matter what becomes of this present onslaught upon liberty and personal right, no matter what indignity Lillian, Edwin and myself may have yet to submit to, I shall ever feel proud of the noble and dignified demeanor of my hero-daughter when being sentenced to imprisonment by a Kansas judge who instead of administering the law in the interest of human rights turns it into an engine of oppression and of outrage upon those rights.

I am glad too that she did not even address him by the customary title, "your honor," since the application of such a title to such a man could only be proper when used in bitter irony.

(To be continued)

AUTONOMY-SELF LAW.

What Are Its Demands?
 Autonomy demands that the rights and duties of the citizen should take precedence of those of the officer or public servant. Our duties as men and women are and should be paramount to all other duties. Autonomy demands that the conscience of the public officer shall not be dominated by the letter nor by the spirit of statute law, but by the demands of natural morality—natural justice.

Take the case of the state of Kansas against E. C. Walker and Lillian Harman. When Justice Simpson was asked to issue a warrant for the arrest of these persons he should have asked himself, "Is the evidence before me sufficient to show that a real crime has been committed?" This complainant does not state that he himself has been injured nor that any other person has been injured to his knowledge. Then if no individual person has been injured by the accused it

follows that the state of Kansas has not been injured, because the state can only receive injury by an injury to one of its individual members. My duty as a man and a citizen requires me to do no wrong to any human being. If I issue a warrant for the arrest of persons who have committed no crime, then I myself become a criminal."

And thus should all the officers have reasoned who have had anything to do with the case. And more especially should these views apply to the action of the County Attorney, Judge and Jury. The attorney is supposed to understand the aim and object of statute law. He knows, or should know, that the only use or excuse for such laws is the protection of personal and property rights of the citizen, and should never be used to deprive the citizen of these natural rights. It is his business to prosecute real crimes and criminals, but if he makes the mistake of prosecuting an innocent person then his own crime is the more inexcusable because he is supposed to know his business too well to make a blunder through ignorance.

So of the jury. They too should remember that as citizens they are bound to do no wrong to any other citizen. They should not allow themselves to be mere automatons in the hands of the judge and attorneys. Before convicting any one they should be sure that a real crime has been committed, not simply a technical or law-created crime. Then they should be absolutely sure that the accused is the identical person who committed the crime, or who gave direct aid or counsel that led to the commission of said crime.

If these considerations and principles should guide the action of attorneys and jurors much more should they control the action of the judge. He has been selected for this responsible position because of his supposed fitness to administer not only law but also justice. He should therefore say to himself:

"I was a man and citizen before I became a judge. My manhood and citizenship are prior to and paramount to my judgeship. I must do right, not because the law tells me what is right, but because my manhood and my common sense tell me it is right. The man must not be sunk in the jurist. If the Legislature has made an unjust and invasive law it is my duty as a man and a citizen to ignore that law. Legislators are but men—as legislators they are less, not greater than citizens. They are only the agents or representatives of citizens. No citizen can delegate a power to his agent in the legislature that he himself as a citizen does not possess. If these legislators make a law that invades the natural rights of the citizen, then no matter how often that law may have been ratified by a majority of citizens it should be simply ignored and disregarded. There is no 'divinity that doth hedge' a statute law any more than there is a divinity that doth hedge a king. The rights of majorities are no more sacred than the rights of minorities.

"Rights are inherent in the individual man and woman. An individual does not gain an accession of rights because he ceases to be a minority and joins the majority. Despotism is despotism whether by a monarch or a majority. A bad law is 'more honored in the breach than in the observance.'"

From the autonomistic standpoint as just explained, of course no magistrate, judge or other officer would be justified in taking an oath to enforce ALL the laws on the statute book. Or to obey all the orders and rulings of his superiors in office. The autonomist would take no such oath or obligation. He would reserve to himself the right to act in each case as his highest sense of right and justice would prompt. There would then be no such thing as making an intangible, irresponsible, impersonal State the scape goat for all the crimes against humanity that are now committed in the name of Legality.

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

LETTER I. CONTINUED.
 At the worst, this physician has only acted unwisely in not buying exemption from these criminal acts on the part of his powerful adversary. So with these defendants. Their act was a right and proper one—one that no other individual or set of individuals called the state, had any right to prohibit; and the injuries that are being done them by you and others are crimes on the part of the perpetrators of them. At the worst, these parties were simply *unwise* in policy in not buying you and your associate criminals off by according to your terms.

I once had a score of rebel muskets placed uncomfortably near my face and breast. The rebels laid down a law according to which I was expected to act. The law was: "Surrender! you g—d—d s—of a b—h; and be d—d quick about it!" As a matter of right or of morality, I was not under any obligation to obey this law. As a matter of *policy*, I did obey it. I obeyed it, too, in the very manner required, which was "d—d quick." So, a year ago, when I married knowing that the enemy was too strong for me, as a similar act of *policy*, I marched up, like a fine big coward, and bought a mummy and thus secured for myself and wife exemption from the crime which would otherwise have been committed against us in the forms of fines, imprisonments, social ostracism, &c., if not mob violence, by such criminals,—such consistent Christians as yourselves. Yet while I was not brave enough myself to take the course that has been taken by E. C. Walker and Lillian Harman, I shall not withhold from them my approbation and my defense of their course and my utter condemnation of yours. In all of this, my wife heartily joins me.

In California, the contract form of marriage has been made legal, and there, by all intelligent persons it is regarded as just as right, proper and honorable as any other form. Indeed, for reasons which I will notice further on, many persons regard this as the only form that is really right, proper and honorable. The robust dignity of that magnificent state is not in the least lowered by vast numbers of such marriages. The feeble dignity of your state, on the contrary, seems greatly imperiled by this one contract marriage.

It is a concern of real democracy everywhere to avoid an intemperate application of majority power or any use or proceeding which would undermine the integrity of personal judgment and right. For some tempting immediate object to be gained by an arbitrary exercise of majority power the basis of democracy, the individual freeman, would be struck down. The best evidence to some minds that prohibition would work this evil may be found in the crude ideas of Prohibitionists that democratic government is an undefined, universal power of numbers over individuals. To the intelligent democrat, government is something already assigned to a sphere for a certain use, and to be scourged back when it becomes a usurpation.—Galveston News.

The Rev. Dr. A. H. Lewis writes in the forthcoming number of the Popular Science Monthly on the origin and results of Sunday legislation. His contention is that the day was first instituted by pagan sun worshippers, and that it has only been possible to maintain its status in Christian nations by the constant exercise of the authority of the state.—Ex. One honest minister.

We do not feel that it is any great calamity to Spies and the rest to lose their lives. No better good fortune could happen to them or to the majority of mankind than to be suddenly killed next week, but they wish to live and they have not forfeited the right to have that wish respected. Therefore it is a monstrous injustice on the part of the state to kill them.—Winsted (Conn.) Press.

To endeavor to work upon the vulgar with fine sense is like attempting to hew blocks of marble with a razor.

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