

The Postal Blow Below the Belt.

BY T. B. WAKEMAN.

The last clause of the following resolution of the Democratic Caucus of Congress (cut from New York Journal of May 30) deeply concerns every citizen and especially every Liberal:

THE ANTI-TRUST PLEDGE.

After a debate that lasted beyond midnight the caucus adopted the following: "The members of the Democratic caucus indorse the substitute and amendments to the bill known as the Littlefield bill, providing that, articles made by a trust shall be placed on the [tariff] free list, AND PROHIBITING THE SENDING OF MATTER THROUGH THE MAILS ADVERTISING TRUST PRODUCTS."

We should know perfectly well what this tampering with, and government by, the Mails means. Without freedom, equality and inviolability of the mails there can be no freedom of the press. Without freedom of the press there can be no freedom of speech or of expression. And without those rights all other freedoms are worthless. The Post-office, instead of being a "public conveniency", as Hamilton, in the Federalist, said it was to be, becomes at once the most effective and terrible instrument of imperialism, despotism and oppression at home. The resort to it is the beginning of the end of our liberties, and of the Republic, except in name.

The postoffice is a necessity of civilization, and to be excluded from it is to be outlawed. We regret extremely to see that both of our great political parties are playing at this game of postal exclusion against the wishes, liberties and rights of the people as a whole. Only a few months ago the Democrats were denouncing the Republicans for actually throwing out "anti-imperialistic literature" from the mails. Now it is lamentable to find them proposing in congressional caucus a similar violation of the mail against trusts. Parties must learn not to outlaw in this way without Law, Judge or Jury. It is simply Lynch Law.

It may be our misfortune, but the fact is that our government is a party government—it is simply a party in power. The party that can plead the precedents of the other party for a "right" to violate the mails, for public or private ends can do so with impunity. The party that can so act has not only the other party, but the Republic and the people, at its mercy. The Liberals, that is, those who are trying to get and keep, free from the "old bonds" and the imposition of new ones, in religion and in many things else, will be the first to feel the weight of these discriminative oppressions. Indeed, they are feeling them now, as the case of Charles C. Moore, of the Blue Grass Blade (Lexington, Ky.), and too many similar cases, abundantly testify. The pretence of "obscenity" in that and similar cases is a transparent pretext.

There are breakers ahead; let us not forget it—breakers political, social, industrial and financial, as

well as religious, and we ought to prepare now to have all possible differences in this "Republic" of ours argued out fairly and squarely before resort is had to arms. These violations of the mails are not argument; but a grab in the game, a blow below the belt that would bring a blush of shame to Jeffries or Corbit and lose the fight in every ring that has the least pretense to decency or fairness.

But it said that such discriminations are necessary in war and towards criminals. Yes, but only in war where laws are silent, and where martial law has been declared or exists. For instance, now in the Philippines, but not in the United States. As to the detection and punishment of criminals, until a person is convicted of being a criminal, what he sends by mail is sent by an innocent person: that is, by one not proved guilty, and his mail rights are the same as those of any other person. In a Republic, the rights (mail or other) of every person are only equal to those of every other person unconvicted of a crime. The making of discriminations as to the persons sending, or "as to the meaning of the matter sent" is unfair, un-republican, un-democratic and, as Daniel Webster said in 1836, when it was sought to be applied to Abolitionists, "expressly unconstitutional". The pretense that our State and U. S. governments must thus use the mails in order to make, detect and catch criminals is not a "postal purpose," and is a slander upon our laws, police officers and detectives.

The decision of the U. S. Supreme Court, 'In Re' Jackson, holding that the whole matter under the Constitution is in the power of Congress, has been by later decisions, unwittingly perhaps, carried so far as to seem to justify Congress in making the distinctions above referred to for any purposes whatsoever. Such discriminations are in utter violation of the fundamental purposes, policy and principles of our government. Their application means war, for it says to the oppressed, "you have no rights which we are bound to respect. You have no rights equal to ours. We do not even propose to have you argue the matter with us or with the people." This refusal of argument to an opponent is a challenge to him to take up arms or to give up what he believes to be his rights and to become a slave. A Republic that governs by the violation of its mails thereby releases all those thus discriminated against from the feeling, grounds and fact of loyalty, and makes them outlaws, and, as soon as practicable, Rebels. Such a Republic is a contradiction; it is placing a volcano under its foundation. It is no longer a free and equal government of, for or by the people; it is not their government at all, but that of their opponents. It is despotism to them. Why should they not do what little they can to destroy it?

Now to the practical point: Let us have a general "second thought" over this subject. While we are proposing amendments to the U. S. Constitution for an Income Tax and other matters of great moment, have we not some friend of the people and of equal rights and of liberty in Congress who will propose the inviolability of the mails, a necessary condition of all liberties, either by a general law of Congress, or by a constitutional amendment?

"LUO"

("I SET FREE.")

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