

Marx Hardy Machiavelli Joyce Austen
Defoe Abbot Melville Montaigne Cooper Emerson Hugo
Stoker Wilde Christie Maupassant Haggard Chesterton Molière Eliot Grimm
Garnett Engels Byron Schiller
Goethe Hawthorne Smith Kafka
Cotton Dostoyevsky Hall
Baum Henry Kipling Doyle Willis
Leslie Dumas Flaubert Nietzsche Turgenev Balzac Crane
Burroughs Vatsyayana Verne
Curtis Tocqueville Whittman Gogol Busch
Homer Tolstoy Darwin Thoreau Twain Plato
Potter Zola Lawrence Dickens Scott
Kant Freud Jowett Stevenson Andersen Burton Harte
London Descartes Cervantes Wells Hesse
Poe Aristotle James Hastings Voltaire Cooke
Hale Shakespeare Bunner Chambers Irving
Richter Chekhov da Shaw Benedict Alcott
Doré Dante Swift Pushkin Newton
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The Collected Works of Ambrose Bierce, Volume 1

Ambrose Bierce

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An Historical Monograph Written in 4930

Of the many causes that conspired to bring about the lamentable failure of "self-government" in ancient America the most general and comprehensive was, of course, the impracticable nature of the system itself. In the light of modern culture, and instructed by history, we readily discern the folly of those crude ideas upon which the ancient Americans based what they knew as "republican institutions," and maintained, as long as maintenance was possible, with something of a religious fervor, even when the results were visibly disastrous. To us of to-day it is clear that the word "self-government" involves a contradiction, for government means control by something other than the thing to be controlled. When the thing governed is the same as the thing governing there is no government, though for a time there may be, as in the case under consideration there was, a considerable degree of forbearance, giving a misleading appearance [pg 18]of public order. This, however, soon must, as in fact it soon did, pass away with the delusion that gave it birth. The habit of obedience to written law, inculcated by generations of respect for actual government able to enforce its authority, will persist for a long time, with an ever lessening power upon the imagination of the people; but there comes a time when the tradition is forgotten and the delusion exhausted. When men perceive that nothing is restraining them but their consent to be restrained, then at last there is nothing to obstruct the free play of that selfishness which is the dominant characteristic and fundamental motive of human nature and human action respectively. Politics, which may have had something of the character of a contest of principles, becomes a struggle of interests, and its methods are frankly serviceable to personal and class advantage. Patriotism and respect for law pass like a tale that is told. Anarchy, no longer disguised as "government by consent," reveals his hidden hand, and in the words of our greatest living poet,

lets the curtain fall,

And universal darkness buries all!

The ancient Americans were a composite [pg 19]people; their blood was a blend of all the strains known in their time. Their government, while they had one, being merely a loose and mutable expression of the desires and caprices of the majority — that is to say, of the ignorant, restless and reckless — gave the freest rein and play to all the primal instincts and elemental passions of the race. In so far and for so long as it had any restraining force, it was only the restraint of the present over the power of the past — that of a new habit over an old and insistent tendency ever seeking expression in large liberties and indulgences impatient of control. In the history of that unhappy people, therefore, we see unveiled the workings of the human will in its most lawless state, without fear of authority or care of consequence. Nothing could be more instructive.

Of the American form of government, although itself the greatest of evils afflicting the victims of those that it entailed, but little needs to be said here; it has perished from the earth, a system discredited by an unbroken record of failure in all parts of the world, from the earliest historic times to its final extinction. Of living students of political history not one professes to see in it anything but [pg 20]a mischievous creation of theorists and visionaries — persons whom our gracious sovereign has deigned to brand for the world's contempt as "dupes of hope purveying to sons of greed." The political philosopher of to-day is spared the trouble of pointing out the fallacies of republican government, as the mathematician is spared that of demonstrating the absurdity of the convergence of parallel lines; yet the ancient Americans not only clung to their error with a blind, unquestioning faith, even when groaning under its most insupportable burdens, but seem to have believed it of divine origin. It was thought by them to have been established by the god Washington, whose worship, with that of such *dii minores* as Gufferson, Jaxon and Lincon (identical probably with the Hebru Abrem) runs like a shining thread through all the warp and woof of the stuff that garmented their moral nakedness. Some stones, very curiously inscribed in many tongues, were found by the explorer Droyhors in the wilderness bordering the river Bhatt (supposed by him to be the

ancient Potomac) as lately as the reign of Barukam IV. These stones appear to be fragments of a monument or temple erected to the glory of Washington in his divine character [pg 21]of Founder and Preserver of republican institutions. If this tutelary deity of the ancient Americans really invented representative government they were not the first by many to whom he imparted the malign secret of its inauguration and denied that of its maintenance.

Although many of the causes which finally, in combination, brought about the downfall of the great American republic were in operation from the beginning—being, as has been said, inherent in the system—it was not until the year 1995 (as the ancients for some reason not now known reckoned time) that the collapse of the vast, formless fabric was complete. In that year the defeat and massacre of the last army of law and order in the lava beds of California extinguished the final fires of enlightened patriotism and quenched in blood the monarchical revival. Thenceforth armed opposition to anarchy was confined to desultory and insignificant warfare waged by small gangs of mercenaries in the service of wealthy individuals and equally feeble bands of prescripts fighting for their lives. In that year, too, “the Three Presidents” were driven from their capitals, Cincinnati, New Orleans and Duluth, their armies dissolving [pg 22]by desertion and themselves meeting death at the hands of the populace.

The turbulent period between 1920 and 1995, with its incalculable waste of blood and treasure, its dreadful conflicts of armies and more dreadful massacres by passionate mobs, its kaleidoscopic changes of government and incessant effacement and redrawing of boundaries of states, its interminable tale of political assassinations and proscriptions—all the horrors incident to intestinal wars of a naturally lawless race—had so exhausted and dispirited the surviving protagonists of legitimate government that they could make no further head against the inevitable, and were glad indeed and most fortunate to accept life on any terms that they could obtain.

But the purpose of this sketch is not bald narration of historic fact, but examination of antecedent germinal conditions; not to recount calamitous events familiar to students of that faulty civilization, but to trace, as well as the meager record will permit, the genesis and

development of the causes that brought them about. Historians in our time have left little undone in the matter of narration of political and military phenomena. In Golpek's "Decline and Fall of the American Republics," [pg 23]in Soseby's "History of Political Fallacies," in Holobom's "Monarchical Renasence," and notably in Gunkux's immortal work, "The Rise, Progress, Failure and Extinction of The Connected States of America" the fruits of research have been garnered, a considerable harvest. The events are set forth with such conscientiousness and particularity as to have exhausted the possibilities of narration. It remains only to expound causes and point the awful moral.

To a delinquent observation it may seem needless to point out the inherent defects of a system of government which the logic of events has swept like political rubbish from the face of the earth, but we must not forget that ages before the inception of the American republics and that of France and Ireland this form of government had been discredited by emphatic failures among the most enlightened and powerful nations of antiquity: the Greeks, the Romans, and long before them (as we now know) the Egyptians and the Chinese. To the lesson of these failures the founders of the eighteenth and nineteenth century republics were blind and deaf. Have we then reason to believe that our posterity [pg 24]will be wiser because instructed by a greater number of examples? And is the number of examples which they will have in memory really greater? Already the instances of China, Egypt, Greece and Rome are almost lost in the mists of antiquity; they are known, except by infrequent report, to the archfologist only, and but dimly and uncertainly to him. The brief and imperfect record of yesterdays which we call History is like that traveling vine of India which, taking new root as it advances, decays at one end while it grows at the other, and so is constantly perishing and finally lost in all the spaces which it has over-passed.

From the few and precious writings that have descended to us from the early period of the American republic we get a clear if fragmentary view of the disorders and lawlessness affecting that strange and unhappy nation. Leaving the historically famous "labor troubles" for more extended consideration, we may summarize here a few of the results of hardly more than a century and a quarter of

“self-government” as it existed on this continent just previously to the awful end. At the beginning of the “twentieth century” a careful study by trustworthy contemporary [pg 25]statisticians of the public records and those apparently private ones known as “newspapers” showed that in a population of about 80,000,000 the annual number of homicides was not less than 10,000; and this continued year after year to increase, not only absolutely, but proportionately, until, in the words of Dumbleshaw, who is thought to have written his famous “Memoirs of a Survivor” in the year 1908 of their era, “it would seem that the practice of suicide is a needless custom, for if a man but have patience his neighbor is sure to put him out of his misery.” Of the 10,000 assassins less than three per cent. were punished, further than by incidental imprisonment if unable to give bail while awaiting trial. If the chief end of government is the citizen’s security of life and his protection from aggression, what kind of government do these appalling figures disclose? Yet so infatuated with their imaginary “liberty” were these singular people that the contemplation of all this crime abated nothing of the volume and persistence of their patriotic ululations, and affected not their faith in the perfection of their system. They were like a man standing on a rock already submerged by the rising tide, [pg 26]and calling to his neighbors on adjacent cliffs to observe his superior security.

When three men engage in an undertaking in which they have an equal interest, and in the direction of which they have equal power, it necessarily results that any action approved by two of them, with or without the assent of the third, will be taken. This is called—or was called when it was an accepted principle in political and other affairs—“the rule of the majority.” Evidently, under the malign conditions supposed, it is the only practicable plan of getting anything done. A and B rule and overrule C, not because they ought, but because they can; not because they are wiser, but because they are stronger. In order to avoid a conflict in which he is sure to be worsted, C submits as soon as the vote is taken. C is as likely to be right as A and B; nay, that eminent ancient philosopher, Professor Richard A. Proctor (or Proractor, as the learned now spell the name), has clearly shown by the law of probabilities that any one of the three, all being of the same intelligence, is far likelier to be right than the other two.

It is thus that the “rule of the majority” as a political system is established. It is in essence nothing but the discredited and [pg 27]discreditable principle that “might makes right”; but early in the life of a republic this essential character of government by majority is not seen. The habit of submitting all questions of policy to the arbitrament of counting noses and assenting without question to the result invests the ordeal with a seeming sanctity, and what was at first obeyed as the command of power comes to be revered as the oracle of wisdom. The innumerable instances—such as the famous ones of Galileo and Keeley—in which one man has been right and all the rest of the race wrong, are overlooked, or their significance missed, and “public opinion” is followed as a divine and infallible guide through every bog into which it blindly stumbles and over every precipice in its fortuitous path. Clearly, sooner or later will be encountered a bog that will smother or a precipice that will crush. Thoroughly to apprehend the absurdity of the ancient faith in the wisdom of majorities let the loyal reader try to fancy our gracious Sovereign by any possibility wrong, or his unanimous Ministry by any possibility right!

During the latter half of the “nineteenth century” there arose in the Connected States a political element opposed to all government, [pg 28]which frankly declared its object to be anarchy. This astonishing heresy was not of indigenous growth: its seeds were imported from Europe by the emigration or banishment thence of criminals congenitally incapable of understanding and valuing the blessings of monarchical institutions, and whose method of protest was murder. The governments against which they conspired in their native lands were too strong in authority and too enlightened in policy for them to overthrow. Hundreds of them were put to death, thousands imprisoned and sent into exile. But in America, whither those who escaped fled for safety, they found conditions entirely favorable to the prosecution of their designs.

A revered fetish of the Americans was “freedom of speech”: it was believed that if bad men were permitted to proclaim their evil wishes they would go no further in the direction of executing them—that if they might say what they would like to do they would not care to do it. The close relation between speech and action was not understood. Because the Americans themselves had long been

accustomed, in their own political debates and discussions, to the use of [pg 29]unmeaning declamations and threats which they had no intention of executing, they reasoned that others were like them, and attributed to the menaces of these desperate and earnest outcasts no greater importance than to their own. They thought also that the foreign anarchists, having exchanged the tyranny of kings for that of majorities, would be content with their new and better lot and become in time good and law-abiding citizens.

The anarchist of that far day (thanks to the firm hands of our gracious sovereigns the species is now extinct) was a very different person from what our infatuated ancestors imagined him. He struck at government, not because it was bad, but because it was government. He hated authority, not for its tyranny, but for its power. And in order to make this plain to observation he frequently chose his victim from amongst those whose rule was most conspicuously benign.

Of the seven early Presidents of the American republic who perished by assassination no fewer than four were slain by anarchists with no personal wrongs to impel them to the deed — nothing but an implacable hostility to law and authority. The fifth victim, indeed, [pg 30]was a notorious demagogue who had pardoned the assassin of the fourth.

The field of the anarchist's greatest activity was always a republic, not only to emphasize his impartial hatred of all government, but because of the inherent feebleness of that form of government, its inability to protect itself against any kind of aggression by any considerable number of its people having a common malevolent purpose. In a republic the crust that confined the fires of violence and sedition was thinnest.

No improvement in the fortunes of the original anarchists through immigration to what was then called the New World would have made them good citizens. From centuries of secret war against particular forms of authority in their own countries they had inherited a bitter antagonism to all authority, even the most beneficent. In their new home they were worse than in their old. In the sunshine of opportunity the rank and sickly growth of their perverted natures became hardy, vigorous, bore fruit. They sur-

rounded themselves with proselytes from the ranks of the idle, the vicious, the unsuccessful. They stimulated and organized discontent. Every one of them became a center of moral and [pg 31]political contagion. To those as yet unprepared to accept anarchy was offered the milder dogma of Socialism, and to those even weaker in the faith something vaguely called Reform. Each was initiated into that degree to which the induration of his conscience and the character of his discontent made him eligible, and in which he could be most serviceable, the body of the people still cheating themselves with the false sense of security begotten of the belief that they were somehow exempt from the operation of all agencies inimical to their national welfare and integrity. Human nature, they thought, was different in the West from what it was in the East: in the New World the old causes would not have the old effects: a republic had some inherent vitality of its own, entirely independent of any action intended to keep it alive. They felt that words and phrases had some talismanic power, and charmed themselves asleep by repeating "liberty," "all men equal before the law," "dictates of conscience," "free speech" and all manner of such incantation to exorcise the spirits of the night. And when they could no longer close their eyes to the dangers environing them; when they saw at last that what they had mistaken for the magic power of their [pg 32]form of government and its assured security was really its radical weakness and subjective peril — they found their laws inadequate to repression of the enemy, the enemy too strong to permit the enactment of adequate laws. The belief that a malcontent armed with freedom of speech, a newspaper, a vote and a rifle is less dangerous than a malcontent with a still tongue in his head, empty hands and under police surveillance was abandoned, but all too late. From its fatuous dream the nation was awakened by the noise of arms, the shrieks of women and the red glare of burning cities.

Beginning with the slaughter at St. Louis on a night in the year 1920, when no fewer than twenty-two thousand citizens were slain in the streets and half the city destroyed, massacre followed massacre with frightful rapidity. New York fell in the month following, many thousands of its inhabitants escaping fire and sword only to be driven into the bay and drowned, "the roaring of the water in their ears," says Bardeal, "augmented by the hoarse clamor of their

red-handed pursuers, whose blood-thirst was unsated by the sea." A week later Washington was destroyed, with all its public buildings and archives; the President and his Ministry were slain, Congress was [pg 33]dispersed, and an unknown number of officials and private citizens perished. Of all the principal cities only Chicago and San Francisco escaped. The people of the former were all anarchists and the latter was valorously and successfully defended by the Chinese.

The urban anarchists were eventually subdued and some semblance of order was restored, but greater woes and sharper shames awaited this unhappy nation, as we shall see.

In turning from this branch of our subject to consider the causes of the failure and bloody disruption of the great American republic other than those inherent in the form of government, it may not be altogether unprofitable to glance briefly at what seems to a superficial view the inconsistent phenomenon of great material prosperity. It is not to be denied that this unfortunate people was at one time singularly prosperous, in so far as national wealth is a measure and proof of prosperity. Among nations it was the richest nation. But at how great a sacrifice of better things was its wealth obtained! By the neglect of all education except that crude, elementary sort which fits men for the coarse delights of business and affairs but confers no capacity of rational enjoyment; by exalting the worth of wealth and [pg 34]making it the test and touchstone of merit; by ignoring art, scorning literature and despising science, except as these might contribute to the glutting of the purse; by setting up and maintaining an artificial standard of morals which condoned all offenses against the property and peace of every one but the condoner; by pitilessly crushing out of their natures every sentiment and aspiration unconnected with accumulation of property, these civilized savages and commercial barbarians attained their sordid end. Before they had rounded the first half-century of their existence as a nation they had sunk so low in the scale of morality that it was considered nothing discreditable to take the hand and even visit the house of a man who had grown rich by means notoriously corrupt and dishonorable; and Harley declares that even the editors and writers of newspapers, after fiercely assailing such men in their journals, would be seen "hobnobbing" with them in public places.

(The nature of the social ceremony named the “hobnob” is not now understood, but it is known that it was a sign of amity and favor.) When men or nations devote all the powers of their minds and bodies to the heaping up of wealth, wealth is heaped up. But [pg 35]what avails it? It may not be amiss to quote here the words of one of the greatest of the ancients whose works—fragmentary, alas—have come down to us.

“Wealth has accumulated itself into masses; and poverty, also in accumulation enough, lies impassably separated from it; opposed, uncommunicating, like forces in positive and negative poles. The gods of this lower world sit aloft on glittering thrones, less happy than Epicurus’s gods, but as indolent, as impotent; while the boundless living chaos of ignorance and hunger welters, terrific in its dark fury, under their feet. How much among us might be likened to a whited sepulcher: outwardly all pomp and strength, but inwardly full of horror and despair and dead men’s bones! Iron highways, with their wains fire-winged, are uniting all the ends of the land; quays and moles, with their innumerable stately fleets, tame the ocean into one pliant bearer of burdens; labor’s thousand arms, of sinew and of metal, all-conquering everywhere, from the tops of the mount down to the depths of the mine and the caverns of the sea, ply unweariedly for the service of man; yet man remains unserved. He has subdued this planet, his habitation and inheritance, yet reaps no profit [pg 36]from the victory. Sad to look upon: in the highest stage of civilization nine-tenths of mankind have to struggle in the lowest battle of savage or even animal man—the battle against famine. Countries are rich, prosperous in all manner of increase, beyond example; but the men of these countries are poor, needier than ever of all sustenance, outward and inward; of belief, of knowledge, of money, of food.”

To this somber picture of American “prosperity” in the nineteenth century nothing of worth can be added by the most inspired artist. Let us simply inscribe upon the gloomy canvas the memorable words of an illustrious poet of the period:

That country speeds to an untoward fate,
Where men are trivial and gold is great.

One of the most "sacred" rights of the ancient American was the trial of an accused person by "a jury of his peers." This, in America, was a right secured to him by a written constitution. It was almost universally believed to have had its origin in Magna Carta, a famous document which certain rebellious noblemen of another country had compelled their sovereign to sign under a [pg 37]threat of death. That celebrated "bill of rights" has not all come down to us, but researches of the learned have made it certain that it contained no mention of trial by jury, which, indeed, was unknown to its authors. The words *judicium parium* meant to them something entirely different—the judgment of the entire community of freemen. The words and the practice they represented antedated Magna Carta by many centuries and were common to the Franks and other Germanic nations, amongst whom a trial "jury" consisted of persons having a knowledge of the matter to be determined—persons who in later times were called "witnesses" and rigorously excluded from the seats of judgment.

It is difficult to conceive a more clumsy and ineffective machinery for ascertaining truth and doing justice than a jury of twelve men of the average intelligence, even among ourselves. What, then, must this device have been among the half-civilized tribes of the Connected States of America! Nay, the case is worse than that, for it was the practice to prevent men of even the average intelligence from serving as jurors. Jurors had to be residents of the locality of the crime charged, and every crime was made a matter of public notoriety [pg 38]long before the accused was brought to trial; yet, as a rule, he who had read or talked about the trial was held disqualified to serve. This in a country where, when a man who could read was not reading about local crimes he was talking about them, or if doing neither was doing something worse!

To the twelve men so chosen the opposing lawyers addressed their disingenuous pleas and for their consideration the witnesses presented their carefully rehearsed testimony, most of it false. So unintelligent were these juries that a great part of the time in every trial was consumed in keeping from them certain kinds of evidence with which they could not be trusted; yet the lawyers were permitted to submit to them any kind of misleading argument that they pleased and fortify it with innuendoes without relevancy and logic

without sense. Appeals to their passions, their sympathies, their prejudices, were regarded as legitimate influences and tolerated by the judges on the theory that each side's offenses would about offset those of the other. In a criminal case it was expected that the prosecutor would declare repeatedly and in the most solemn manner his belief in the guilt of the person accused, and that the attorney for [pg 39]the defense would affirm with equal gravity his conviction of his client's innocence. How could they impress the jury with a belief which they did not themselves venture to affirm? It is not recorded that any lawyer ever rebelled against the iron authority of these conditions and stood for truth and conscience. They were, indeed, the conditions of his existence as a lawyer, a fact which they easily persuaded themselves mitigated the baseness of their obedience to them, or justified it altogether.

The judges, as a rule, were no better, for before they could become judges they must have been advocates, with an advocate's fatal disabilities of judgment. Most of them depended for their office upon the favor of the people, which, also, was fatal to the independence, the dignity and the impartiality to which they laid so solemn claim. In their decisions they favored, so far as they dared, every interest, class or person powerful enough to help or hurt them in an election. Holding their high office by so precarious a tenure, they were under strong temptation to enrich themselves from the serviceable purses of wealthy litigants, and in disregard of justice to cultivate the favor of the attorneys practicing before [pg 40]them, and before whom they might soon be compelled themselves to practice.

In the higher courts of the land, where juries were unknown and appointed judges held their seats for life, these awful conditions did not obtain, and there Justice might have been content to dwell, and there she actually did sometimes set her foot. Unfortunately, the great judges had the consciences of their education. They had crept to place through the slime of the lower courts and their robes of office bore the damnatory evidence. Unfortunately, too, the attorneys, the jury habit strong upon them, brought into the superior tribunals the moral characteristics and professional methods acquired in the lower. Instead of assisting the judges to ascertain the truth and the law, they cheated in argument and took liberties with

fact, deceiving the court whenever they deemed it to the interest of their cause to do so, and as willingly won by a technicality or a trick as by the justice of their contention and their ability in supporting it. Altogether, the entire judicial system of the Connected States of America was inefficient, disreputable, corrupt.

The result might easily have been foreseen and doubtless was predicted by patriots whose [pg 41]admonitions have not come down to us. Denied protection of the law, neither property nor life was safe. Greed filled his coffers from the meager hoards of Thrift, private vengeance took the place of legal redress, mad multitudes rioted and slew with virtual immunity from punishment or blame, and the land was red with crime.

A singular phenomenon of the time was the immunity of criminal women. Among the Americans woman held a place unique in the history of nations. If not actually worshiped as a deity, as some historians, among them the great Sagab-Joffoy, have affirmed, she was at least regarded with feelings of veneration which the modern mind has a difficulty in comprehending. Some degree of compassion for her mental inferiority, some degree of forbearance toward her infirmities of temper, some degree of immunity for the offenses which these peculiarities entail—these are common to all peoples above the grade of barbarians. In ancient America these chivalrous sentiments found open and lawful expression only in relieving woman of the burden of participation in political and military service; the laws gave her no express exemption from responsibility for crime. When she murdered, [pg 42]she was arrested; when arrested, brought to trial—though the origin and meaning of those observances are not now known. Gunkux, whose researches into the jurisprudence of antiquity enable him to speak with commanding authority of many things, gives us here nothing better than the conjecture that the trial of women for murder, in the nineteenth century and a part of the twentieth, was the survival of an earlier custom of actually convicting and punishing them, but it seems extremely improbable that a people that once put its female assassins to death would ever have relinquished the obvious advantages of the practice while retaining with purposeless tenacity some of its costly preliminary forms. Whatever may have been the reason, the custom was observed with all the gravity of a serious intention. Gunkux

professes knowledge of one or two instances (he does not name his authorities) where matters went so far as conviction and sentence, and adds that the mischievous sentimentalists who had always lent themselves to the solemn jest by protestations of great *vraisemblance* against "the judicial killing of women," became really alarmed and filled the land with their lamentations. Among the phenomena of brazen effrontery [pg 43]he classes the fact that some of these loud protagonists of the right of women to assassinate unpunished were themselves women! Howbeit, the sentences, if ever pronounced, were never executed, and during the first quarter of the twentieth century the meaningless custom of bringing female assassins to trial was abandoned. What the effect was of their exemption from this considerable inconvenience we have not the data to conjecture, unless we understand as an allusion to it some otherwise obscure words of the famous Edward Bok, the only writer of the period whose work has survived. In his monumental essay on barbarous penology, entitled "Slapping the Wrist," he couples "woman's emancipation from the trammels of law" and "man's better prospect of death" in a way that some have construed as meaning that he regarded them as cause and effect. It must be said, however, that this interpretation finds no support in the general character of his writing, which is exceedingly humane, refined and womanly.

It has been said that the writings of this great man are the only surviving work of his period, but of that we are not altogether sure. There exists a fragment of an anonymous essay on woman's legal responsibility which many [pg 44]Americologists think belongs to the beginning of the twentieth century. Certainly it could not have been written later than the middle of it, for at that time woman had been definitely released from any responsibility to any law but that of her own will. The essay is an argument against even such imperfect exemption as she had in its author's time.

"It has been urged," the writer says, "that women, being less rational and more emotional than men, should not be held accountable in the same degree. To this it may be answered that punishment for crime is not intended to be retaliatory, but admonitory and deterrent. It is, therefore, peculiarly necessary to those not easily reached by other forms of warning and dissuasion. Control of the wayward is not to be sought in reduction of restraints, but in their